

In the Matter of CENTRAL CAROLINA TELEPHONE COMPANY, EMPLOYER;
and INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL,
PETITIONER

Case No. 34-RC-228.—Decided January 19, 1951

DECISION AND DIRECTION OF ELECTION

Upon a petition duly filed under Section 9 (c) of the National Labor Relations Act, a hearing was held before Miles J. McCormick, 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 Act, the Board has delegated its powers in connection with this case to a three-member panel [Chairman Herzog and Members Murdock and Styles].

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

1. The Employer, a North Carolina corporation with executive offices in that State, operates 10 telephone exchanges in North Carolina, and 8 telephone exchanges in South Carolina. It operates a total of 10,475 stations; of which 6,475 are in North Carolina and 4,000 in South Carolina. Although none of its lines cross the State boundaries of North Carolina and South Carolina,¹ the Employer is an agent of the Bell Telephone System in sending and transmitting messages to and from points located outside of these States. Its gross revenue for the year 1949 was \$613,464.48.

We find that the Employer, contrary to its contention, is engaged in commerce within the meaning of the National Labor Relations Act.²

Moreover, in accord with the Board's recently announced policy of asserting jurisdiction over instrumentalities and channels of interstate and foreign commerce, we find that it will effectuate the policies of the Act to assert jurisdiction over this telephone system.³

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

¹ For this reason the Employer does not hold a certificate of public convenience and necessity from the Federal Communications Commission.

² *Middle States Utilities Company of Missouri, Clinton County Telephone Company and Andrew County Mutual Telephone Company*, 81 NLRB 416; *The Ohio Associated Telephone Company*, 82 NLRB 972.

³ See *WBSR, Inc.*, 91 NLRB 630.

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.

4. The following employees of the Employer constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9 (b) of the Act:

All employees in the commercial, plant, and traffic departments at the Employer's North Carolina and South Carolina exchanges, excluding the employees of the agency offices at Holly Hill and Jefferson, South Carolina, janitors, private secretary to vice president of Employer, chief operators, line foremen, construction foremen, district combination men, district plant supervisors, district equipment supervisors, local manager at Siler City, North Carolina, district manager at Beaufort, South Carolina, general manager in charge of South Carolina division, general office executives at Southern Pines, North Carolina, traveling supervisor at Southern Pines, North Carolina, and all other supervisors as defined in the Act.⁴

[Text of Direction of Election omitted from publication in this volume.]

⁴As the individuals designated as "traffic supervisors" make effective recommendations affecting the status of employees working under their direction, we find that they are supervisors, and accordingly exclude them from the unit. *Ozark Central Telephone Company*, 83 NLRB 258; see also *Smith and Barnett*, 88 NLRB 740.