

In the Matter of THE CONNOR LUMBER AND LAND CO. and INTERNATIONAL WOODWORKERS OF AMERICA, LOCAL No. 125, CIO

Case No. 18-R-799.—Decided September 15, 1943

Mr. O. S. Hoebreckx, of Laona, Wis., for the Company.

Messrs. Edward J. Lambert and Henry Strauch, of Laona, Wis., for the Union.

Mr. Joseph E. Gubbins, of counsel to the Board.

DECISION
AND
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon petition duly filed by International Woodworkers of America, Local No. 125, affiliated with the C. I. O., herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of The Connor Lumber and Land Co., Laona, Wisconsin, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before Robert R. Rissman, Trial Examiner. Said hearing was held at Laona, Wisconsin, on August 30, 1943. The Company and the Union appeared, participated, and were afforded full opportunity to be heard, to examine and cross-examine witnesses, and to introduce evidence bearing upon the issues. The Trial Examiner's rulings made at the hearing are free from prejudicial error and are hereby affirmed. All parties were afforded opportunity to file briefs with the Board.

Upon the entire record in the case, the Board makes the following:

FINDINGS OF FACT

I. THE BUSINESS OF THE COMPANY

The Connor Lumber and Land Co. is a Wisconsin corporation, having its principal office and place of business at Laona, Wisconsin. The Company is engaged in the manufacture, sale, and distribution of lumber and wood products, including furniture and lumber byproducts. The present proceeding involves the Company's operations at Laona, Wisconsin. During the period from September 1, 1941 to August 31,

1942, the Company received 191,544 tons of logs and lumber at its Laona, Wisconsin, operations, 10,868 tons of which were received from places outside the State of Wisconsin. During the same period, the Company shipped 73,411 tons of finished products from its Laona operations, 49,416 tons of which were shipped to places outside the State of Wisconsin. The Company admits that it is engaged in commerce within the meaning of the National Labor Relations Act.

II. THE ORGANIZATION INVOLVED

International Woodworkers of America, Local No. 125, affiliated with the Congress of Industrial Organizations, is a labor organization admitting to membership employees of the Company.

III. THE QUESTIONS CONCERNING REPRESENTATION

On July 27, 1943, the Union requested recognition as bargaining representative for the production and maintenance employees in Camps Numbers 43 and 44 of the Company's Laona operations. The Company refused to grant such recognition unless and until the Union was certified by the Board.

A statement of the Regional Director, introduced into evidence, indicates that the Union represents a substantial number of employees in the unit hereinafter found to be appropriate.¹

We find that a question affecting commerce has arisen concerning the representation of employees of the Company within the meaning of Section 9 (c) and Section 2 (6) and (7) of the Act.

IV. THE APPROPRIATE UNIT

We find, in substantial accordance with a stipulation of the parties, that all employees of the Company employed at Camp No. 43, near Crandon, Wisconsin, and Camp No. 44, near Newald, Wisconsin, excluding clerical employees, timekeepers, camp foremen, saw-bosses, and all supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9 (b) of the Act.

V. THE DETERMINATION OF REPRESENTATIVES

We shall direct that the question concerning representation which has arisen be resolved by an election by secret ballot among the em-

¹ The Regional Director's statement shows that the Union submitted 100 application cards, 58 of which bear apparently genuine signatures and names of persons on the Company's pay roll of August 1, 1943. The Union also submitted a petition signed by 29 persons. The names of 13 persons on the petition also appear on the Company's pay roll of August 1, 1943. There are 148 employees in the appropriate unit.

ployees in the appropriate unit who were employed during the pay-roll period immediately preceding the date of our Direction of Election herein, subject to the limitations and additions set forth in said Direction.

DIRECTION OF ELECTION

By virtue of and pursuant to the power vested in the National Labor Relations Board by Section 9 (c) of the National Labor Relations Act, and pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 2, as amended, it is hereby

DIRECTED that, as part of the investigation to ascertain representatives for the purposes of collective bargaining with The Connor Lumber and Land Co., Laona, Wisconsin, an election by secret ballot shall be conducted as early as possible, but not later than thirty (30) days from the date of this Direction, under the direction and supervision of the Regional Director for the Eighteenth Region, acting in this matter as agent for the National Labor Relations Board, and subject to Article III, Sections 10 and 11, of said Rules and Regulations, among the employees in the unit found appropriate in Section IV, above, who were employed during the pay-roll period immediately preceding the date of this Direction, including employees who did not work during said pay-roll period because they were ill or on vocation or temporarily laid off, and including employees in the armed forces of the United States who present themselves in person at the polls, but excluding any who have since quit or been discharged for cause, to determine whether or not they desire to be represented by International Woodworkers of America, Local No. 125, affiliated with the C. I. O., for the purposes of collective bargaining.