

**Dattco, Inc. and Teamsters Local Union No. 443,
International Brotherhood of Teamsters, AFL-
CIO, Petitioner.** Case 34-RC-1431

August 25, 1997

DECISION ON REVIEW, ORDER, AND
DIRECTION OF ELECTION

BY CHAIRMAN GOULD AND MEMBERS FOX
AND HIGGINS

On February 27, 1997, the National Labor Relations Board granted the Petitioner's request for review of the Regional Director's Decision and Order. Having carefully reviewed the entire record, we conclude, contrary to the Regional Director, that employees at the Employer's Clinton location constitute a presumptively appropriate single facility unit and that the presumption has not been rebutted.

The facts relating to the appropriateness of the petitioned-for unit are similar to those found in *D&L Transportation*, 324 NLRB 160 (1997). The record establishes that the Clinton terminal manager and dispatcher exercise a high degree of autonomy over day-to-day operations, including assignments, dispatching

and minor discipline, and that there is only minimal interchange of employees between Employer's Clinton facility and other geographically separate facilities. Thus, for the reasons stated in *D&L Transportation*, we find the petitioned-for unit to be an appropriate unit.

ORDER

Accordingly, the petition in Case 34-RC-1431 is ordered reinstated and the above-entitled matter is remanded to the Regional Director for Region 34 for further processing consistent with this decision.

[Direction of Election omitted from publication.]

MEMBER HIGGINS, dissenting.

I agree with my colleagues that this case is similar to *D&L Transportation*, 324 NLRB 160 (1997). In both cases, the Regional Directors, in reasoned and well-supported decisions, found that a single-facility unit was not appropriate. I would not disturb these decisions.

Indeed, the majority's decision is less justified here than it was in *D&L*. Here, unlike in *D&L*, the terminal manager does not make hiring decisions, and the employees at the relevant terminal have no special skills.