

In the Matter of ALUMINUM COMPANY OF AMERICA, EMPLOYER and
A. F. OF L. INTERNATIONAL COUNCIL OF ALUMINUM WORKERS
UNIONS,¹ PETITIONER

Case No. 18-RC-423.—Decided October 31, 1949

DECISION
AND
DIRECTION OF ELECTION

Upon a petition duly filed, a hearing was held before Max Rotenberg, hearing officer. 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-member panel [Chairman Herzog and Members Reynolds and Gray].

Upon the entire record in this case, the Board finds:

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

2. A. F. of L. International Council of Aluminum Workers Unions, herein called the Aluminum Workers; Local No. 2158, Tri-City Carpenters District Council, United Brotherhood of Carpenters and Joiners of America, A. F. L., herein called the Carpenters; International Brotherhood of Electrical Workers, A. F. L., herein called the IBEW; United Farm Equipment and Metal Workers of America, C. I. O., herein called the F. E.; United Automobile Aircraft, and Agricultural Implement Workers of America, C. I. O., herein called the U. A. W.-C. I. O.; United Steelworkers of America, C. I. O., herein called the Steelworkers;² and International Association of Machinists, District 102, herein called the I. A. M., are labor organizations claiming to represent certain employees of the Employer.

3. A question affecting commerce exists concerning the representation of employees of the Employer within the meaning of Section 9 (c) (1) and Section 2 (6) and (7) of the Act.

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

² Subsequent to the hearing, the Steelworkers moved to be placed upon the ballot in any plant-wide election that the Board might direct. As the Steelworkers submitted 55 authorization cards, all dated before the hearing, we hereby grant the motion. *Matter of United Boat Service Corporation*, 55 N. L. R. B. 671.

4. The appropriate unit; determination of representatives:

The Aluminum Workers, the F. E., the U. A. W.-C. I. O., and the Steelworkers each seeks to represent a single over-all unit of production and maintenance employees at the Employer's Bettendorf, Iowa, plant; the I. A. M. requests a separate unit of all machinists, machinists' apprentices, and welders in the machine shop; the Carpenters desires a unit of all employees in the mill maintenance department; the IBEW urges a unit of all maintenance electricians, and pyrometric and instrument repairmen. The Employer agrees with the Aluminum Workers and those Intervenors who seek a plant-wide unit.

The plant here involved, one of three rolling mills operated by the Employer, consists of multiple mill buildings covering 52 acres of ground. At this plant, aluminum pig and scrap are remelted, the alloy composition is adjusted, and the metal is cast into ingots which are then hot rolled, through a continuous series of operations over a table 1,700 feet long, into aluminum sheet or plate.³ The table is divided into sections, each of which is electrically activated for the operation performed upon it.

Operations at this plant began in the summer of 1948. There is no history of collective bargaining. The integrated nature of the plant operations and the history of bargaining at the Employer's two other rolling mills,⁴ indicate the appropriateness of a plant-wide unit. On the other hand, the record in this case, and previous Board decisions in cases involving another aluminum rolling mill,⁵ indicate that craft units may also be appropriate.

The IBEW seeks to represent a unit of electricians and pyrometric and instrument repairmen employed respectively in the maintenance and pyrometric subdepartments of the electrical department. The electricians maintain and repair electrical equipment throughout the plant. The pyrometric and instrument repairmen make and repair equipment for recording temperatures, and make temperature surveys of various types of furnaces. We have previously recognized that both groups of employees together may constitute an appropriate unit.⁶ Accordingly, we find that all maintenance electricians and all pyrometric and instrument repairmen in the Employer's electrical

³The Employer states that the operations in an aluminum rolling mill are, except in minor particulars, like those in steel rolling mills.

⁴These mills are located at Alcoa, Tennessee, and Edgewater, New Jersey, respectively. In each, a plant-wide unit has been found appropriate, but in neither case was any severance issue raised. See *Matter of Aluminum Company of America*, 61 N. L. R. B. 245 (Alcoa, Tenn.) and Case No. 2-R-1275 (consent election held at Edgewater, N. J.).

⁵*Matter of Reynolds Metals Company*, 70 N. L. R. B. 1388; *Matter of Aluminum Company of America*, 54 N. L. R. B. 1043. See also *Matter of Aluminum Ore Company*, 85 N. L. R. B. 121; *Matter of Reynolds Metals Company*, 85 N. L. R. B. 110.

⁶*Matter of Reynolds Metals Company*, 70 N. L. R. B. 1338; *Matter of Aluminum Company of America*, 54 N. L. R. B. 1043.

department, may, if they so desire, constitute a unit appropriate for the purposes of collective bargaining.

The Employer's mechanical department is divided into five sub-departments: (1) mill maintenance, (2) machine shop, (3) roll shop, (4) pipe shop, and (5) land and building maintenance.

The Carpenters seeks to represent a unit of all employees in the mill maintenance subdepartment. In this subdepartment are employed 44 mill mechanics, 9 mill maintenance helpers, 2 mill maintenance laborers, and 1 mason. The mechanics and the laborers and helpers work throughout the plant installing and repairing plant equipment and machinery. They work out of 3 centers where their foremen are located and their tools are kept. They report to the foremen at the centers, and are then assigned to work areas where they do "preventive maintenance." In case of a break-down in a machine, the mill mechanic working in the area is called by the production foreman to make the necessary repairs. The mill mechanics are essentially millwrights. Their work requires considerable knowledge of assembling, dismantling and lubrication of mechanical equipment. To acquire journeyman status requires an apprenticeship of 3 to 4 years. We have previously found appropriate separate units of millwrights and their helpers.⁷

Apart from the fact that he also works throughout the plant, the mason shares but one characteristic with the other employees in the mill maintenance subdepartment—he works under the supervision of a mill maintenance foreman. Practically all his work consists in repairing crucible linings and refractory linings in remelting furnaces. As the mason has little contact with the other employees in the mill maintenance department, and neither his skill nor his work is comparable to theirs, we shall exclude him.

We find that all employees in the Employer's mill maintenance subdepartment, excluding the mason, may, if they so desire, constitute a unit appropriate for the purposes of collective bargaining.

The I. A. M. seeks to represent a unit of machinists and their apprentices, and welders. All these employees are employed in the machine shop of the Employer's mechanical department. The machinists are highly skilled craftsmen who perform the usual duties of their craft—making, forming, shaping, and maintaining dies, fixtures, jigs, and machine parts. The welders are located in the machine shop and work there in conjunction with the machinists, under the supervision of the shop foreman. Only occasionally are they sent out of the shop to do "field" welding. Clearly, the interests

⁷ *Matter of Certain-Teed Products Corporation*, 78 N. L. R. B. 910; *Matter of Brown and Root, Inc., et al.*, 77 N. L. R. B. 1136; *Matter of International Harvester Company*, 73 N. L. R. B. 971; *Matter of Reynolds Metals Company*, 70 N. L. R. B. 1338.

of the welders lie with those of the machinists.⁸ Accordingly, we shall include them in the machinists voting group.

The Employer contends that the unit sought by the I. A. M. is inappropriate because, among other reasons, the employees in the roll shop are not included in it. The roll shop is located in a building adjacent to the machine shop. There are four roll grinder and repairmen and one helper. They work under the immediate supervision of the roll shop foreman. The roll grinders are skilled employees who have skills similar to those of machinists, although their work is more repetitive than that of journeymen machinists, who perform a greater variety of tasks. Grinding of smaller rolls is frequently done in the machine shop by the machinists, and, when necessity requires it, machinists grind rolls in the roll shop, or help the roll grinders do it. Because of the similarity of skills, and the interchange between the two shops, we are of the opinion that the employees in the roll shop should be included in the unit of machinists and welders sought by the I. A. M.⁹ Accordingly, we find that the machinists, their apprentices, the welders in the machine shop, and all employees in the roll shop may, if they so desire, constitute a separate unit.

However, as we said above, the inclusion in a plant-wide unit of the employees in the three described groups is also clearly appropriate. We shall, therefore, make no final unit determinations until we have first ascertained the desires of the employees as expressed in the elections directed hereinafter.

If a majority of the employees in voting groups (2), (3), and (4) vote for the IBEW, the Carpenters, or the I. A. M., respectively, they will be taken to have indicated their desire to constitute separate appropriate units.

We shall direct elections among the employees of the Employer at its Bettendorf, Iowa, plant, in the voting groups set forth below, excluding from each guards and supervisors as defined in the Act:

(1) All production and maintenance employees, excluding those included in voting groups (2), (3), and (4).

(2) All maintenance electricians and their apprentices, including pyrometric and instrument repairmen;

(3) All employees in the mill maintenance subdepartment, including mill mechanics, mill maintenance helpers and laborers, but excluding the mason.

⁸ *Matter of International Harvester Company*, 82 N. L. R. B. 190.

⁹ *Matter of Ethyl Corporation (Sodium and Tetraethyl Lead Areas)*, 80 N. L. R. B., No. 4. Cf. *Matter of International Harvester Company (McCormick Works)*, 82 N. L. R. B. 190; *Matter of Reynolds Metals Company*, 70 N. L. R. B. 1338; *Matter of Aluminum Company of America*, 54 N. L. R. B. 1043.

(4) All machinists and their apprentices, and welders in the machine shop, and all roll grinders and repairmen and their helpers in the roll shop.

DIRECTION OF ELECTIONS

As part of the investigation to ascertain representatives for the purposes of collective bargaining with the Employer, separate elections by secret ballot shall be conducted as early as possible, but not later than 30 days from the date of this Direction, under the direction and supervision of the Regional Director for the Region in which this case was heard, and subject to Sections 203.61 and 203.62 of National Labor Relations Board Rules and Regulations, among the employees in the voting groups described in paragraph numbered 4, above, who were employed during the pay-roll period immediately preceding the date of this Direction of Elections, including employees who did not work during said pay-roll period because they were ill or on vacation or temporarily laid off, but excluding those employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the elections, and also excluding employees on strike who are not entitled to reinstatement, to determine:

(a) Whether the employees in voting group (1) desire to be represented for purposes of collective bargaining by A. F. of L. International Council of the Aluminum Workers Unions, or by United Steelworkers of America, C. I. O., or by neither;

(b) Whether the employees in voting group (2) desire to be represented for purposes of collective bargaining by International Brotherhood of Electrical Workers, A. F. L., or by A. F. of L. International Council of the Aluminum Workers Unions, or by United Steelworkers of America, C. I. O., or by none;

(c) Whether the employees in voting group (3) desire to be represented for purposes of collective bargaining by Local No. 2158, Tri-City Carpenters District Council, United Brotherhood of Carpenters and Joiners of America, A. F. L., or by A. F. of L. International Council of the Aluminum Workers Unions, or by United Steelworkers of America, C. I. O., or by none;

(d) Whether the employees in voting group (4) desire to be represented for purposes of collective bargaining by International Association of Machinists, District 102, or by A. F. of L. International Council of the Aluminum Workers Unions, or by United Steelworkers of America, C. I. O., or by none.