

IN the Matter of ADVANCE WELDING WORKS, EMPLOYER *and* INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS AND HELPERS OF AMERICA, LOCAL No. 92, A. F. OF L., PETITIONER

*Case No. 21-RC-536.—Decided January 18, 1949*

DECISION

AND

ORDER

Upon a petition duly filed, hearing in this case was held before a hearing officer of the National Labor Relations Board. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

Pursuant to the provisions of Section 3 (b) of the National Labor Relations Act, the Board has delegated its powers in connection with this case to a three-man panel consisting of the undersigned Board Members.\*

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

FINDINGS OF FACT

THE BUSINESS OF THE EMPLOYER

The Employer, a California corporation, is engaged in that State in the manufacture of tanks, related products, and general steel fabrication. In the course of its business, the Employer uses steel and other metals and sundry factory supplies. During the 12-month period ending April 30, 1948, the Employer's purchases of materials, equipment, and supplies was valued at approximately \$103,000, of which about 6 percent in value was shipped to it directly from points outside the State of California. During the same period, the value of sales of the Employer's products and services was approximately \$190,000, of which less than 1 percent was shipped to States other than California. Since approximately January 1, 1948, all of the Employer's purchases of steel have been from the Fontana, California,

\*Houston, Reynolds, and Murdock.

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Works of the Kaiser Steel Company and no materials or supplies were shipped from States other than California.

We do not agree with the contention of the Employer that it is not engaged in commerce within the meaning of the Act. However, since the inflow of materials is negligible in quantity and practically all the Employer's output is sold and delivered within the State, we do not believe it would effectuate the policies of the Act to assert jurisdiction in this case. Accordingly, we shall dismiss the petition.<sup>1</sup>

### ORDER

Upon the basis of the foregoing findings of fact, and upon the entire record in the case, the National Labor Relations Board hereby orders that the petition for investigation and certification of representatives of employees of Advance Welding Works, Los Angeles, California, filed herein by International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America, Local No. 92, A. F. of L., be and it hereby is, dismissed.

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<sup>1</sup> *Matter of National Tool Company*, 78 N. L. R. B. 625; *Matter of Reading Preserving Co., Inc.*, 79 N. L. R. B. 46; *Matter of Detroit Canvas Manufacturers Association, et al.*, 80 N. L. R. B. 267.