

In the Matter of THE OHIO OIL COMPANY and OIL WORKERS INTERNATIONAL UNION, CIO

Case No. 14-R-852

SUPPLEMENTAL DECISION

August 31, 1944

On May 2, 1944, pursuant to the results of an election directed by the Board in the above-entitled proceeding,¹ the Union was certified as the exclusive bargaining representative of "all production and maintenance employees of The Ohio Oil Company, Bridgeport, Illinois, in 'District 9,' 'District 10,' the 'new field,' and the 'machine shop,' but excluding clerical and supervisory employees with authority to hire, promote, discharge, discipline or otherwise effect changes in the status of employees, or effectively recommend such action." Thereafter, on August 2, 1944, Oil Workers International Union, CIO, herein called the Union, filed with the Board a petition alleging that it and The Ohio Oil Company, herein called the Company, were unable to agree on the scope of the unit heretofore found appropriate by the Board and requesting the Board to resolve the dispute by clarifying its description of the appropriate bargaining unit. On April 17, 1944, the Company filed a reply to the Union's petition.

The issue thus raised by the parties concerns the definition of the term "new field" employed by the Board in its description of the appropriate unit.

The Union contends that the term "new field" as used in the Board's description of the appropriate unit embraces a geographical area covering all of southern Illinois, except the area occupied by the "old field." Thus, argues the Union, any new oil production operations started by the Company within this area would automatically be within the appropriate unit.

The Company contends that, by employing the term "new field" in the description of the appropriate unit, the Board meant only to include within the bargaining unit those pools in the southwestern part of Illinois currently operated by the Company and consequently any new pools subsequently opened up would not be included. It

¹ 55 N. L. R. B. 705.

57 N. L. R. B., No. 305.

argues that, if the Union's request is granted, persons who may in the future be employed in entirely new operations of the Company would be deprived of their right of free choice under the Act to determine their bargaining representative.

SUPPLEMENTAL FINDINGS OF FACT

A careful reexamination of the record reveals that the Company is engaged in the business of producing, refining, transporting and marketing oil and petroleum in 18 States. The Company's oil production operations are divided into large geographical areas known as divisions. One of the divisions, part of which is involved in this proceeding, is called the Illinois and Western Indiana Division. It has its office in Marshall, Illinois, and includes generally all of southern Illinois and that part of southwestern Indiana which borders on Illinois. This division is comprised of several smaller operational divisions, one of which is the Bridgeport Division. The portion of the Illinois and Western Indiana Division lying in Illinois is also divided into 2 geographical areas, one known as the "old field operations," which is comprised of the established oil producing operations of the Company located in southeastern Illinois, and another known as the "new field," which includes the operations of the Company at relatively recently discovered "pools" or oil fields scattered throughout southwestern Illinois. The Bridgeport Division is composed of part of the "old field" and all of the "new field." It, in turn, is divided into operational units known as districts. It is composed of District 9 and District 10, both of which are in the "old field," and the "Basin District," which is another term used to describe the "new field."² The Bridgeport Division is under the direct supervision of a Division Superintendent. Each of the aforesaid districts which comprise the Bridgeport Division is under the supervision of a District Superintendent. Each district is composed of a number of operational units called "farms" or "pools," whose boundaries are delineated by the oil leases owned by the Company. The employees working on a "farm" are supervised by a farm foreman. The Division Manager of the Company who is in charge of the Illinois and Western Indiana Division described the "new field" geographically as a comparatively large area of approximately 100 by 150 miles composed of widely scattered farms or pools. The record also reveals that there are approximately 600 employees currently working in the "old field" and that of the 75 employees employed at present in the "new field," approximately 80 percent was transferred from the "old field." It appears that the Company follows the practice of transferring employees to the "new field" from declining operations in the "old field."

² The "machine shop" is also part of the Bridgeport Division.

Upon the basis of the foregoing facts and upon the entire record in the case, we find that the term "new field" defines a geographical area in southern Illinois embracing all of the Bridgeport Division, except "District 9," "District 10," and the "machine shop," and that its scope not only includes the present operations, but also future operations of the Company within this geographical area. However, since the "new field," as an operational unit, is now in the process of development and expansion, it is possible that the number of production and maintenance employees in the Bridgeport Division may be materially increased within a comparatively short time. In view of these circumstances, we shall entertain a new representation petition affecting the employees involved herein within a period less than 1 year, but not before the expiration of 6 months, from the date of our certification in the instant proceeding, upon proof (1) that the number of employees in the appropriate unit is more than double the number of employees who were eligible to vote in the election from which our certification ensued; and (2) that the petitioning labor organization represents a substantial number of employees in the expanded unit.

CHAIRMAN MILLIS took no part in the consideration of the above Supplemental Decision.