

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13

THE WESTIN HOTEL VENTURE D/B/A THE WESTIN HOTEL O'HARE¹

Employer

and

TEAMSTERS LOCAL UNION NO. 727, INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Petitioner

Case 13-RC-20135

DECISION AND ORDER

Upon a petition duly filed under Section 9(c) of the National Labor Relations Act, as amended, a hearing was held before a hearing officer of the National Labor Relations Board; hereinafter referred to as the Board.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned.

Upon the entire record² in this proceeding, the undersigned finds:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.
2. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.³
3. The labor organization involved claims to represent certain employees of the Employer.
4. The Petitioner seeks to represent a unit of all full time and part time door service express attendants, luggage service express attendants, and parking lot attendants excluding all others⁴. The Employer stipulated at the hearing that these classifications should be included in the unit. *Genesis Health Ventures of West Virginia*, 326 NLRB No. 116 (1998) (where the parties' intent is clear and does not contravene any statutory provision or Board policy, the Board holds the parties to their agreement.) The Employer, however, contends that the appropriate unit should also include the remaining employees in guest services, housekeeping, and food and beverage departments but exclude engineers, sales and marketing, administration, and the normal exclusions under the Act. Secondly, in the event the Board does not find this unit appropriate, the Employer asserts that a unit consisting of those employees regularly in contact with guests would make up an appropriate unit. This unit would exclude culinary or kitchen employees, laundry employees, etc. The Employer also argues that a unit consisting of all the guest services employees is appropriate. At the hearing, the parties stipulated that the lowest level supervisors such as the front desk supervisor, service express supervisor, housekeeping supervisor, banquet supervisor, and the steward supervisor are not supervisors within the meaning of Section 2(11) of the Act.

¹ The names of the parties appear as amended at the hearing.

² The arguments advanced by the parties at the hearing have been carefully considered.

³ The Employer is a corporation engaged in the business of providing hotel services.

⁴ At the hearing, the Petitioner used job titles to describe the job classifications at issue which differed from those utilized by the Employer. For the sake of clarity, the job titles used here will refer to those advanced by the Employer: door service express attendants, luggage service express attendants, and parking lot attendants, all of which are part of guest services. The Petitioner does not seek to represent the rest of the guest services department.

FACTS

The Employer operates a hotel in Rosemont, Illinois, which caters to business guests arriving from O'Hare airport. The hotel contains 525 guestrooms on twelve floors. The hotel also has a restaurant called the Benchmark, a bar with sit-down dining known as the Teddy Rose, and the Bakery Cafe which offers continental breakfasts. Approximately 330 employees work at this facility. The divisions at issue in this case are guest services, housekeeping, and food and beverage. The parties have stipulated that other departments are not involved in the instant dispute.

The hotel, which is owned by Starwood Hotels and Resorts, is managed by an executive committee which dictates hotel policies and procedures. The executive committee includes the following positions: the general manager, the director of rooms, the controller, the director of marketing and sales, the director of operations, the director of human resources, the executive housekeeper, and the chief engineer. The general manager, Pat O'Brian, is responsible for the overall management of the hotel. The director of rooms, Sharon O'Rourke, is responsible for the guest services and housekeeping divisions. The controller handles the financial aspects of the Employer's facility. The director of marketing and sales is responsible for selling rooms, banquet and catering services as well as marketing the hotel. Desk services and food and beverage are handled by the director of operations. The executive housekeeper, Iowanda Donda, is responsible for the overall cleanliness and appearance of the hotel. The chief engineer maintains the physical aspect of the entire hotel. Finally, the vacancy in the human resources director position is covered by that department's managers.

Below the executive committee level, the supervision of the three divisions at issue here is further divided. Guest services' day-to-day affairs are overseen by one of four managers on duty. Managers on duty supervise guest services and the entire hotel in the absence of the general manager and the executive committee. Usually, the manager on duty for the day shift (7 a.m. to 3 p.m.) is Tomas Gonzalez. The departmental supervisors report directly to the manager on duty for that shift. As detailed below, the executive housekeeper supervises housekeeping, and two managers oversee the food and beverage division. Both the executive housekeeper and the two food and beverage managers have lower level departmental supervisors who report to them.⁵ Despite the ostensible chain of command, the Petitioner introduced evidence at the hearing demonstrating that, in practice, the division among these positions is ambiguous, and that the day-to-day affairs of guest services are handled by the managers on duty, and particularly Tomas Gonzalez.

Both the manager on duty and the human resources department are involved in the decision to hire a new employee. Most, if not all, of the employees at the Employer's hotel obtained their positions by answering ads in a newspaper, transferring from another department within this hotel or another of the Employer's hotels, or by being referred to the hotel by an existing employee. The record shows that numerous employees have transferred to jobs within their department as well as outside of it. Typically, potential employees fill out an application and the director or a manager from human resources conducts a short interview. If the applicant appears promising, the manager of the department for which they applied will conduct a more in-depth interview to explore their qualifications. The applicant must complete a successful background check and a drug test to be hired.

⁵ As stated above, the parties stipulated that these lowest level departmental supervisors are not supervisors within the meaning of Section 2(11) of the Act.

Once hired, the employees are told verbally what their job entails and given a general employee handbook. This handbook's policies apply equally to all hourly employees. The Employer requires employees to attend a paid orientation which lasts approximately 6 hours. The orientation consists of a video on Starwood Hotels and Resorts, a safety presentation, an explanation of benefits, a free lunch in the employee cafeteria, and a tour of the hotel. The employees are also scheduled to attend a training session called Service Westin Style which instructs employees on basic customer relations such as the Employer's "10-5 rule." Under the 10-5 rule, the Employer's policy requires employees to make eye contact with a guest within 10 feet, and greet guests by name within 5 feet. Service Westin Style also includes hypothetical situations with role-playing and group discussions. Contrary to the Employer's assertions, neither the orientation nor the Service Westin Style program cross-trains employees to perform what employees in other departments do. The employees are then assigned lockers and name tags which only have the employees' names and not their titles so that, according to the Employer, guests will feel comfortable asking questions of employees regardless of their department. Most of the employees wear similar uniforms except as noted below. Soon after their initial training is completed, new hires have on-the-job training with some other employee in their department.

The Employer pays employees on the 5th and 20th of each month. All employees are offered life, health, accidental death and dismemberment, and disability insurance, and an employee assistance program (for chemical dependency problems). Employees have 401(k) plans, discounted meals at the Hanger (the employee cafeteria), a break room, and discounted hotel rooms. The Employer also provides paid holidays as well as paid sick, funeral, and vacation time. Hotel employees are also eligible for various monthly performance awards.

The Employer's progressive discipline policy begins with a verbal warning, then a written warning, a final written warning, and ultimately termination. The Employer uses a Human Resources Action Form to reflect employee transfers, vacations, pay raises, and terminations. Employees receive evaluations but it is not clear from the record how frequently this is done. The record shows that a safety committee meets approximately once a month with management and employee volunteers to discuss safety issues such as dangerous chemicals or hazards. Occasionally, the Employer discusses brochures to discuss work issues, such as how to improve service to customers, during 15-minute pre-shift meetings. Approximately twice a year, the Employer holds meetings with all the employees (in smaller groups) to discuss various work related issues such as when the hotel was bought by Starwood Hotels and Resorts.

When employees arrive at the beginning of their shift, they all go through a similar process. The employees park in an area of the hotel's parking lot which has been reserved for them. They enter the hotel through an employee entrance and swipe the time clock after passing through security. Uniformed employees then drop off any dirty uniforms with the housekeeping department, and pick up a fresh uniform in the same department from the office coordinator. After picking up clean uniforms, the employees enter their locker rooms, change and get ready for their shift.

According to the Employer, what distinguishes its hotel from others is its business purpose to provide customers with a highly integrated group of services. The heart of the hotel's integrated service system is the service express area. The Employer invented the service express idea so that a guest could have his or her needs met with one phone call. In comparison, at traditional hotels, a guest must be connected to whichever department they need. The service express area, located roughly in the center of the main level of the hotel between the luggage storage closet and the kitchen, is the point of contact for a guest. Virtually every guest service request, such as transportation, luggage delivery, laundry and dry cleaning, in room dining, amenities,

wake up calls, restaurant reservations, and telephone services goes through service express. Service express agents handle most of these requests. If a guest wishes to utilize service express, he or she can call service express agents by pressing a button on the in-room telephone. Once a request is received, the service express agents will radio the appropriate department which will handle the request. In this fashion, the Employer intends service express to eliminate the departmental boundaries associated with traditional hotels. The hotel offers service express to the guests from the moment they walk in the front door to when they leave. If a department is unavailable to handle a particular request, the Employer expects its employees to take care of that guest regardless of which department they work in. For example, if a guest requests room service from a housekeeping employee, the Employer's policy is to have that employee take care of the request.

The Employer's integrated process is also demonstrated in its method of handling in-coming guests. When guests arrive at the front of the hotel, they are greeted by door service express attendants. If they wish, guests can have a door service express attendant park their car. If guests do not utilize the hotel's valet service, they park their cars in the hotel parking lot which is overseen by parking lot attendants. The guests drop off bags with luggage express attendants, located just inside the lobby area, who take the luggage up to the guests' rooms. Once inside the hotel, guests check in at the front desk attended by front desk agents and a concierge. Before any guest stays in a room, however, the room is cleaned by the housekeeping division. Throughout the rest of their stay, guests have access to a number of services including a business center, in-room dining, an in-room mini bar, laundry services, an on-site seamstress, an airline ticket and car rental counter, gift shop, and facilities for banquets and conference meetings (including two grand ballrooms and a 250 seat amphitheater.) These and other services are provided by various classifications of employees in the three departments described further below.

Guest Services:

Guest services has a number of departments all supervised, with the exception of the service express attendants, by the managers on duty. Food and beverage managers or managers on duty also directly supervise and schedule service express agents. The more experienced employees including the front desk supervisor, the lead service express attendant, and the service express supervisor report directly to the manager on duty. A number of employees in guest services wear the same uniforms such as lead service express attendants, luggage attendants, mini bar attendants, night service express attendants, parking lot attendants, service express agents, service express attendants, service express night agents, and the service express supervisor. The following positions make up guest services.

Door/Service Express Attendant:

Doormen greet guests as they drive up, help them out of their cars, and place their luggage on a bell cart. They stand at the motor entrance just outside the front doors. Because the motor entrance is also a fire lane, the doormen must keep cars in the area flowing through. Doormen will also hail taxicabs if needed as well as give directions. They perform a valet service for guests. Typically, these employees do not leave their posts except to park cars, especially on the graveyard shift which has a reduced staff. While on the graveyard shift, the doormen position is combined with that of luggage attendants. The doormen have a podium supplied with a schedule of the arrival and departure times for airport shuttles, maps, restaurant guides, and a sheet with the hotel's daily events, as well as the work schedules for the doormen, luggage and parking attendants. Tom Gonzalez usually serves as the doormen's immediate supervisor and makes out their work schedules. The doormen are not involved with the process of checking in or checking out a guest and are not knowledgeable about the room rates or payment. On occasion, they are advised of large groups of guests who are expected to

arrive. The doorman position which requires a low skill level is paid on an hourly and tip basis. The doormen's uniform is unique to that position.

Luggage/Service Express Attendant:

Luggage attendants take guests' luggage on a bell cart to their respective rooms. They report to Tomas Gonzalez or another manager on duty. Mr. Gonzalez also makes the work schedule for the luggage attendants, doormen, and the parking attendants, which is placed at the doormen's podium, the luggage storage area, and the front desk. Typically, two luggage attendants are scheduled for the morning shift, one in the middle to cover break times for the other employees, and one to two on the night shift. On the graveyard shift, the luggage and doormen positions are combined for a smaller staff. For express checkouts, the luggage attendants place the checks under the guests' doors. Luggage attendants also deliver pillows as well as laundry to guests after service express takes the laundry from a dock and lifts it up to other floors. If requested, luggage attendants are expected to shine guests' shoes, and they deliver newspapers to the guestrooms in the morning. The Employer considers this position to require a low level of skill. Like the doormen and the service express attendants, the luggage attendants work for tips in addition to their hourly wage. In the past, the Employer had the luggage attendants and service express attendants in the same department.

Parking Lot Attendants:

Parking lot attendants work in a booth in the hotel's parking lot and receive either money or coupons from guests when they park. They have a phone to contact the hotel front desk and a bank for making change. The attendants generally work either of two shifts: 6 a.m. to 2 p.m. or 2 p.m. to 10 p.m., with one attendant per shift. One day per week, the manager on duty schedules the parking lot attendants for an additional shift from 10 a.m. to 6 p.m. This position requires a low skill level.

Front Desk Agent:

Front desk agents are involved in the daily process of checking guests in and out. They utilize Fidelio, a computer system which allows the front desk and other departments to input information such as directions, guest phone and pager numbers, restaurants, messages for guests, faxes, rooms which are vacant or need to be cleaned, etc. The agents can provide guests with kits with toiletry items and kid's club packages (videos, balloons, and coloring books appropriate for children.) The front desk also handles guest complaints on a daily basis. The Employer considers the front desk agents to have medium skill level.

Night Auditor:

Night auditors work the front desk on the night and graveyard shift. They perform guest check ins and check outs as do front desk agents, but in addition, night auditors' main function is to calculate revenue for the day and check it with Fidelio's records. Night auditors also help with transporting luggage and with express checkouts if needed. Night auditors have a medium to high skill level.

Concierge:

The managers on duty schedule one concierge each for the day and night shifts. Concierges interact with the guests on a daily basis. The Employer expects them to provide information on a variety of guest requests such as airline reservations and ticketing, local tours and attractions, local transportation and limousine service, and hotel and off-premise restaurant information, suggestions and reservations. Concierges also have a special duty of dealing with pilots who are pre-checked in to the hotel. When faxes come into the hotel at the front office, either a front desk agent or a concierge will pick it up and mark off the fax on a log. A concierge

will deliver the fax to the guest's rooms if a luggage attendant is not available. The concierges' immediate supervisor is the manager on duty. Compared to other positions at the hotel, this is a medium skilled position.

Service Express Agent:

The service express agents, on the day and night shift, are at the heart of the service express system. The agents are located in the same area as the service express attendants. They answer both outside phone calls to the hotel and calls from inside the hotel. The Employer expects the service express agents to answer questions about the hotel and handle any oversells or complaints that may occur. The agents are also responsible for wake-up calls for guests and messages for the meetings which are held at the hotel in one of the conference rooms. They take the message for a meeting member and convey it themselves or have someone from luggage or the concierge deliver it. The service express agents can also make reservations for the Benchmark. The agents are equipped with a radio which they can use to contact doormen as well as other departments if, for example, a guest wants their car to be brought around to the front when they check out. The agents do not make room reservations for the hotel itself. Central reservations, a division of administrative services, books rooms for this hotel as well as two others. Service express agents have a medium level of skill.

Service Express Attendant:

The Employer has created the service express attendants positions for in-room dining for its guests. They are dispatched from the same area that the service express agents are located in. Additionally, the attendants deliver buckets of ice, retrieve used trays, and answer guests' questions about menus. Unlike the agents and the rest of guest services, the attendants report to the food and beverage managers, Nabeel Ali and Eric Hillburn. Service express attendants, a low-skill position, receive tips in addition to their hourly wage.

Night Service Express Attendant:

At night, the kitchen for the hotel has a limited staff so the guests are offered an alternative menu with fewer selections. The night service attendant works the 11 p.m. to 7 a.m. or graveyard shift. When guests order from one of these menus or leave the menu on their door, the night service attendant handles it. The key difference between this position and that of the daytime service express attendants is the setting up function. The night service express attendant ensures that the service express attendants are prepared for the next shift by checking things like orange juice, water, cereals, silverware, and trays. This job has a medium skill level.

Mini Bar Service Express Attendant:

The mini bar attendants stock the bars in each room with alcoholic beverages every morning. If a guest runs out of a particular item, the mini bar attendants will bring more to their room if the request comes on their shift; otherwise, the service express attendants handle it. Mini bar service express attendant responsibilities require a low level of skill.

Housekeeping:

The housekeeping division's general duties are to clean rooms and perform laundry services. Iowanda Donda, the executive housekeeper, immediately supervises the various positions under housekeeping along with supervisors who report directly to her and make sure that the rooms are cleaned. The housekeeping division's uniforms differ from other departments in the hotel. The following positions make up the housekeeping division:

Office Coordinator:

The office coordinator hands out uniforms to everyone in the morning and assigns room attendants to rooms. The housekeeping division cleans rooms between 8 a.m. and 4:30 p.m. Up to 10 p.m., housekeeping also delivers rollaway beds and baby cribs to the guests with the luggage attendants delivering them after 10 p.m. The office coordinators answer phone calls to the department with the seamstress taking over if the office coordinator is unavailable. Office coordinators have a radio with which they can contact the rest of the housekeeping division. Fidelio is also used by housekeeping to check, among other things, which rooms need to be cleaned and to print occupancy lists which the office coordinator uses to make room attendant assignments. Given the responsibilities of the office coordinator, the position requires a medium level of skill.

Room Attendants:

Room attendants (a low skilled position), after receiving their room assignments in the morning, clean and set up rooms for guests. This includes sweeping, cleaning the bathroom, changing the bed sheets, replacing the room's amenities, or other duties needed to keep the rooms clean and comfortable for guests. The room attendants drop the dirty linen down chutes to the laundry department. Room attendants carry beepers to notify them of calls from their supervisors. On very rare occasions, when the hotel has dirty rooms and the housekeeping staff is gone for the night, other departments, such as the front desk, have been asked to help in cleaning the rooms. This is on a voluntary basis, however, and the employees are paid overtime in addition to that of their regular departmental shift. No guest is allowed in a room unless the housekeeping staff has checked the room.

House persons:

The house persons press clothing for the guests after cleaning. Like the laundry attendants, if a piece of clothing requires complex pressing, the hotel will send the clothing to a subcontracted pressing service. They are also responsible for the cleaning of public areas like hallways outside of the guestrooms. This position requires low skill.

Laundry Attendants:

Laundry attendants load and unload the washing and drying machines in the hotel. The room attendants use chutes from different floors of the hotel to drop laundry down to the laundry attendants. The housekeeping division will handle any piece of laundry that does not require any special cleaning and sends anything else to subcontracted laundry services. Unlike all the other departments, the laundry attendants do not wear uniforms because they are not in contact with the public at all. Laundry attendants are low skilled.

Seamstress:

The seamstress maintains the uniforms for the employees. She also answers phones and handles room assignments for the office coordinator when she is gone. The seamstress also handles simple clothing repairs for guests and simple curtain repairs for the rooms. The seamstresses' duties are low to medium in difficulty.

Food and Beverage:

Food and beverage has several positions handling the various outlets which are the restaurants (Benchmark, Teddy Rose, and café counter) and the banquet rooms in the hotel. Two managers, Nabeel Ali and Eric Hillburn, supervise the entire food and beverage division. The banquet manager, Laura Price, schedules the banquet department and reports to Ali and Hillburn. Additionally, chefs and sous chefs oversee the entire kitchen operation and report to Ali and Hillburn. Hillburn spends most of his time in the Benchmark restaurant. Ali remains in the service express area because, in addition to his responsibilities over the

restaurants, he is also responsible for the in-room dining aspect of service express (performed by the service express attendants.) Both Ali and Hillburn report to the Director of Operations for the hotel, Mary Orlando. Food and beverage does not use Fidelio. Instead they use another computer system called Micros which the restaurants use to place and relay orders to the chefs. Food and beverage employees also have different uniforms from the rest of hotel employees.

Banquet Bartender:

Banquet bartenders who have medium skill serve customers alcoholic beverages while they use the banquet facilities. Bartenders for the entire restaurant are equipped with banks to make change for the customers.

Banquet House Person:

These house persons set up the banquet facilities by aligning tables and chairs and setting the tables with linens, silverware, skirting, etc. House persons, a low skill position, also press the table linens.

Banquet Server:

The food and beverage servers take orders and service guests for meals in the restaurants and banquet rooms. These responsibilities require a medium level of skill.

Banquet Steward:

Stewards, a low skill level position, are responsible for cleaning plates and making sure that food is placed into hot boxes before the food is taken out.

Banquet Supervisors:

Also called banquet captains, these employees make sure that guests receive what they ordered. A medium skill level is required for this position.

Bussers:

Bussers clear tables and bring the dishes back to the dishwasher. Given the simplicity of the responsibilities, this position requires a low level of skill.

Butcher:

The butcher cuts meat in the kitchen for the outlets. Butchering requires low to medium skills.

Cafeteria employees:

These low-skilled employees work in the hotel employee cafeteria also known as the Hanger.

Cashiers:

Cashiers are involved in the low to medium skilled transactions of purchases of items from the outlets.

Coat checkers:

Coat checkers take coats from guests, hang them up, and provide the guests with a claim check. This is a low skilled position.

Cook 1:

These type of cooks prepare hot items on the menus for all areas of food and beverage service. The responsibilities of all the cooks range from low to medium in skill levels.

Cook 2:

The Cook 2 position is expected to prepare any cold foods that guests may order.

Cook 3:

This type of cook prepares desserts and assists the Cook 2s when needed.

Host/Hostess:

The host or hostesses greet guests when they enter the outlets and seat them at tables. The host or hostess position is requires low skill.

Lead Host/Hostess:

The lead host/hostess makes sure that the general operations in the outlets are running properly in the absence of the outlet manager. Thus, it requires a medium level of skill.

On-Call and Part-Time Bartender and Servers:

The on-call bartenders and servers work only when needed. The part-time bartenders and servers work more at the outlets than the on-call bartender does.

Pantry:

Pantry employees who have low skills are located in the back area of the kitchen. They pull out food that is needed for the cooks to prepare.

Pastry Cook 2:

This cook prepares cakes and special request desserts. The position skill level ranges from medium to high.

Public and Service Bartenders:

The public bartender works in the Teddy Rose, and the service bartender works in the Benchmark restaurant. All the bartenders have a medium skill level.

Runner:

Runners deliver food to servers in the Teddy Rose. Their position fills the gap between the kitchen and the servers and is a low skilled job.

ANALYSIS

Under Section 9(b) of the Act, the Board has the power to make unit determinations in order to “assure employees the fullest freedom in exercising the rights guaranteed by this Act.” *Sears, Roebuck and Co.*, 261 NLRB 245, 246 (1982)(citations omitted.) The National Labor Relations Act allows a union to petition for an appropriate unit. *Brand Precision Services*, 313 NLRB 657 (1994); *Phoenix Resort Corp.*, 308 NLRB 826 (1992). It is well established that where the petitioning labor organization is the only union involved in the proceeding, “it is irrelevant that some other larger or smaller unit might also be appropriate, or indeed might be

the most appropriate.” *Tallahassee Coca-Cola Bottling Co.*, 168 NLRB 1037 (1967). The Board has long held that “there is nothing in the statute which requires that the unit for bargaining be the only appropriate unit, or the ultimate unit, or the most appropriate; the Act requires only that the unit be ‘appropriate’” (citations omitted), *Overnite Transportation Co.*, 322 NLRB 723 (1996). Thus, in making unit determinations, the Board first looks to the unit sought by the petitioner.” *Audiovox Communications Corp.*, 323 NLRB 647, 650 (1997.) If it is appropriate, the inquiry ends.

The key question regarding unit appropriateness is whether the employees have a sufficient community of interest. *Washington Palm, Inc.*, 314 NLRB 1122, 1127 (1994). In *Kalamazoo Paper Box Corp.*, 136 NLRB 134 (1962), the Board enumerated the factors to be considered in determining whether individuals have a community of interest with other employees; included were: method of wages or compensation, hours of work, employment benefits, supervision, qualifications, training and skills, job functions, amount of contact with other employees, integration of work functions, and bargaining history. See also, *Washington Palm, Inc.*, *supra*; *Texas Port Arthur Works Employees Federal Credit Union*, 315 NLRB 828, 833 (1994). In practice, the Board has found units to be inappropriate when the employees in the petitioned-for unit do not have a separate community of interest from other similarly situated employees.

In *Brand Precision Services*, *supra*, the Board held that a petitioned-for unit of operators in an industrial cleaning business, apart from other production employees, was inappropriate for purposes of collective bargaining. The Board noted the high integration of the employer’s work, the constant contact among employees, and the employee’s common supervision. *Id.* at 659. Similar results occurred in *Transerv Systems, Inc.*, 311 NLRB 766 (1993), where the Board found the employees at issue to have high job integration, frequent contact with each other, common supervision, and similar terms and conditions of employment. Based on these considerations, I am unable to find that the petitioned-for unit of door service express, luggage service express, and parking lot attendants has a separate community of interest from other employees.

First, the work of the petitioned-for employees is functionally integrated with the rest of guest services. The door service express attendants perform the initial step in the hotel’s guest services operations by greeting guests and assisting them with luggage. They may act as valets and drive the cars to the parking lot. Once the front desk agents check in guests, the luggage service express attendants bring luggage up to the guests’ rooms or store it in the luggage storage closet. Thus, the petitioned-for employees and other employees in the front desk area rely on one another to complete their job duties in a chain of action. They also will help one another in performing the same tasks, and substitute, especially during the night and graveyard shift. For example, both the luggage workers and the concierges deliver faxes. Likewise, the night auditors essentially perform the same tasks as front desk agents, but with the additional duty of totaling up revenue. These night auditors will also help with luggage and express check outs when needed. See, *Brand Precision Services*, *supra*. Most, if not all of guest services, rely on the service express agents to meet guests’ demands. Moreover, some integration exists between guest services and other hotel divisions, such as when the employees for another division are gone for the day or understaffed. In most of these situations, guest services employees work overtime in the other division, and the other division’s manager does not pull the guest services employees off of their regular shifts. See *Sears, Roebuck and Co.*, 261 NLRB 245 (1982). In sum, the record evidences a high degree of functional integration within guest services as well as throughout the hotel.

Second, in addition to the contact stemming from the functional integration described above, the record shows fairly frequent intra-division and inter-division permanent transfers. Additionally, the record shows that

employees may temporarily cover other positions during their shift if necessary. This interchange likely is facilitated by the fact that virtually all of the positions in guest services are rated at the low to medium skill level. This degree of interchange and contact further demonstrates that the petitioned-for unit carved out of the larger guest services division is not appropriate.

Next, with the exception of the service express attendants, employees in guest services experience the same day-to-day supervision. The manager on duty such as Tomas Gonzalez typically supervises these employees. When a manager on duty is not present, the employees could be supervised by another departmental supervisor or the director of rooms, Sharon O'Rourke.

Finally, all guest services employees share similar terms and conditions of employment such as hiring procedures, similar initial training, benefits, etc. See *Kalamazoo Paper Box Corp, supra*. While the specific pay rates may vary, all of the guest services employees are hourly paid (with or without gratuities) and the pay ranges are largely similar. The Employer's human resources functions are mainly centralized and uniform down to the paperwork used to document employee action.

I do not find the facts introduced in the record herein that the Petitioner represents units at eight hotels in the Chicago area which are similar to the unit sought herein to be a controlling or a significant factor in determining the appropriateness of such a unit at the Employer and operations involved herein. *Big Y Foods*, 238 NLRB 855, 857 (1978).

Therefore, a unit limited to the door service express, luggage service express, and parking lot attendants is inappropriate inasmuch as these employees do not possess a community of interest separate from the other guest services employees. Accordingly, as the Petitioner stated on the record that if the petitioned-for unit was not found appropriate it did not wish to proceed to an election, I shall dismiss the petition⁶.

ORDER

IT IS HEREBY ORDERED that the petition filed herein be, and it hereby is, dismissed.

RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this decision may be filed with the National Labor Relations Board and addressed to the Executive Secretary, Franklin Court Building, 1099-14th Street, N.W., Washington D.C. 20570. This request must be received by the Board in Washington by July 30, 1999

DATED at Chicago, Illinois this 16th day of July 1999.

/s/ Harvey Roth
Harvey Roth, Acting Regional Director
National Labor Relations Board
Region 13

⁶ Inasmuch as the Petitioner does not wish to proceed with an alternate unit, it is unnecessary to discuss the Employer's proposed units.

The Westin Hotel Venture d/b/a The Westin Hotel O'Hare
13-RC-20135

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420-0100; 420-1272; 420-2900; 440-1760-3400