

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

THE PEPSI-COLA BOTTLING COMPANY OF
WINCHESTER, KENTUCKY, A DIVISION OF
G&J PEPSI-COLA BOTTLERS, INC.

Employer

and

Case 9-RC-110313

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL UNION NO. 651

Petitioner

ORDER

Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA., MEMBER

KENT Y. HIROZAWA, MEMBER

Dated, Washington, D.C., September 18, 2013.

¹ Member Miscimarra does not reach the applicability of *Specialty Healthcare & Rehabilitation Center of Mobile*, 357 NLRB No. 83 (2011), enfd. sub nom. *Kindred Nursing Centers East v. NLRB*, ___ F.3d ___, 2013 WL 4105632 (6th Cir. Aug. 15, 2013), because, in this case, the Employer does not challenge its applicability, and even under the Board's pre-*Specialty Healthcare* traditional community-of-interest analysis, he would find that the petitioned-for unit is an appropriate unit, even though a unit including the excluded merchandisers would also be appropriate.