

In the Matter of ALLISON STEEL MANUFACTURING COMPANY and  
INTERNATIONAL ASSOCIATION OF MACHINISTS, RANGER DISTRICT  
LOCAL 49, A. F. OF L.

*Case No. 21-R-2584.—Decided March 31, 1945*

*Mr. Frank Snell*, of Phoenix, Ariz., for the Company.

*Mr. T. M. Barber*, of Phoenix, Ariz., for the Union.

*Mr. Louis Cokin*, of counsel to the Board.

DECISION  
AND  
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon petition duly filed by International Association of Machinists, Ranger District Lodge 49, A. F. of L., herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of Allison Steel Manufacturing Company, Phoenix, Arizona, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before Charles M. Ryan, Trial Examiner. Said hearing was held at Phoenix, Arizona, on February 21, 1945. The Company and the Union appeared, participated, and were afforded full opportunity to be heard, to examine and cross-examine witnesses, and to introduce evidence bearing on the issues. During the course of the hearing the Company moved to dismiss the petition. The Trial Examiner reserved ruling thereon. The motion is hereby denied. The Trial Examiner's rulings made at the hearing are free from prejudicial error and are hereby affirmed. All parties were afforded opportunity to file briefs with the Board.

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

FINDINGS OF FACT

I. THE BUSINESS OF THE COMPANY

Allison Steel Manufacturing Company is an Arizona corporation with its plant at Phoenix, Arizona, where it is engaged in fabricating,  
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erecting, and jobbing of steel products. During 1944 the Company purchased materials valued in excess of \$1,000,000, approximately 95 percent of which was shipped to it from points outside the State of Arizona. During the same period the Company sold products valued in excess of \$2,000,000, approximately 60 percent of which was shipped to points outside the State of Arizona.

We find that the Company is engaged in commerce within the meaning of the National Labor Relations Act.

## II. THE ORGANIZATION INVOLVED

International Association of Machinists, Ranger District Lodge 49, is a labor organization affiliated with the American Federation of Labor, admitting to membership employees of the Company.

## III. THE QUESTION CONCERNING REPRESENTATION

The Company refused to recognize the Union as the exclusive collective bargaining representative of the employees involved herein until such time as the Union is certified by the Board.

A statement of a Board Field Examiner, introduced into evidence at the hearing, indicates that the Union represents a substantial number of employees in the unit hereinafter found to be appropriate.<sup>1</sup>

We find that a question affecting commerce has arisen concerning the representation of employees of the Company, within the meaning of Section 9 (c) and Section 2 (6) and (7) of the Act.

## IV. THE APPROPRIATE UNIT

The Union urges that all machinists, helpers, and welders in the machine shop at the Phoenix plant of the Company, excluding supervisory employees, constitute an appropriate bargaining unit. The Company contends that the appropriate unit should consist of all its production and maintenance employees in the Phoenix plant.

The machine shop at the Phoenix plant is located in a separate room and employees working therein are segregated from the other employees. They work under the supervision of a separate foreman and there is no interchange of employees between the machine shop and other departments of the Company. Although there is some evidence that 1 year or 2 prior to 1943 the Company had verbal understandings with International Association of Iron Workers on a plant-wide basis, no such understanding has existed since 1943; and the International Association of Iron Workers has had no interest among the employees of the Company since that time. The employees in the machine shop

<sup>1</sup> The Field Examiner reported that the Union submitted 22 application cards. There are approximately 33 employees in the appropriate unit.

are required to have a high degree of skill. We have frequently found that employees such as those sought by the Union here comprise a sufficiently skilled, identifiable, and homogeneous group which could properly be represented either as a separate collective bargaining unit or as a part of a more comprehensive one. In the instant proceeding no labor organization is claiming to represent any of the remaining employees at the present time. Accordingly, we conclude that the unit sought by the Union is appropriate at this time.

We find that all machinists, helpers, and welders in the machine shop<sup>2</sup> at the Phoenix plant of the Company, excluding supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9 (b) of the Act.

#### V. THE DETERMINATION OF REPRESENTATIVES

We shall direct that the question concerning representation which has arisen be resolved by means of an election by secret ballot among the employees in the appropriate unit who were employed during the pay-roll period immediately preceding the date of the Direction of Election herein, subject to the limitations and additions set forth in the Direction.

#### DIRECTION OF ELECTION

By virtue of and pursuant to the power vested in the National Labor Relations Board by Section 9 (c) of the National Labor Relations Act, and pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 3, as amended, it is hereby

**DIRECTED** that, as part of the investigation to ascertain representatives for the purposes of collective bargaining with Allison Steel Manufacturing Company, Phoenix, Arizona, an election by secret ballot shall be conducted as early as possible, but not later than sixty (60) days from the date of this Direction, under the direction and supervision of the Regional Director for the Twenty-first Region, acting in this matter as agent for the National Labor Relations Board, and subject to Article III, Sections 10 and 11, of said Rules and Regulations, among the employees in the unit found appropriate in Section IV, above, who were employed during the pay-roll period immediately

<sup>2</sup> It appears that the Company may find it necessary, because of lack of space in the shop, to locate some of the machine shop employees outside the machine shop. Employees at both locations, however, will continue to be supervised by the machine shop foremen. Our use of the term "machine shop" is to be deemed as including machinists and related employees even though they may not all be physically located in the machine shop.

preceding the date of this Direction, including employees who did not work during said pay-roll period because they were ill or on vacation or temporarily laid off, and including employees in the armed forces of the United States who present themselves in person at the polls, but excluding any who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the election, to determine whether or not they desire to be represented by International Association of Machinists, Ranger District Lodge 49, affiliated with the American Federation of Labor, for the purposes of collective bargaining.