

In the Matter of ROCKPORT REDWOOD COMPANY and LOCAL 2854,  
LUMBER & SAWMILL WORKERS UNION, AFFILIATED WITH UNITED  
BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA, A. F. OF L.

*Case No. 20-R-1266.—Decided February 27, 1945*

*Doyle & Clecak*, by *Mr. William P. Clecak*, of San Francisco, Calif.,  
for the Company.

*Mr. H. H. Williams*, of Sacramento, Calif., and *Mr. Arthur Renni-  
son*, of Rockport, Calif., 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 Local 2854, Lumber & Sawmill Workers Union, affiliated with United Brotherhood of Carpenters & Joiners of America, A. F. of L., herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of Rockport Redwood Company, Rockport, California, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before John P. Jennings, Trial Examiner. Said hearing was held at San Francisco, California, on February 8, 1945. 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

Rockport Redwood Company is a California corporation with its principal place of business near Rockport, California, where it is en-  
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gaged in the logging of redwood timber and the manufacture of redwood lumber. The Company's sales of lumber and lumber products are valued in excess of \$100,000 annually, over 50 percent of which is sold to the United States Army within California. About 1 percent of its sales is made directly to points outside the State. The Army ships over 50 percent of the Company's products received by it to points outside the State of California. All logs used by the Company are felled within the State of California.

We find that the Company, contrary to its contention, is engaged in commerce within the meaning of the National Labor Relations Act.

## II. THE ORGANIZATION INVOLVED

Local 2854, Lumber and Sawmill Workers Union, affiliated with United Brotherhood of Carpenters & Joiners of America, is a labor organization affiliated with the American Federation of Labor, admitting to membership employees of the Company.

## III. THE QUESTION CONCERNING REPRESENTATION

On November 8, 1944, the Union requested the Company to recognize it as the exclusive collective bargaining representative of the Company's employees. The Company refused this request.

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 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

We find, in accord with a stipulation of the parties, that all employees engaged in the logging and milling operations of the Company in and around Rockport, California, excluding clerical and office employees, timekeepers, cookhouse and hotel employees, store employees, officials, and all 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.

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<sup>1</sup> The Field Examiner reported that the Union presented 61 application cards. There are approximately 157 employees in the appropriate unit.

## 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 Direction of Election herein, subject to the limitations and additions set forth in the Direction.

The Union requested that it appear on the ballot as "Lumber & Sawmill Workers, Local No. 2854, A. F. of L." The request is hereby granted.

## 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 Rockport Redwood Company, Rockport, California, 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 Twentieth 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 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 Lumber & Sawmill Workers, Local No. 2854; A. F. of L., for the purposes of collective bargaining.