

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

KING SOOPERS, INC.

Employer

and

Case 27-RC-215705

UNITED FOOD AND COMMERCIAL WORKERS,
LOCAL NO. 7,

Petitioner

ORDER

The 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

JOHN F. RING, CHAIRMAN

LAUREN McFERRAN, MEMBER

MARVIN E. KAPLAN, MEMBER

Dated, Washington, D.C., August 21, 2018.

¹ At the hearing, the parties stipulated that the petitioned-for deli employees are a "readily identifiable group." In denying review, we need not pass on the Regional Director's finding that this constituted a stipulation that the deli employees are an "identifiable, distinct segment" within the meaning of *Warner-Lambert Co.*, 298 NLRB 993, 995 (1990), because we find that the deli employees are an "identifiable, distinct segment." In this regard, the deli employees are organized in a separate department, occupy separate classifications, perform distinct duties, have specialized training regarding those duties, work together in a distinct location, and there is no contention that there are additional employees in this department who are not included in the petitioned-for voting group.

We also deny the Employer's request for oral argument.