

In the Matter of WILLIAM BONIFAS LUMBER COMPANY *and* INTERNATIONAL WOODWORKERS OF AMERICA, C. I. O.

Case No. 18-R-1103

SUPPLEMENTAL DECISION

March 8, 1945

On October 17, 1944, the Board issued a Decision and Direction of Election in the above-entitled proceeding.¹ On November 20, 1944, it issued a Certification of Representatives, certifying International Woodworkers of America, C. I. O., herein called the Union, as the exclusive representative of the employees in the unit found appropriate by the Board, consisting of the Company's sawmill employees. On January 1, 1945, the Union, through its Local Union No. 12-15, filed a motion with the Board requesting that truck drivers and a mechanic employed by the Company be included in a unit of woods employees presently represented by it. On January 20, 1945, the Board issued a show cause rule notifying the parties that unless sufficient cause to the contrary should appear by January 30, 1945, the Board would amend its Decision and Direction of Election to find that truck drivers and the mechanic constitute a part of the currently existing unit consisting of woods employees of the Company.

By letter dated January 29, 1945, Local 12-409 of the Union, to which the sawmill employees belong, advised the Board that some of the truck drivers involved desired to continue as members of Local 12-409 rather than to belong to Local 12-15, which is composed of the woods employees. However, Local 12-409 did not raise any specific objection to the Board's proposal that the truck drivers be found to be part of the woods unit. On February 7, 1945, the Company replied to the show cause rule suggesting that, although it was taking no position with respect to the unit or units to which the truck drivers should be allocated, an election should be held among them to determine their desires in this matter. On February 8, 1945, Local 12-15 filed a statement and brief in support of the motion referred to above.²

The record in the instant proceeding discloses that the Company, employs truck drivers who haul logs from its camp No. 3 and camp

¹ 58 N. L. R. B. 1084.

² United Brotherhood of Carpenters and Joiners of America although served, did not respond to the notice.

60 N. L. R. B., No. 189.

No. 6 and one mechanic who performs repair work on the trucks. All truck drivers are carried on the camp pay roll and are under the supervision of camp supervisory employees. The truck drivers at camp No. 6 live at that camp and haul logs from the camp to a landing where they are loaded on railroad cars. It appears that the camp No. 3 truck drivers live in the same town as the sawmill employees, since camp No. 3 is nearer the mill than camp No. 6 and since they haul logs directly to the mill. The mechanic is stationed at a truck shed between camp No. 3 and the mill. The trucks driven by all drivers are loaded by employees who are in the woods unit. Truck drivers are, according to Local 12-15's uncontradicted statement, listed in the wage scale appended to the contract covering the woods operations. Although some of the truck drivers are temporarily employed at the sawmill during seasonal periods when there is no trucking, they are hired for their ability as truck drivers rather than as sawmill employees and spend the greater part of their time hauling logs. At the hearing, the district manager of the Company in effect stated that truck drivers at both camps should be treated alike, i. e., either placed in the mill unit or in the woods unit.

Upon all the facts set forth above, as well as the fact that the locals to which both groups belong are affiliates of the same international and no claim has been made by any other organization to represent the truck drivers, we perceive no reason for conducting an election among them, as urged by the Company. Accordingly, we find that all truck drivers and the mechanic employed by the Company properly constitute a part of the woods unit for which Local 12-15 is the recognized representative.³

³ Pursuant to two separate agreements, Local 12-15 was designated in 1941 as the representative of the employees at the two lumber camps, Cases Nos. 12-R-343 and 12-R-405. Our present finding, of course, does not constitute a present certification of Local 12-15 as exclusive representative of the woods unit.