

In the Matter of DOUGLAS AIRCRAFT COMPANY, INC. (SANTA MONICA PLANT) and INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS—L. U., B-11, A. F. OF L.

Case No. 21-R-2209.—Decided April 24, 1944

Messrs. Elwin J. Eagen and Martin Zimring, both of Los Angeles, Calif., for the Board.

Mr. A. C. Galbraith, of Santa Monica, Calif., for the Company.

Mr. Al Slater, of Los Angeles, Calif., for the I. B. E. W.

Mr. Arthur Kearns, of Los Angeles, Calif., for the U. A. W.

Mr. E. R. White, of Long Beach, Calif., for the I. A. M.

Mr. David V. Easton, of counsel to the Board.

DECISION

AND

CERTIFICATION OF REPRESENTATIVES

STATEMENT OF THE CASE

International Brotherhood of Electrical Workers—L. U., B-11, A. F. of L., herein called the I. B. E. W., duly filed a petition alleging that a question affecting commerce had arisen concerning the representation of employees of Douglas Aircraft Company, Inc., (Santa Monica Plant), Santa Monica, California, herein called the company. On December 10, 1943, before a hearing was held, the Company, the I. B. E. W., International Union, United Automobile, Aircraft & Agricultural Implement Workers of America (UAW-CIO), herein called the U. A. W., and International Association of Machinists, Local No. 1578, herein called the I. A. M., and the Regional Director for the Twenty-first Region (Los Angeles, California) entered into a "STIPULATION FOR CERTIFICATION UPON CONSENT ELECTION."

Pursuant to the stipulation, an election by secret ballot was conducted on February 1, 1944, under the direction and supervision of the Regional Director, among all employees of the Santa Monica Plant of the Company in its electrical maintenance and electrical construction departments, including leadmen and 4-hour shift employees not engaged at the "feeder" plants operated by the Company, but excluding supervisory employees with authority to hire, promote, dis-

charge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, to determine whether they desire to be represented for the purposes of collective bargaining by the I. B. E. W., the U. A. W., the I. A. M., or none. Upon the conclusion of the election, a "Tally of Ballots" was furnished to the parties in accordance with the Rules and Regulations of the Board. No objections were filed by any of the parties within the time provided therefor.

The Tally shows that of the eligible voters, 96.9 percent cast valid votes, of which 77.6 percent were for the I. B. E. W., 11.5 percent were for the U. A. W., .6 percent were for the I. A. M., and 10.3 percent were for none.¹

Upon the basis of the stipulation, the Tally of Ballots, and the entire record in the case, the Board makes the following:

FINDINGS OF FACT

A question affecting commerce has arisen concerning the representation of employees of Douglas Aircraft Company, Inc. (Santa Monica Plant), Santa Monica, California, within the meaning of Section 9 (c) and Section 2 (6) and (7) of the Act.

The "STIPULATION FOR CERTIFICATION UPON CONSENT ELECTION" of December 10, 1943, set forth generally two groups: Group 1, consisting of all production and maintenance employees of the Santa Monica Plant, excluding, *inter alia*, electrical maintenance employees and electrical maintenance construction employees, and Group 2, consisting of electrical maintenance and electrical maintenance construction workers attached to the Santa Monica Plant. The stipulation further provided that:

If the Board finds in Cases Nos. 21-R-1984 and 21-R-2025 that the electrical maintenance and electrical maintenance construction employees may constitute a separate appropriate unit, the parties further agree that under the circumstances the desires of the [electrical maintenance and electrical maintenance construction] employees . . . shall determine whether or not the employees in Group 2 shall constitute a separate appropriate craft bargaining unit or shall constitute a part of the larger industrial unit . . .

If . . . a majority of the employees in Group 2 voting in the election designate the I. B. E. W. as its representative, then such employees will constitute a separate craft unit.

On December 27, 1943, the Board issued a Decision and Direction of Elections in Cases Nos. 21-R-1984 and 21-R-2025,² in which it

¹ The Tally further indicates that ballots equalling 6 percent of the total valid votes cast were void.

² *Matter of Douglas Aircraft Company, Inc*, 54 N. L. R. B. 67

stated that all employees in the electrical maintenance and electrical construction department at the Company's Long Beach plant, including leadmen and 4-hour shift employees not engaged at the "feeder" plants of the Company, but excluding supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action may properly constitute a separate appropriate unit, and directed, *inter alia*, an election among such employees in order that they might express a desire to be represented as a separate unit or as part of a large industrial unit.

In accordance with the Decision and Direction of Elections issued in Cases Nos. 21-R-1984 and 21-R-2025 issued on December 27, 1943, the stipulation in the instant proceeding dated December 10, 1943, the Tally of Ballots and the entire record in the case, we find that all employees of the Company at its Santa Monica Plant in its electrical maintenance and electrical construction departments, including leadmen and 4-hour shift employees not engaged at the "feeder" plants operated by the Company, but excluding 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.

CERTIFICATION OF REPRESENTATIVES

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, Sections 9 and 10, of National Labor Relations Board Rules and Regulations—Series 3,

IT IS HEREBY CERTIFIED that International Brotherhood of Electrical Workers—L. U., B-11, A. F. of L., has been designated and selected by a majority of all employees of Douglas Aircraft Company, Inc. (Santa Monica Plant), Santa Monica, California, in the electrical maintenance and electrical construction departments, including leadmen and 4-hour shift employees not engaged at the "feeder" plants operated by the Company, but excluding all supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, as their representative for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the Act, the aforesaid organization is the exclusive representative of all such employees for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment, and other conditions of employment.