

In the Matter of **THE BLAKESLEE FORGING CO. and UNITED AUTOMOBILE
WORKERS OF AMERICA (A. F. OF L.)**

Case No. 1-R-2074.—Decided November 2, 1944

Mr. J. S. Whiteside, Jr., of New Haven, Conn., for the Company.
Mr. Henry Burke, of Meriden, Conn., and *Mr. Charles F. Hill*, of
Southington, Conn., for the Union.
Mr. Harry Nathanson, of counsel to the Board.

DECISION
AND
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon a petition duly filed by United Automobile Workers of America (A. F. of L.), herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of The Blakeslee Forging Co., Plantsville, Connecticut, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before John W. Coddair, Jr., Trial Examiner. Said hearing was held at Meriden, Connecticut, on October 13, 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

The Blakeslee Forging Co. is a Connecticut corporation with its principal office and plant located at Plantsville, Connecticut. It is engaged in the manufacture of steel drop forgings. In its operations the Company uses steel as its principal raw material. For the first 6 months of 1944, the Company purchased raw materials in the approximate amount of \$100,000, of which approximately 70 percent was shipped to it from points outside the State of Connecticut. For the same period the total value of its finished products was in the approxi-

mate amount of \$250,000, of which approximately 40 percent was shipped by it 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

United Automobile Workers of America, 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.¹

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 consisting of all the Company's production and maintenance employees, including the inspector and shipping and receiving employees, but excluding foremen, office help, guards, watchmen and engineering department employees. The Company agrees that the unit sought is appropriate, but contends that the inspector should be excluded on the ground that he is a supervisory employee.

The record discloses that the inspector is in charge of nine men in the forging department. His duties are to inspect the various forging operations to see if parts are matched, if they need further trimming and if they meet specifications. He has final authority in the acceptance or rejection of materials. When the dies are out of gauge he instructs the forgers to make the change or he reports the matter to the foreman.² The inspector and the forgers work on an hourly basis and the inspector earns less per hour than the forgers. Although the inspector is considered by the Company as an assistant to the foreman, he has no right to hire or discharge and there is no evidence that he can make effective recommendations affecting the status of employees. In the absence of the foreman the inspector assumes his duties, which occurs about one-quarter of the time. However, the record does not

¹ The Field Examiner reported that the Union submitted 38 cards and that there were 55 employees in the alleged appropriate unit.

² It appears that the Company employs but one foreman who is classified as such.

show that, during such periods, the inspector possesses supervisory authority. Inasmuch as the inspector is usually engaged in routine inspection and since he apparently does not have sufficient supervisory authority to bring him within the meaning of our customary definition of supervisory employees, we shall include him.

We find that all the Company's production and maintenance employees, including the inspector and shipping and receiving employees, but excluding office help, guards, watchmen, engineering department employees, foremen, 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 pay-roll 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 Blakeslee Forging Co., Plantsville, 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 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 Automobile Workers of America (A. F. of L.), for the purposes of collective bargaining.