

In the Matter of UNITED AIRCRAFT CORPORATION, PRATT & WHITNEY AIRCRAFT DIVISION (SOUTHINGTON PLANT) and INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, LOCAL 535, C. I. O.

*Case No. 1-R-1957.—Decided October 13, 1944*

*Mr. Walfrid G. Lundberg*, of Hartford, Conn., for the Company.

*Mr. Harold Roitman*, of Boston, Mass., for the Union.

*Mr. Thomas A. Ricci*, of counsel to the Board.

DECISION  
AND  
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon a petition duly filed by International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, Local 535, C. I. O., herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of United Aircraft Corporation, Pratt & Whitney Aircraft Division (Southington Plant), Southington, Connecticut, herein called the Company,<sup>1</sup> the National Labor Relations Board provided for an appropriate hearing upon due notice before William I. Shoor, Trial Examiner. Said hearing was held at Southington, Connecticut, on September 6, 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. At the hearing, the Company moved to dismiss the petition. The Trial Examiner referred the motion to the Board for determination. For reasons set forth in Section IV, *infra*, the motion is denied. 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.

<sup>1</sup> At the hearing the Company's name and the Union's numerical designation were amended to read as set forth above.

Upon the entire record in the case, the Board makes the following:

### FINDINGS OF FACT

#### I. THE BUSINESS OF THE COMPANY

United Aircraft Corporation, Pratt & Whitney Aircraft Division, is engaged in the manufacture of airplane engines at several plants in the States of Connecticut and Massachusetts, one of which is located at Southington, Connecticut. This proceeding solely concerns the employees of the Southington plant. During 1943 the Company purchased for use at its Southington plant raw materials valued in excess of \$1,000,000, of which more than 90 percent was shipped from points outside the State of Connecticut. More than 98 percent of the finished products manufactured at this plant is shipped to points outside the State of Connecticut.

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

#### II. THE ORGANIZATION INVOLVED

International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, Local 535, 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 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>2</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 United Aircraft Corporation operates four divisions, each of which manufactures airplanes and airplane parts. One of these is the Pratt & Whitney Aircraft Division, which manufactures airplane engines. The Pratt & Whitney Aircraft Division includes seven sepa-

<sup>2</sup>The Field Examiner reported that the Union submitted 921 membership application cards, and that there are 3135 employees in the unit hereinafter found appropriate.

rate plants located at different points in Connecticut and Massachusetts, the oldest and principal plant being located at East Hartford, Connecticut. The Southington plant, which manufactures airplane engine cylinders, is one of the separate plants of the Pratt & Whitney Aircraft Division.

The Union contends that the hourly rated employees of the Southington plant, with certain inclusions and exclusions as agreed between the parties, form an appropriate unit for collective bargaining purposes. The Company maintains that the operations of the Southington plant are so closely integrated with the operations of the entire Pratt & Whitney Aircraft Division that a separate unit of the employees of the Southington plant is inappropriate, and that the petition should therefore be dismissed.

The Southington plant was established in April 1943, pursuant to orders from the United States Navy Department directing that several production departments of the Pratt & Whitney Aircraft Division be removed from the East Hartford plant and placed in separate and distant localities in order, by means of such dispersal, to limit any damage that might be caused by possible enemy bombings. The engine cylinder department was moved to Southington, the crank-case department to Willimantic, Connecticut, and the connecting-rod department to Longmeadow, Massachusetts. The Company states that the operations now conducted at Southington are temporary and will be discontinued when the conditions that prompted their inception cease to exist. Of the approximately 3100 employees included in the proposed appropriate unit, about 600 persons, whom the Company designates as non-production employees,<sup>3</sup> work under supervisors who report directly to departmental superintendents at the East Hartford plant. The production schedules of all plants in the division are determined by a central management located at the East Hartford plant, and, except for test cylinders delivered directly to the Army or Navy, all cylinders produced at Southington are delivered to the East Hartford plant.

The Southington plant is located 20 miles distant from the East Hartford plant and a still greater distance from some of the other plants in the division. One superintendent is in charge of the entire plant in matters of discipline. Superintendents in the Southington plant are in complete charge of all production operations, that plant, as the complete cylinder production department of the Pratt & Whitney Aircraft Division, functioning as a single production entity. There is a separate pay roll for all the employees of the Southington plant

<sup>3</sup> The 600 employees constitute the following departments: maintenance, janitors, tool crib, machine repair, toolroom, electricals, power plant, materials, inspectors, gauges, cutting tools, and oil and coolant.

and all raw materials purchased by the Company for use at Southington are delivered there directly from outside vendors. New employees from the Southington area are recruited through an employment office located at the Southington plant. The personnel director of the Company stated at the hearing that about 80 percent of the approximately 2700 employees who were transferred from the East Hartford plant to the Southington plant resides near the latter, and that this fact was considered in selecting the site for the new plant.

The United Electrical, Radio & Machine Workers of America, C. I. O., has requested recognition of the Company as the exclusive representative of the employees of the Longmeadow plant. The International Association of Machinists, A. F. L., has petitioned the Board for certification as the representative of the production and maintenance employees of the Buckland plant, another plant of the Pratt & Whitney Aircraft Division.<sup>4</sup> The Union has limited its organizing activities to the employees of the Southington plant. In the light of the foregoing facts, and particularly in view of the degree of functional independence of the Southington plant from the remainder of the Pratt & Whitney Aircraft Division, the apparent absence of a community of interest among all employees of the entire division, and the limited scope of the Union's organizing activities, we are of the opinion that the hourly rated employees of the Southington plant form an appropriate unit.

We find, in accordance with the stipulation of the parties, that all hourly rated employees of the Company, at its Southington, Connecticut, plant, including inspectors, line checkers, crib attendants, material handlers, factory clerks, and working group leaders, but excluding timekeepers, engineering, technical, and laboratory employees, foremen's clerks, salaried office and clerical employees, medical department employees, plant-protection employees, executives, plant superintendents, division superintendents, general foremen, foremen, assistant foremen, group leaders, and all 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 (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.

<sup>4</sup> Case No. 1-R-2070

## 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 United Aircraft Corporation, Pratt & Whitney Aircraft Division, Southington, Connecticut, 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 pay-roll period immediately preceding the date of this Direction, including employees who did not work during the 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 International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, Local 535, C. I. O., for the purposes of collective bargaining.

MR. GERARD D. REILLY took no part in the consideration of the above Decision and Direction of Election.