UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

AVISTA CORPORATION
Employer

and Case 19-RC-15234

INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS LOCAL
UNION 77
Petitioner

DECISION ON REVIEW AND ORDER

On September 4, 2009, the Regional Director for Region 19 issued a Decision and Direction of Election. He found that the petitioned-for unit of central distribution dispatchers was an appropriate unit for collective bargaining.

Thereafter, in accordance with Section 102.67 of the National Labor Relations Board's Rules and Regulations, the Employer filed a timely request for review. The Employer contends that the central distribution dispatchers are statutory supervisors, and thus do not comprise an appropriate unit. On October 22, 2009, the Board granted the Employer's request for review.[1]

The Board has delegated its authority in this proceeding to a three-member panel.

[1] Chairman Liebman and then-Member Schaumber participated. On August 27, 2010, Chairman Liebman and then-Member Schaumber and Member Hayes affirmed the decision to grant the request for review.

Having carefully reviewed the entire record, we have decided to affirm the Regional Director's decision.[2]

ORDER

The Regional Director's Decision and Direction of Election is affirmed. This proceeding is remanded to the Regional Director for further appropriate action consistent with this Decision on Review and Order.

Dated, Washington, D.C., April 11, 2011

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Wilma B. Liebman, Chairman

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Craig Becker, Member

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Brian E. Hayes, Member

(SEAL) NATIONAL LABOR RELATIONS BOARD

[2] We agree with the Regional Director that the standard for supervisory status set forth in *Oakwood Healthcare, Inc.*, 348 NLRB 686 (2006), represents "critical extant Board law" on the issue of supervisory status in this case. Thus, we find it unnecessary to rely on the Regional Director's discussion of *Mississippi Power & Light Co.*, 328 NLRB 965 (1999).