

In the Matter of MINES EQUIPMENT COMPANY and UNITED ELECTRICAL,  
RADIO & MACHINE WORKERS OF AMERICA, C. I. O.

*Case No. 14-R-919*

SUPPLEMENTAL DECISION  
AND  
AMENDED DIRECTION OF ELECTION

*August 25, 1944*

On May 31, 1944, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Election in the above-entitled proceeding,<sup>1</sup> and on June 21, 1944, amended the Direction of Election by changing the period in which the election was to be held from 30 to 90 days.

Mines Equipment Company, herein called the Company, on August 19, 1944, requested the Board to amend further the Direction of Election so that (1) the election will be postponed for 180 days from the date of our original Direction, or such other period as the Board may deem reasonable, because it intends to abandon its Kingshighway plant and move its operations, and (2) eligibility to vote will be determined by a more recent pay-roll period because of labor turnover. United Electrical, Radio & Machine Workers of America, C. I. O., opposes both requests.

Although the Company intends to move its operations, it does not appear that its own plans are sufficiently definite to warrant a postponement of the election. This request is accordingly denied. In the event, however, the Company at some later date actually abandons its Kingshighway plant and moves its operations, and, should all the facts warrant it, we shall entertain an application in this proceeding for appropriate relief. In support of its request for the determination of eligibility by a more recent pay-roll period, the Company shows that it has had substantial labor turnover. In view of these circumstances, and since almost 90 days have run since the date of our original Decision and Direction of Election, dated May 31, 1944, we shall amend said Direction by providing for the use of a current pay-roll period. In addition, inasmuch as there may not be sufficient time

<sup>1</sup> 56 N. L. R. B. 1146.

57 N. L. R. B., No. 271.

within which to conduct the election, we shall authorize the Regional Director to hold said election within one hundred and five (105) days from the date of our said original Direction, dated May 31, 1944, but not later than said period.

#### AMENDED 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, as amended, it is hereby

DIRECTED that, as part of the investigation to ascertain representatives for the purposes of collective bargaining with Mines Equipment Company, St. Louis, Missouri, an election by secret ballot shall be conducted as early as possible, but not later than one hundred and five (105) days from the date of our original Direction of Election, dated May 31, 1944, under the direction and supervision of the Regional Director for the Fourteenth Region, acting in this matter as agent for the National 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 of our original Decision and Direction of Election, dated May 31, 1944, who were employed during the pay-roll period immediately preceding the date of this Supplemental Decision and Amended Direction of Election, 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 the UE-CIO, for the purposes of collective bargaining.

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