UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

LINEAGE, INC.
Employer/Petitioner

Case 13-RM-352486

and

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 703
Union

ORDER

The Employer's Request for Review of the Regional Director's Decision on Exceptions to the Hearing Officer's Report is denied as it raises no substantial issues warranting review.

In denying review, we observe that where, as here, the issue in dispute is whether a particular classification of employees (the inventory control technicians (ICTs)) shares a community of interest with the rest of the petitioned-for unit (here, various classifications of warehouse employees), the Board does not place a burden on any particular party. Thus, we disavow the Regional Director's citation to *Sweetener Supply Corp.*, 349 NLRB 1122 (2007), for the proposition that the Employer bore a burden to establish that the ICTs did not share a community of interest with the other unit employees. Nevertheless, for the reasons stated in the Regional Director's decision and as clarified below, we agree with the Regional Director's overall conclusion that the record evidence establishes that the ICTs share a community of interest with the other employee classifications in the petitioned-for unit.

We first agree with the Regional Director that the Employer has not established that the hearing officer's credibility determinations should be overturned. Furthermore, even crediting Employer witness testimony that ICTs collectively spend 65 percent of their time in the control room and 35 percent on the warehouse floor, the contact factor would support finding a shared community of interest between the ICTs and the other unit employees. See, e.g., *Blue Grass Industries*, 287 NLRB 274, 298 (1987); *ITT Lighting Fixtures*, 249 NLRB 441, 442 (1980), enf. denied on other grounds 658 F.2d 934 (2d Cir. 1981). Similarly, the interchange factor would support finding a community of interest even if we credited the Employer's witnesses that ICTs cover for certain other classifications once per month, or at least once per quarter, rather than weekly. The Regional Director's finding of permanent interchange (i.e., that all ICTs previously held at least one of the classifications in the petitioned-for unit) supports this conclusion. See *Walt Disney Parks and Resorts, U.S., Inc.*, 373 NLRB No. 99, slip op. at 7 (2024) ("when considering whether two groups of employees *may* be represented in the same unit, permanent

interchange can support a community-of-interest finding") (emphasis in original); *Sperry Rand Corp.*, 190 NLRB 488, 488–489 & fn. 2 (1971).[1]

Finally, with respect to the job functions and work factor, we reject the Regional Director's finding that the ICTs' quality control role suggests that the ICTs' job functions are similar to those of other unit employees. Where the petitioned-for or existing unit is a production and maintenance unit and the petitioner also seeks to include quality control or quality assurance employees, the Board will normally find that quality assurance and/or quality control employees may be included where they work in the same areas, have regular contact, and perform tasks functionally integrated with the production process. See, e.g., *Keller Crescent Co.*, 326 NLRB 1158, 1159 (1998). Here, however, that precedent is inapplicable because the unit is not a production and maintenance unit, and the ICTs are only modestly functionally integrated with the receiving and shipping process and instead perform their review work in response to customer complaints received after the products are shipped.

Overall, however, our assessment of the community of interest factors in their totality supports the Regional Director's finding that the petitioned-for unit is an appropriate unit.[2]

JAMES R. MURPHY, CHAIRMAN

DAVID M. PROUTY, MEMBER

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[1] As a side observation, we note that, although the Employer does not dispute the Regional Director's determination on the functional integration element, the Regional Director's characterization of that element was still overly broad. Functional integration exists only where employees must work together and depend on one another to accomplish their tasks. See, e.g., *MV Transportation, Inc.*, 373 NLRB No. 8, slip op. at 5, fn. 24 (2023).

[2] Member Mayer would grant review and find that the inventory control technicians (ICTs) do not share a community of interest with the petitioned-for unit. Contrary to the Regional Director's finding, he would find the ICTs perform job functions that are distinct from the other warehouse employees, as ICTs are primarily focused on resolving customer complaints, not fulfilling orders. As part of their role, ICTs conduct investigations that may lead to discipline for included workers or loss of incentive payments, demonstrating the distinct role and job functions of ICTs. Furthermore, the ICTs are not functionally integrated with the petitioned-for unit because employees in the inventory control department begin their work in response to customer initial calls or inquiries from the warehouse. Their work is removed from the processing of inventory and distribution of goods to customers—the task of the petitioned-for employees. Thus, the ICTs and petitioned-for employees do not work together or depend on each other to accomplish their tasks.

Member Mayer finds, in agreement with the majority, that the cases cited by the Regional Director concerning quality control in production and maintenance units are inapplicable here. Inasmuch as the factors of job functions, functional integration, departmental organization, and supervision, properly understood, all weigh against inclusion, however, he finds that the ICTs do not share a community of interest with the petitioned-for unit. Because he would exclude the ICTs from the unit, Member Mayer does not pass on the Employer's alternative argument that other warehouse employees must be included in the unit if the ICTs are included.

SCOTT A. MAYER, MEMBER

Dated, Washington, D.C., October 29, 2026.