

In the Matter of AIR-FAN ENGINEERING COMPANY, EMPLOYER and
UNITED STEELWORKERS OF AMERICA, ON BEHALF OF LOCAL UNION
2018, CIO

Case No. 21-RC-1108.—Decided May 31, 1950

DECISION

AND

ORDER

Upon a petition duly filed, a hearing was held before Ralph H. Nutter, 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.¹

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 Murdock].

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

1. The business of the Employer:

The Employer, located in California, is engaged in the fabrication and installation of sheet metal projects comprised of air conditioning, ventilation, dust removal, and fumes removal systems of various types from August to January; the distribution of Reznor heaters from October to January; and the manufacture of small air-conditioning units from February to July.² For the year 1949, the Employer made total purchases amounting to \$97,700, of which \$53,000 or 54 percent represents direct inflow from outside the State (including \$41,000 worth of heaters); \$13,000 or 23 percent, indirect inflow; and \$31,700 or 39 percent, local purchases. Total sales for the same period amounted to \$187,000, of which less than one-half of 1 percent rep-

¹ Sheet Metal Workers International Association on behalf of Local 371 and Local 108 is the intervenor in this proceeding.

² The month-to-month periods given above are inclusive.

Formerly the Employer was engaged in the manufacture of air-conditioning units on a small scale, but since 1949 the manufacture of that product has become essentially the whole business for approximately 5 months. Testimony of the general manager of the Employer, however, indicates that sheet metal contracts may be undertaken at any time of the year.

resented direct or indirect, outflow outside the State. The Employer contracts for sheet metal projects, builds the equipment according to individual specifications, and installs it for the final consumers, all industrial companies within California.³ The heaters are distributed by the Employer to industrial companies and heating contractors who use them to heat homes, offices, and other buildings in California. The bulk of small air-conditioning units is sold to dealers who install them in various buildings in California, and a small percentage is sold directly to users in the vicinity of Los Angeles.

We find that while the Employer's operations are not wholly unrelated to commerce, they are essentially local in character and, consequently, it would not effectuate the policies of the Act to assert jurisdiction in this case.⁴

ORDER

IT IS HEREBY ORDERED that the petition herein be, and it hereby is, dismissed.

³ The record is not clear as to whether services and equipment or heaters are sold to the Southern Pacific Railroad, which is listed with the industrial companies that are customers of the Employer.

⁴ *Detroit Canvas Manufacturers Association, et al.*, 80 NLRB 267; *Ace Venetian Blind Mfg. Co.*, 87 NLRB 447.