

In the Matter of FEDERAL SHIPBUILDING AND DRYDOCK COMPANY and MARINE DRAFTSMEN'S ASSOCIATION AT FEDERAL SHIPBUILDING AND DRYDOCK COMPANY, AFFILIATED WITH THE NATIONAL COUNCIL OF MARINE DRAFTSMEN, INC.

Case No. 2-R-4399

SUPPLEMENTAL DECISION  
AND  
AMENDMENT TO DECISION AND DIRECTION OF  
ELECTION

April 19, 1944

On March 20, 1944, the National Labor Relations Board issued a Decision and Direction of Election in the above-entitled proceeding,<sup>1</sup> excluding, *inter alia*, chargemen from a unit of draftsmen and drafting room technicians employed by Federal Shipbuilding and Drydock Company, Kearny, New Jersey, herein called the Company. On request of Marine Draftsmen's Association at Federal Shipbuilding and Drydock Company, affiliated with the National Council of Marine Draftsmen, Inc., herein called the Union, the Board granted oral argument on the question of the exclusion of the chargemen. Upon due notice a hearing was held at Washington, D. C., on April 6, 1944. Both the Union and the Company appeared and participated.

After hearing oral argument and upon reconsideration of the record, the Board makes the following supplemental findings of fact which supersede the findings in the prior Decision and Direction of Election to the extent that they are inconsistent therewith.

SUPPLEMENTAL FINDINGS OF FACT

The chargemen supervise and are responsible for the preparation and development of detailed working drawings or designs for ships and their machinery installations. Each has complete technical supervision of the draftsmen and drafting room technicians in his section. Their functions, among others, are to assign work to the draftsmen, to advise and assist the draftsmen in their work, and to criticize and

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<sup>1</sup> 55 N. L. R. B. 620

55 N. L. R. B., No. 261

pass upon the completed drawings. In addition, they are authorized to make recommendations regarding promotions, transfers, and discharges of draftsmen and drafting room technicians, and they are charged with the duty of enforcing certain of the Company's rules.

The fact that the chargemen direct and guide the work of the draftsmen and drafting room technicians in their sections, does not, of itself, elevate them to such supervisory rank as to warrant their exclusion from the unit.<sup>2</sup> While the chargemen have authority to make recommendations concerning employees, apparently such recommendations do not go beyond those normally and customarily made by skilled workmen regarding their less skilled helpers. The record contains no persuasive evidence demonstrating the effectiveness of the chargemen's recommendations. We are not satisfied that the chargemen have authority effectively to recommend a change in the status of the draftsmen and drafting room technicians in their sections, and we shall therefore include them.<sup>3</sup>

We find that all the Company's draftsmen and drafting room technicians, including checkers and chargemen, but excluding clerical employees 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.

Since it appears that there may not be sufficient time within which to conduct an election pursuant to the provisions of our original Direction of Election, said Direction of Election is hereby amended by striking the words "thirty (30) days" wherever they appear, and substituting therefor the words "forty-five (45) days."

CHAIRMAN MILLIS took no part in the consideration of the above Supplemental Decision and Amendment to Decision and Direction of Election.

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<sup>2</sup> See *Matter of Victor Chemical Works*, 52 N L R B 194, and *Matter of Duval Texas Sulphur Company*, 53 N L R. B. 1387

<sup>3</sup> Cf. *Matter of Manning, Maxwell & Moore, Inc*, 53 N. L. R. B 951. We also note that the Company dealt with the Union in the past and that chargemen with other committeemen, represented the Union.