

In the Matter of HARBOR VENEER PLANT OF PACIFIC STATES BOX AND BASKET Co. and INTERNATIONAL WOODWORKERS OF AMERICA, LOCAL UNION 3-30 and BOX SHOOK AND VENEER WORKERS UNION, LOCAL No. 2687, A. F. L.

Case No. 19-RE-21.—Decided April 20, 1945

Mr. J. H. Richardson, of Raymond, Wash., for the Company.

Mr. Virgil Burtz, of Portland, Oreg., and *Mr. Bill Briney*, of Raymond, Wash., for the C. I. O.

Mr. W. A. Nazer, of Aberdeen, Wash., for the A. F. L.

Mr. David V. Easton, of counsel to the Board.

DECISION
AND
DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon a petition duly filed by Harbor Veneer Plant of Pacific States Box and Basket Co.,¹ Raymond, Washington, herein called the Company, alleging that a question affecting commerce had arisen concerning the representation of its employees, the National Labor Relations Board provided for an appropriate hearing upon due notice before Joseph D. Holmes, Trial Examiner. Said hearing was held at Hoquiam, Washington, on March 13, 1945. The Company, International Woodworkers of America, Local Union 3-30, herein called the C. I. O., and Box Shook and Veneer Workers Union, Local No. 2687, A. F. L., herein called the A. F. L., appeared, participated and were afforded full opportunity to be heard, to examine and cross-examine witnesses, and to introduce evidence bearing on the issues. The Trial Examiner's rulings made at the hearing are free from prejudicial error and are hereby affirmed. All parties were afforded an opportunity to file briefs with the Board.

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

¹ The record indicated that this is the correct name of the employer. The Trial Examiner granted a motion at the hearing to correct all papers in this proceeding so as to reflect properly the name of the employer involved.

FINDINGS OF FACT

I. THE BUSINESS OF THE COMPANY

Harbor Veneer Plant of Pacific States Box and Basket Co. is a California corporation engaged at Raymond, Washington, in the manufacture of stitched veneer covers, veneer pea hamper staves, veneer drum stocks, and related products. The principal raw material used by the Company is logs, which are procured entirely from within the State of Washington. Gross sales of the Company during the year 1944 amounted to approximately \$281,000, of which 38.5 percent was sold and shipped to points outside the State of Washington.

The Company admits that it is engaged in commerce within the meaning of the National Labor Relations Act.

II. THE ORGANIZATIONS INVOLVED

International Woodworkers of America, Local Union 3-30, is a labor organization, affiliated with the Congress of Industrial Organizations, admitting to membership employees of the Company.

Box Shook and Veneer Workers Union, Local No. 2687, 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 refuses to recognize either of the labor organizations involved herein as the representative of its employees until certification by the Board.

A statement of a Field Examiner for the Board, introduced into evidence at the hearing, indicates that the C. I. O. represents a substantial number of employees in the unit hereinafter found appropriate.²

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

Substantially in accordance with the stipulation of the parties made at the hearing, we find that all production and maintenance employees of the Company, including the "boom man," sorter boss, and head

²The Field Examiner reported that the C. I. O. submitted 35 designations which "checked" on the Company's pay roll for the period ending January 31, 1945. He further reported that there were approximately 52 employees in the unit alleged to be appropriate.

of the stitching department,³ but excluding clerical employees, the general manager and all other 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 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.⁴

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 Harbor Veneer Plant of Pacific States Box and Basket Co., Raymond, Washington, an election by secret ballot shall be conducted as early as possible, but not later than thirty (30) days from the date of this Direction, under the direction and supervision of the Regional Director for the Nineteenth 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 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 direction, to determine whether

³ The record clearly indicates that these three employees are not supervisory within the meaning of our usual definition

⁴ The record indicates that the A. F. L. had been conducting bargaining relations with the Company since 1939 pursuant to a parole arrangement. There is some evidence indicating that the membership of the A. F. L. voted to dissolve and to affiliate with the C. I. O. There is also evidence that the attempted dissolution was not completely successful and that the A. F. L. still retains membership among the employees of the Company. Under these circumstances we shall accord the A. F. L. a place upon the ballot.

they desire to be represented by International Woodworkers of America, Local Union 3-30, C. I. O., or by Box Shook and Veneer Workers Union Local No. 2687, A. F. L., for the purposes of collective bargaining, or by neither.

CHAIRMAN MILLIS took no part in the consideration of the above Decision and Direction of Election.