

In the Matter of THE STEVENS PAPER MILLS, INC. and INTERNATIONAL  
BROTHERHOOD OF PAPER MAKERS (AFL)

*Case No. 1-R-1985.—Decided October 10, 1944*

*Mr. George Link, Jr., of New York City, for the Company.*

*Mr. John R. Jones, of Boston, Mass., for the Union.*

*Mr. Herbert C. Kane, of counsel to the Board.*

DECISION  
AND  
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon a petition duly filed by International Brotherhood of Paper Makers (AFL), herem called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of The Stevens Paper Mills, Inc., Westfield, Massachusetts, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before Leo J. Halloran, Trial Examiner. Said hearing was held at Springfield, Massachusetts, on August 30, 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. The Company's request for oral argument is hereby denied. 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

The Stevens Paper Mills, Inc., is a Delaware corporation having its main office at Westfield, Massachusetts, and operating three plants, two of which are located in Westfield, Massachusetts, and one in South Hadley Falls, Massachusetts. It is engaged in the business of manufacturing and selling condenser tissue. The principal raw material

used is pulp. In 1943, the Company purchased \$147,000 worth of pulp outside the Commonwealth of Massachusetts. In the same period, its dollar volume of business was approximately \$2,900,000, of which approximately 40 percent was sold outside the Commonwealth of Massachusetts.

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

## II. THE ORGANIZATION INVOLVED

International Brotherhood of Paper Makers, affiliated with the American Federation of Labor, 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 certain 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

The Union desires a unit comprising all the production and maintenance employees in the two plants of the Company at Westfield, excluding office and clerical employees, truck drivers, watchmen, nurses, laboratory and research department employees, and supervisory employees. The Company contends that no unit would be appropriate unless it also included the production and maintenance employees of the South Hadley Falls plant. There is also disagreement concerning the general inclusion of certain employees; this is discussed below.

As stated above, the Company operates 3 plants, 2 in Westfield and 1 in South Hadley Falls. All 3 plants perform the same general work, conversion of pulp to condenser paper; however, all supercalendering and slitting work is done at the Westfield plants. The South Hadley Falls plant was opened in 1940; at which time there was a number of

<sup>1</sup> The Field Examiner reported that the Union submitted 75 authorization cards, that there are about 200 to 230 employees in the unit petitioned for, that the Company refused to submit a pay roll, and therefore a check of cards against the pay roll could not be made; and that the cards were dated 62 in May 1944, 7 in June 1944, 4 in July 1944, and 2 were undated.

transfers from the established plants in Westfield to the plant in South Hadley Falls. Since that time, there has been no interchange of employees between the plants in the 2 towns. The towns are 15 miles apart and due to the route taken by the bus, the usual means of transportation, the journey takes approximately 1½ hours each way. There is no association between the workers in the different towns other than might arise from the fact that a few, approximately 8, of the employees who are employed in South Hadley Falls live in Westfield.

There is no previous bargaining history covering the employees of the Company. The Union has made prior unsuccessful attempts to organize the Company's employees, and in April or May of this year commenced an intensive organizational drive in both Westfield and South Hadley Falls. By July 29, 1944, the Union had succeeded in obtaining 75 authorization cards from among the approximately 242 employees in Westfield, but had not been able to procure any authorization cards among the approximately 47 employees in South Hadley Falls.

In view of the lack of bargaining history, the substantial independent operations of the plants in the different towns, and the limited extent of self-organization among the employees of the Company, we are of the opinion that the unit sought here is appropriate for the purposes of collective bargaining at the present time. This finding of a unit confined to the two plants of the Company at Westfield will not, however, preclude a finding at some later date that a larger and more inclusive unit is then appropriate.

#### *Slitting Department*

The Company contends that the slitting department employees should be excluded from the unit; the Union wishes them included. The evidence discloses that these employees perform the finishing operations on the paper after it has been processed, which operations are an integral part of the production process. We shall, therefore, include the slitting department employees in the unit.

#### *Boss Slitter*

The "boss slitter" instructs new employees and passes on orders from the foreman regarding the size and width to which the paper is to be slit. He punches a clock with the other employees and exercises no supervisory authority over them within our customary definition. We shall include him in the unit.

#### *Head Inspectors*

There are two male and four female head inspectors. The male head inspectors rotate their shifts. When on the night shift, the head inspector is in full charge and acts as foreman; when on the day shift

the head inspector acts as assistant foreman, and takes the place of the foreman when the latter is ill or on vacation. We shall exclude these head inspectors from the unit. The female head inspectors are engaged in ordinary production work and exercise no supervisory authority; we shall include them in the unit.

We find that all production and maintenance employees in the two plants of the Company at Westfield, including the boss slitter and the head inspectors who do not act as supervisors, but excluding office and clerical employees, laboratory and research department employees, watchmen, truck drivers, nurses, head inspectors, who act as supervisors, and any other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees,<sup>2</sup> or effectively recommend such action,<sup>2</sup> constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9 (b) 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 payroll period immediately preceding the date of the Direction of Election herein, subject to the limitations and additions set forth in the Direction.

#### 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 The Stevens Paper Mills, Inc., Westfield, Massachusetts, 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 First 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 payroll period immediately preceding the date of this Direction, including employees who did not work during the said payroll period because they were ill or on vacation or temporarily laid off, and including employees in the armed forces of the United

<sup>2</sup> The parties agree and we find that the boss machine tender and the chief engineer and master mechanic are supervisory employees within the definition set forth above.

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 this election, to determine whether or not they desire to be represented by International Brotherhood of Paper Makers (AFL), for the purposes of collective bargaining.