

In the Matter of BRIGHTON SCREW & MANUFACTURING COMPANY and  
UNITED STEELWORKERS OF AMERICA, AFFILIATED WITH THE C. I. O.

*Case No. 9-R-1393.—Decided May 3, 1944*

*Messrs. James G. Manley and Louis Howillion, both of Cincinnati, Ohio, for the Company.*

*Mr. John LaMaur, of Cincinnati, Ohio, for the Union.*

*Mr. Glenn L. Moller, of counsel to the Board.*

DECISION  
AND  
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon a petition duly filed by United Steelworkers of America, affiliated with the C. I. O., herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of Brighton Screw & Manufacturing Company, Cincinnati, Ohio, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before Allen Sinsheimer, Jr., Trial Examiner. Said hearing was held at Cincinnati, Ohio, on March 29, 1944. The Company and the Union appeared and participated. All parties were afforded full opportunity to be heard, to examine and cross-examine witnesses and to introduce evidence bearing on the issues. The Trial Examiner's rulings made at the hearing are free from prejudicial error and are hereby affirmed. All parties were afforded an 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

Brighton Screw & Manufacturing Company is an Ohio corporation with its principal place of business at Cincinnati, Ohio, where it is engaged in the manufacture of hollow set screws and socket head cap screws.

The Company purchases annually raw materials valued at approximately \$65,000 consisting principally of steel bars. Approximately

50 percent of the raw materials used by the Company is shipped to its Cincinnati plant from points outside the State of Ohio. The Company sells annually finished products valued at approximately \$250,000, about 80 percent of which is shipped from the Company's plant to points outside the State of Ohio.

The Company admits and we find that it is engaged in commerce within the meaning of the National Labor Relations Act.

## II. THE ORGANIZATION INVOLVED

United Steelworkers of America affiliated with the Congress of Industrial Organizations, is a labor organization admitting to membership employees of the Company.

## III. THE QUESTION CONCERNING REPRESENTATION

The Company has refused to grant recognition to the Union as the exclusive bargaining representative of its employees until the Union has been certified by the Board in an appropriate unit.

A statement of a Board agent, introduced into evidence at the hearing, indicates that the Union represents a substantial number of employees in the unit hereinafter found appropriate.<sup>1</sup>

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

In conformance with the stipulation of the parties, we find that all employees of the Company, excluding office and clerical employees, salaried employees, the shipping clerk, salesman, temporary employees, foremen, assistant foremen, and all or any other 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 (c) 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 employees in the appropriate unit who were employed during the pay-roll period immediately preceding the date of the Direction of Election

<sup>1</sup> The Board agent reported that the Union submitted 22 authorization cards, 17 of which bore apparently genuine original signatures of persons listed on the Company's pay roll, which contained the names of 24 employees in the appropriate unit.

herein, subject to the limitations and additions set forth in the Direction.

The Union has requested that it be designated on the ballot as United Steelworkers of America, C. I. O. This request is hereby granted.

#### 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 3, it is hereby

**DIRECTED** that, as part of the investigation to ascertain representatives for the purposes of collective bargaining with Brighton Screw & Manufacturing Company, Cincinnati, Ohio, 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 Ninth 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 vacation 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 those employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the election, to determine whether or not they desire to be represented by United Steelworkers of America affiliated with the Congress of Industrial Organizations for the purposes of collective bargaining.