

Functional integration then, seems to be less significant as a separate factor than as another way of stating the conclusion that the evidence demonstrates that the single location has merged into the more comprehensive, or multi-facility unit. Thus, while a few Board decisions conclude that the single facility presumption has been rebutted because the single plant is "highly integrated" with other facilities, this conclusion is generally based on the more specific factors we propose now should be in the rule. In our view, it would be expected that plants that are so integrated as to rebut the presumption are close together, have significant interchange, and have little local autonomy.

Few would disagree that today most companies with more than one location are more or less functionally integrated in one form or another. Production may be integrated in the sense that different parts of the company's products are manufactured in different plants, and then shipped from one to another to be assembled. Records, orders, and other information may be integrated via computers or other means of direct communication. We believe, however, that product, administrative, or operational integration does not have any necessary or direct impact on the employees' relationship with their counterparts at other locations, absent evidence of the separate supporting factors we have included in the rule. See, *Penn Color*, 249 NLRB at 1119; *Black & Decker Manufacturing*, 147 NLRB at 828. The more significant principle in determining whether a single location unit is appropriate is not whether there is functional integration, but whether employees in the group sought have lost their "separate identity." Our conclusion that, absent extraordinary circumstances, functional integration is immaterial to finding the single location unit appropriate is consistent with this standard.

3. Centralized control. Few businesses today with more than one location fail to maintain centralized control over the conduct of operations. In virtually all single location cases, this factor is essentially presumed and does not affect the Board's determinations. Centralized control over operations is a matter of good business practice and does not, in our view, affect the community of interest between employees at different locations. As with functional integration, although Board decisions may cite an employer's "highly centralized operations" as evidence supporting the multi-facility unit, it is our sense that other, more critical factors usually affect the outcome of the

case. See *Courier Dispatch Group*, 311 NLRB 728, 731, in which the Board, while acknowledging the employer's centralized administrative and operational functions, nevertheless affirmed the Regional Director's finding that the employer had failed to rebut the single facility unit presumption, noting in particular the lack of significant employee interchange. Accord: *Haag Drug Co.*, 167 NLRB at 878. Moreover, even though personnel decisions ultimately may be decided at an employer's headquarters, that does not preclude the existence of sufficient local autonomy to support a single facility unit. See *J&L Plate*, 310 NLRB 429, in which personnel policies, as in most cases, were centrally determined but the single location unit was found appropriate as there were local autonomy, minimal interchange, and, as might be expected, separate functions performed at each plant.

4. Common skills, functions, and working conditions. Although common skills, functions, and working conditions among locations are often recited by the Board as factors to be considered in determining whether the single facility presumption has been rebutted, they seldom are relied on by the Board to find a requested separate unit appropriate. Logically, these factors may be relevant to show that there is a potential for interchanging employees from location to location; employees could not easily be interchanged if their skills were not similar. It is, however, the actual extent of temporary interchange, not its potential, that is material to determining whether the group of employees sought has retained a separate identity. We do not believe that, merely because employees at more than one location perform the same work, and use the same skills, employees necessarily lose their separate identity. Moreover, some businesses, including most chain stores, many warehouse and distribution facilities, and some manufacturers, operate with geographically dispersed but substantially identical facilities in which employee skills, functions, and working conditions would predictably be essentially identical. Yet, this does not mean that such facilities must be combined into a broader unit merely because of this factor.

5. Permanent transfers. We tentatively conclude that the factor of permanent transfers is immaterial to the appropriateness of a single location unit. Unlike temporary interchange, permanent transfers do not seem to us to demonstrate any continuing link between the employees at different locations. Even where the Board has

stated it has considered permanent interchange supportive of a multi-facility unit, it is the temporary interchange which we think has proved significant in the Board's findings. See, *Sol's*, 272 NLRB 621, 623 (1984). Moreover, the Board recently stated in *Red Lobster*, 300 NLRB 908, 911 (1990), that permanent transfers are a "less significant indication of actual interchange." Accord: *J&L Plate*, 310 NLRB at 430. Frequently, permanent transfers are voluntary or occur for the convenience of the employee involved and do not in any significant manner facilitate or foster a common identity among employees at two or more facilities. See, e.g., *Lipman's, A Division of Dayton—Hudson Corp.*, 227 NLRB 1436, 1438 (1977).

6. Bargaining history. Bargaining history is given substantial weight to support the continued appropriateness of an existing unit; the Board is reluctant to disturb an established unit that is not repugnant to the Act or does not clearly contravene established Board policy. *Washington Post Co.*, 254 NLRB 168 (1981). See also *Batesville Casket Co.*, 283 NLRB 795 (1987), in which the Board declined to clarify an existing two-company existing unit that had been in existence without substantial changes for many years. Cf. *Rock-Tenn Co.*, 274 NLRB 772 (1985). Although bargaining history has been cited as a relevant factor in determining the appropriateness of a single facility unit, we believe it is, for the most part, immaterial to cases covered by the proposed rule.

In cases involving petitions to represent single facility units the proposed rule applies only to unrepresented employees. Thus, there would be no immediate, current bargaining history affecting the requested employees, and the rule would not be disruptive of existing collective-bargaining units. Also the rule would not apply to petitions seeking to sever a group of employees from a larger group of currently represented employees, as for example, existing multi-facility units. Compare, e.g., *Kaiser Foundation Hospitals*, 312 NLRB 933 (1993).

Past bargaining history affecting currently unrepresented employees may be material in showing that a multi-facility unit is appropriate, and to that extent, may have some limited bearing on the appropriateness of a requested single facility unit. In those cases, however, we believe that the factors deemed significant by the rule—geographic separation, local autonomy, and lack of significant interchange—