

In the Matter of WILSON FOUNDRY & MACHINE COMPANY, EMPLOYER
and PATTERN MAKERS' ASSOCIATION OF DETROIT AND VICINITY, AF-
FILIATED WITH THE PATTERN MAKERS LEAGUE OF NORTH AMERICA,
AFL,¹ PETITIONER

Case No. 7-RC-357.—Decided January 26, 1949

DECISION

AND

ORDER

Upon a petition duly filed, a hearing 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.²

A motion to dismiss, made by the Intervenor and referred by the hearing officer to the Board, is granted for reasons hereinafter stated.

Upon the entire record in the case, the National Labor Relations Board finds:

1. The Employer is engaged in commerce within the meaning of the National Labor Relations Act.

2. The Petitioner is a labor organization affiliated with the American Federation of Labor, claiming to represent employees of the Employer. The Intervenor³ is a labor organization affiliated with the Congress of Industrial Organizations, claiming to represent employees of the Employer.

3. The alleged appropriate unit:

The Petitioner seeks a unit composed of all wood and metal pattern makers, pattern and casting layout men, and pattern repairmen at the Employer's plant, excluding pattern storage clerks, all other production and maintenance employees and supervisors as defined in the Act.⁴ The Intervenor and the Employer oppose the severance of this unit from the existing production and maintenance unit. They con-

¹ Petitioner's name appears as amended at the hearing.

² 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 [Chairman Herzog and Members Houston and Murdock]

³ Local 658, International Union, United Automobile, Aircraft, and Agricultural Implement Workers of America.

⁴ The unit described appears as amended at the hearing.

tend that the employees involved are not skilled journeymen, and that the work performed is not of a true craft character and is an integral part of the production process.

The Employer is engaged in manufacturing gray iron castings. Its plant contains a pattern shop, operated as a separate department and situated in the approximate center of the main building, walled off from the remainder of the plant. There are approximately 44 employees in the department, 25 of whom are classified as pattern makers, 3 as pattern and casting layout men, 14 as pattern repairmen, and 2 as pattern storage clerks. These employees work under the direct supervision of 2 foremen and the general supervision of the superintendent of the pattern shop. Between 85 percent and 90 percent of the pattern makers' and pattern repairmen's time is spent in the pattern shop and the remainder in the foundry or Core Room. The other employees work exclusively in the pattern shop.

Although the Employer utilizes patterns in its production process, all such patterns are either purchased from job shops or supplied by customers. No new patterns used in production are made in the Employer's pattern shop. The employees classified as pattern makers actually repair patterns or conform patterns purchased by the Company to the machinery and equipment used in the foundry. The record indicates that prior to 1943 many of these employees had been classified as pattern repairmen and were reclassified as pattern makers in 1943 and 1944 in order to justify wage increase before the War Labor Board. Their duties have remained unchanged, however. Included among this group are two pattern makers who make small wood patterns to be used for making various tool parts for the *maintenance* of foundry and Core Room machinery. Even here, however, about 80 percent of the replacement parts used on production equipment are made in job shops outside the plant.

The *pattern and casting layout* men spend all of their time in the pattern shop checking new patterns against engineering blue prints to ascertain whether they conform to specifications. They also check various patterns already in use to see whether they conform to specifications or need repair. The *pattern repairmen* generally repair only core boxes, a type of pattern used in the Core Room. They spend approximately 95 percent of their time in the pattern shop and the rest in the Core Room. The *pattern storage clerks* keep a record of all incoming and outgoing patterns and store those not in use. They work only in the pattern shop or adjacent crib.

Of the 25 employees classified as pattern makers only 7 had any previous experience in a pattern shop prior to their employment by the Employer and of these, 6 had only a few months' training in any type

of pattern work. A few in this group of 7 were classified as pattern makers prior to their present employment.⁵ Uncontradicted testimony at the hearing disclosed that a pattern repairman could become a pattern maker at this Employer's plant in 6 weeks to 3 months. All new employees of the pattern shop are hired as pattern repairmen; they are supervised by either the foreman or a senior employee at the beginning but can become qualified repairmen in 4 to 6 weeks. They are not required to have any previous experience, but those with previous machine shop experience or an aptitude for such work are preferred. There is no apprentice training program in the pattern shop. The Employer has prepared a test to be taken by pattern repairmen in order to qualify as pattern makers; but this can be taken any time a pattern repairman feels himself qualified. The wages paid pattern makers are no higher than those paid other groups in the Employer's maintenance division.

The Employer has bargained with the Intervenor since 1937 on a plant-wide basis. The record indicates that the Intervenor has always bargained on behalf of the pattern shop employees, and that these employees have been represented among the Intervenor's committeemen.

By excluding the pattern storage clerks from the unit requested the Petitioner has indicated that it seeks to represent the pattern employees on a craft rather than a departmental basis. As is indicated above, however, the pattern employees involved herein have, for the most part, little of the craft training, and their duties involve few of the craft characteristics normally found in cases in which the Board has permitted separate representation of pattern makers despite a bargaining history on a more inclusive basis.⁶ In this connection, we note particularly the absence of any apprentice training program, the relatively short period of time required to qualify as a "pattern maker" and the fact that the tasks performed by these employees involve, for the most part, maintenance operations requiring much less skill than is required in connection with the usual work of pattern makers. Under these circumstances, we find that the unit sought here by the Petitioner is inappropriate.⁷

As the unit sought to be established by the Petitioner is inappropriate for collective bargaining purposes, we find that no question exists concerning the representation of employees of the Employer,

⁵ No information could be obtained as to the remaining employees.

⁶ Cf. *Matter of General Electric Company (Lynn River Works and Everett Plant)*, 58 N. L. R. B. 57; *Matter of General Motors Corporation, Fisher Body Division*, 77 N. L. R. B. 1159; *Matter of Kaiser-Frazer Corporation*, 73 N. L. R. B. 109; *Matter of Westinghouse Electric Corporation*, 69 N. L. R. B. 215.

⁷ See *Matter of Lennox Furnace Company*, 60 N. L. R. B. 1329.

within the meaning of Section 9 (c) (1) and Section 2 (6) and (7) of the Act. We shall therefore dismiss this petition.

ORDER

Upon the basis of the above findings of fact and 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 Wilson Foundry & Machine Company, filed by the Pattern Makers' Association of Detroit and Vicinity, affiliated with the Pattern Makers League of North America, AFL, be, and it hereby is, dismissed.