

IN THE MATTER OF REYNOLDS METALS COMPANY (HURRICANE CREEK PLANT), EMPLOYER *and* LODGE 1775, INTERNATIONAL ASSOCIATION OF MACHINISTS, PETITIONER

Case No. 32-RC-265.—Decided November 20, 1950

DECISION AND ORDER

Upon a petition duly filed, a hearing was held before Anthony J. Sabella, hearing officer.¹ The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.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-member panel [Members Houston, Reynolds, and Styles].

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. The labor organization involved claims to represent employees of the Employer.

3. No 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, for the following reasons:

The Petitioner seeks to sever a craft unit of machinists from an established unit of production and maintenance employees at the Employer's Hurricane Creek alumina separation plant at Bauxite, Arkansas. United Steelworkers of America, CIO, herein called the Intervenor, opposing the severance, contends that the Hurricane Creek plant is a highly integrated component of the Employer's basic aluminum operations and that the existing unit of employees is the only appropriate unit at this plant.³ The Employer takes no position on the unit issue.

¹ The petition and other formal papers were amended at the hearing to show the correct name of the Employer.

² On November 14, 1950, the Intervenor filed a motion, requesting oral argument and permission to file a reply brief. Because the position of the parties is clearly set forth at the hearing and in the briefs filed, the motion is denied.

³ Following separate consent elections among employees at the Employer's Hurricane Creek and Jones Mills plants, respectively, the Employer bargained with the Intervenor for these employees. The most recent contract embraces employees at both plants.

The Employer, a Delaware corporation, with main offices at Richmond, Virginia, is engaged in the production of aluminum metal and aluminum products at its numerous plants in several States of the United States. Its basic aluminum operations include the separation of alumina from bauxite at its Hurricane Creek separation plant, which alone is involved in this proceeding, and the reduction of alumina so produced into aluminum metal at its four aluminum reduction plants at Jones Mills, Arkansas; Listerhill, Alabama; Longview, Washington; and Troutdale, Oregon, respectively. Aluminum metal produced at these plants is shipped to rolling mills, extrusion and fabrication plants, and printing establishments operated by the Employer throughout the United States for the manufacture of aluminum products.

The Employer's basic aluminum operations at its Hurricane Creek separation plant and at its four aluminum reduction plants are continuous in nature—that is, the processes employed for separation and reduction involve the application to aluminum-bearing material of streams of chemical liquids which must be kept in continuous flow at each plant in order to function efficiently. To operate successfully on a 24-hour-a-day basis, these basic plants require uninterrupted supplies of material for processing. For this reason, the Employer prepares, at its Richmond office, coordinated production schedules for its basic plants, assuring a steady flow of alumina to its four reduction plants from its Hurricane Creek plant, their sole supplier of that product. The above-described separation and reduction operations are analogous to similar operations in the basic steel industry, known as beneficiation, whereby low-grade steel is converted into high-grade steel through the application of continuous chemical processes.

The Hurricane Creek plant has approximately 950 employees. Alumina constitutes 97 percent of its production; of the remainder, 1 percent consists of aluminum fluoride and sodium fluoride, which is shipped to the reduction plants for use in connection with their reduction operations, and 2 percent consists of aluminum trihydrate, used in the chemical and ceramics industries, and the only product of this plant which is sold to outside customers. Plant operations are organized on the basis of 3 main divisions: (1) operations; (2) steam power, water, and air; and (3) maintenance and construction. Production operations, carried on in the operations division, involve the use of the Bayer-Sinter process for the separation of alumina, or aluminum oxide from bauxite or aluminum ore. This complex process involves applications of heat and mechanical and chemical processes, all of which are integrated into one continuous operation. An interruption at any stage of the process causes an immediate and direct

impairment of production throughout the plant and may result in a delay of 7 to 15 days before normal operations can be resumed. The operations division is directly dependent upon the steam power, water, and air division for its supplies of the electricity and pneumatic power, requisite to the operation of the Bayer-Sinter process, and upon the maintenance and construction division for the regular assembly and repair of machines used in this process.

The machine shop, sought by the Petitioner, is a part of the maintenance and construction division at the Hurricane Creek plant and occupies one-fourth of a single floor building, known as the crafts building, which also houses the pattern shop, the electrical shop, the sheet metal shop, and a number of welders. There is no physical barrier between the machine shop and the other groups in the building, and all groups are served by the same overhead crane. Seventeen journeyman machinists, two machinist assistants, a toolroom attendant, and the overhead crane operator are listed as machine shop employees. Machinists and their assistants construct and maintain plant equipment, in the course of which they perform assembly, fitting, dismantling, and repairing operations. Although regularly employed in the machine shop area, they are frequently sent to other plant areas, where they work in collaboration with electricians, maintenance mechanics, and welders in the repair of production and power machinery too large for removal to the machine shop, or the removal of which would cause an interruption in the separation process. The journeyman machinists appear to exercise the usual tools and skills of their craft and are paid wages comparable to those paid the members of other skilled crafts; on the other hand, their work overlaps that of maintenance mechanics, and their assistants are not required to have machinists' skills.⁴ Furthermore, jobs in the machine shop are available on a plant-wide seniority basis, in the event that there are no applicants with previous experience in the machine shop. There is no formal apprenticeship program at the plant for machinists.

Since its certification in June 1946, the Intervenor has been the bargaining representative for units of employees at the Employer's Hurricane Creek and Jones Mills plants on a plant-wide basis.⁵ Its latest contract, which covered employees in both units, expired on October 1, 1950. Since its certification by this Board in 1948, Federated Aluminum Council, an association of unions affiliated with the American Federation of Labor, has represented employees at the Em-

⁴ The present machinists assistants lack machinist skills and are not in line for promotion to machinist jobs.

⁵ Cases Nos. 15-R-1658 and 15-R-1665.

ployer's Longview, Washington, reduction plant.⁶ In *Reynolds Metals Company*,⁷ decided July 8, 1949, the Board permitted the severance of several craft units from a plant-wide unit at the Employer's Troutdale, Oregon, reduction plant, and thereafter certified craft unions affiliated with the American Federation of Labor as their respective bargaining representatives; in its later decision in *The Permanente Metals Corporation*,⁸ decided April 27, 1950, however, the Board, finding inappropriate the severance of craft groups in basic aluminum reduction plants similar to those of the Employer, expressly overruled the earlier *Reynolds Metals* decision.⁹

The Hurricane Creek plant, an integral link in the Employer's basic aluminum operations, is in itself a highly integrated operation in which machinists and other maintenance employees, spending a considerable portion of their time in production areas, are regularly engaged in work on the instrumentalities of production. Upon their work, the essential continuity of the production processes at the plant in large measure depends. In these respects, the Hurricane Creek plant is integrated in the same manner and to the same extent as are those basic plants in the steel and aluminum industries where we have found that the interests of the employees are best served by the establishment therein of plant-wide units.¹⁰ Under these circumstances, we see no reason to disturb the existing larger unit by severing therefrom the machine shop unit sought by the Petitioner.

Upon the basis of the above facts, and the entire record herein, we find that the unit sought by the Petitioner is inappropriate and shall dismiss the petition.

ORDER

IT IS HEREBY ORDERED that the petition filed in the instant case be, and the same hereby is dismissed.

⁶ Case No. 19-RC-93.

⁷ 85 NLRB 110.

⁸ 89 NLRB 804.

⁹ As a result of certifications issued on March 19, 1947, following consent elections, separate unions currently represent craft groups at the Employer's Listerhill, Alabama, reduction plant. Case No. 10-R-2515 (unpublished).

¹⁰ *The Permanente Metals Corporation, supra; National Tube Company*; 76 NLRB 1199.