STARBUCKS CORPORATION
Employer

and

WORKERS UNITED
Petitioner

STARBUCKS CORPORATION’S OBJECTION
TO CONDUCT OF THE ELECTION

Pursuant to the Rules and Regulations of the National Labor Relations Board (“NLRB”),
including Section 102.69, Starbucks Corporation (“Starbucks” or “Employer”) files the following
Objection to Conduct of the Election in connection with the mail ballot election in Case No. 03-
RC-285929.

In response to Workers United’s (“Union”) representation petition in Case No. 03-RC-
285929, the Employer opposed the holding of a mail ballot election given the well-established
problems relating to mail ballot elections. The Employer asserted its position in its Statement of
Position, on the record at the representation hearing, and in its post-hearing brief. On January 14,
2022, Region 3 directed a mail ballot election over the Employer’s objection. (“January 14
D&DE”). In the January 14, 2022 D&DE, the Region directed the mailing of ballots from Region
3’s office on January 30, 2022, with eligible voters to return ballots by close of business on
February 22, 2022, with a virtual ballot count set to occur on February 23, 2022.

The Employer timely-filed a Request for Review, which the Board did not rule upon prior
to the scheduled count on February 23, 2022. As a result, under Section 102.67(c) of the NLRB’s
Rules and Regulations, the ballots were impounded and remained unopened pending such ruling or decision. On March 7, 2022, the Board issued its Order on the Employer’s Request for Review. On March 7, 2022, Region 3 informed the Parties that it was rescheduling the ballot count to March 9, 2022.

At the March 9, 2022 ballot count, Region 3 informed the Parties that ballots of only 15 of the 38 eligible voters on the Voter List were received by the Region. Thus, the Parties were informed that the ballots of 23 employees (known as partners), or 61% of eligible voters, had not arrived at the Region’s office. Region 3 proceeded to open the 15 ballots and the resulting tally was 8 to 7, in favor of Union representation. Accordingly, 8 of 38 partners, 21%, decided the election for all partners.

After the ballot count, multiple partners asked their managers if their votes had been counted. Numerous partners confirmed that, despite their ballots not being counted during the count, they had in fact cast their ballots and knew specifically when and where they did so. Each of these partners voted prior to the March 9, 2022 ballot count, however, their ballots were not counted by Region 3. Nor were their ballots challenged, voided, or even acknowledged. They were simply unaccounted for.

Specifically, one partner said that they hand-delivered a ballot to Region 3’s office on the morning of February 22, 2022, by placing it under Region 3’s office door. The Region did not count, nor account, for this partner’s ballot, which is determinative in the election.

Region 3’s conduct of the election deprived Starbucks’ partners of their Section 7 rights to vote on the issue of union representation.

Region 3’s objectionable conduct includes the following:
OBJECTION 1

Region 3 personnel engaged in election misconduct by failing to process one or more timely-cast ballots that were delivered to the Regional office prior to the March 9 ballot count.

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Based upon each of the foregoing Objection, the Employer respectfully submits that the election results must be set aside and a re-run election conducted. If the Regional Director does not order a re-run election administratively, the Employer requests a hearing in which to present documentary evidence and witness testimony in support of its Objection.

Respectfully submitted,

/s/ Alan I. Model

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CERTIFICATE OF SERVICE

I certify that Starbucks Corporation’s Objection to Conduct of the Election in Case No. 3-RC-285929 was electronically filed on March 16, 2022, through the Board’s website and also served via email on the following:

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