

Palmetto Hospitality Services, Inc. d/b/a Golden Eagle Motor Inn and Hotel, Motel, Restaurant Employees & Bartenders Union, Local 270, AFL-CIO, Petitioner. Case 11-RC-4677

November 1, 1979

DECISION ON REVIEW

BY MEMBERS JENKINS, PENELLO, AND MURPHY

On May 14, 1979, the Regional Director for Region 11 issued a Decision and Direction of Election in the above-entitled proceeding in which he found appropriate a unit of housekeeping, laundry, and maintenance employees, excluding front desk clerks and night auditors. Thereafter, in accordance with Section 102.67 of the National Labor Relations Board Rules and Regulations, Series 8, as amended, the Employer filed a request for review of the Regional Director's Decision on the grounds that, in deciding to exclude front desk clerks from the unit, he made findings of fact which are clearly erroneous and departed from precedent.

By telegraphic order dated June 13, 1979, the request for review was granted and the election stayed pending decision on review.¹

Pursuant to the provisions of Section 3(b) of the National Labor Relations Act, as amended, the National Labor Relations Board had delegated its authority in this proceeding to a three-member panel.

The Board has considered the entire record in this case with respect to the issues under review and makes the following findings:

The Employer operates a small 121-room motel in Charleston, South Carolina, which employs 28 employees in the following job classifications: motel manager, housekeeper, maid, laundress, maintenance engineer, yardman, front desk clerk, and night auditor/front desk clerk. While there is a restaurant connected with the facility, it is leased and operated by a food service contractor and there is no question concerning the inclusion of restaurant employees.

The Employer contends that the small size of its motel facility dictates a high degree of overlap of job functions for reasons of operating economy and that there is also a high degree of community of interest among its job classifications so far as wages, hours, benefits, and working conditions are concerned. Thus, the Employer contends that the front desk employees must be included in the unit. We agree.

The motel manager directly supervises all the employees. In supervision of the maids and laundresses she is assisted by the housekeeper and assistant

housekeeper (who fills in 2 days a week for the housekeeper); however, the motel manager has daily contact with the maids on an individual basis.

All of the employees are hourly paid and are on the same wage scale, with the exception of the maintenance engineer and one night auditor, who are salaried. All the hourly paid employees receive the same fringe benefits. The maids and laundresses actually punch a timeclock. The rest of the hourly employees record their work hours on a timecard.

The front desk employees work on one of three shifts. Individual front desk employees work on different shifts depending on the day of the week. The rest of the employees work differing daytime hours. During the slow season all the employees work a reduced number of hours. The motel has no bell staff and the front desk employees perform these functions, which include carrying guest baggage, providing towels, etc., and performing routine maintenance functions such as repairing and adjusting air-conditioners and television sets and unstopping drains. When working the afternoon and night shifts, front desk employees clean and make up rooms two to three times per week. These activities are occasionally performed by front desk employees on the day shift. One night auditor testified that auditing duties take only about 2 hours of time and much of the rest of the time is spent performing other functions in the rooms and away from the desk.

There is daily contact among the housekeeping and front desk employees when the desk employees carry bags, towels, etc., to the rooms. In addition, the maids and other employees come to the front desk to get coffee or change or to see the motel manager whose office is directly behind the front desk. All of the employees are permitted to wash their own clothes in the laundry. All the employees attend the same Christmas party. Staff meetings do on occasion include all employees but are generally separate because different classifications of employees are doing different things at different times of the day.

In the view of the foregoing, we find that the front desk employees have a substantial community of interest with other employees sought to be represented by the Petitioner, and that they must be included in the requested unit.² Thus, the appropriate unit, as modified herein, is described as follows:

All employees at the Employer's Charleston, South Carolina, motor inn, including maids, laundresses, front desk employees, night auditors, assistant housekeeper, maintenance engineer and yardman; excluding all other employees and supervisors as defined in the Act.

¹ Member Murphy did not participate in the ruling on the request for review or stay of the election.

² *Lammons Hotel Courts, Inc. d/b/a Holiday Inn-Atlanta Northwest*, 214 NLRB 930 (1974).

Accordingly, the case is hereby remanded to the Regional Director for the purpose of conducting an election pursuant to the Decision and Direction of Election, as modified herein, except that the payroll period for determining eligibility shall be that ending immediately before the date of issuance of this Decision on Review.³

³As the unit found herein is broader than the unit sought by the Petitioner, the Direction of Election is conditioned upon the Petitioner's demon-

strating, within 10 days from the date hereof, that it has an adequate showing of interest in the broader unit found appropriate. In the event the Petitioner does not wish to participate in an election in the unit found appropriate, we shall permit it to withdraw its petition without prejudice upon notice to the Regional Director within 5 days from the date of this Decision on Review. A corrected election eligibility list, containing the names and addresses of all the eligible voters, must be filed by the Employer with the Regional Director for Region 11 within 7 days of the date of this Decision on Review. No extension of time to file this list shall be granted by the Regional Director except in extraordinary circumstances. Failure to comply with this requirement shall be grounds for setting aside the election whenever proper objections are filed. *Excelsior Underwear Inc.*, 156 NLRB 1236 (1966); *N.L.R.B. v. Wyman-Gordon Co.*, 394 U.S. 759 (1969).