

In the Matter of SNEATH GLASS COMPANY and AMERICAN FLINT GLASS  
WORKERS UNION OF NORTH AMERICA, A. F. OF L.

*Case No. 9-R-1641.—Decided November 25, 1944*

*Mr. Carl Wilde*, of Indianapolis, Ind., and *Messrs A. C. Crimmel*  
and *H. H. Crimmel*, of Hartford City, Ind., for the Company.

*Messrs. Harry F. Burgess* and *Alvin Barrett*, of Hartford City,  
Ind., for the Union.

*Mr. Louis Cokin*, of counsel to the Board.

DECISION  
AND  
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon petition duly filed by American Flint Glass Workers Union of North America, A. F. of L., herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of Sneath Glass Company, Hartford City, Indiana, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before William R. Cameron, Trial Examiner. Said hearing was held at Hartford City, Indiana, on November 2, 1944. The Company and the Union appeared, participated, and 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 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

Sneath Glass Company is an Indiana corporation with its principal place of business at Hartford City, Indiana, where it is engaged in the manufacture of glass containers and other glass products. The Company purchases raw materials valued in excess of \$150,000 annu-

ally, about 70 percent of which is shipped to it from points outside the State of Indiana. During the same period the Company sells products valued in excess of \$100,000, 75 percent of which is shipped to points outside the State of Indiana.

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

## II. THE ORGANIZATION INVOLVED

American Flint Glass Workers Union of North America is a labor organization affiliated with the American Federation of Labor, admitting to membership employees of the Company.

## III. THE QUESTION CONCERNING REPRESENTATION

The Company refuses to recognize the Union as the exclusive collective bargaining representative of its employees until such time as the Union is certified by the Board.

A statement of a Field Examiner of the Board introduced into evidence at the hearing, indicates that the Union represents a substantial number of employees in the unit hereinafter found to be appropriate.<sup>1</sup>

We find that a question effecting 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

We find, in substantial accord with a stipulation of the parties, that all production and maintenance employees of the Company including timekeepers, but excluding office and office clerical employees, the superintendent, foremen, assistant 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 means of 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

<sup>1</sup> The Field Examiner reported that the Union presented 152 authorization cards. There are 190 persons in the appropriate unit.

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 Sneath Glass Company, Hartford City, Indiana, 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 Ninth 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 such 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 any 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 American Flint Glass Workers of North America, affiliated with the American Federation of Labor, for the purposes of collective bargaining.