

In the Matter of JASPER VENEER MILLS, EMPLOYER *and* FURNITURE
AND VENEER WORKERS, LOCAL 331, UPHOLSTERERS' INTERNATIONAL
UNION, AFL *and* UNITED FURNITURE WORKERS OF AMERICA, LOCAL
314, CIO, PETITIONER

Case No. 11-RE-8.—Decided January 10, 1947

Mr. Fae W. Patrick, of Indianapolis, Ind., and *Mr. Arthur C. Nordoff*, of Jasper, Ind., for the Employer.

Mr. Robert D. Malarney, of Indianapolis, Ind., for the AFL.

Mr. Oliver A. Switzer, of South Bend, Ind., for the CIO.

Mr. Jack J. Mantel, of counsel to the Board.

DECISION
AND
DIRECTION OF ELECTION

Upon a petition duly filed by the Employer, hearing in this case was held at Jasper, Indiana, on December 4, 1946, before Clifford L. Hardy, hearing officer. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

Upon the entire record in the case, the National Labor Relations Board makes the following:

FINDINGS OF FACT

I. THE BUSINESS OF THE EMPLOYER

Jasper Veneer Mills is an Indiana corporation having its principal place of business in Jasper, Indiana, where it is engaged in the manufacture of wood products and veneer. Annually, the Employer purchases raw materials, consisting principally of logs, valued in excess of \$50,000, of which approximately 25 percent is shipped to its plant from points outside the State of Indiana. During the same period the Employer's finished products are valued in excess of \$250,000, of which approximately 12 percent is sold and shipped to points outside the State.

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

II. THE ORGANIZATIONS INVOLVED

Furniture and Veneer Workers, Local 331, Upholsterers' International Union herein called the AFL, is a labor organization affiliated with the American Federation of Labor, claiming to represent employees of the Employer.

United Furniture Workers of America, Local 331, herein called the CIO, is a labor organization affiliated with the Congress of Industrial Organizations, claiming to represent employees of the Employer.

III. THE QUESTION CONCERNING REPRESENTATION

The Employer refuses to recognize the AFL or the CIO as the exclusive bargaining representative of employees of the Employer until the AFL or the CIO has been certified by the Board in an appropriate unit.

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

IV. THE APPROPRIATE UNIT

We find, in substantial accord with the agreement of the parties, that all production and maintenance employees of the Employer, excluding clerical and office employees, foremen, 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.

DIRECTION OF ELECTION

As part of the investigation to ascertain representatives for the purposes of collective bargaining with Jasper Veneer Mills, Jasper, Indiana, 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 Eleventh Region, acting in this matter as agent for the National Labor Relations Board, and subject to Sections 203.55 and 203.56, of National Labor Relations Board Rules and Regulations—Series 4, 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 those employees 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 they desire to be represented by Furniture and Veneer Workers, Local 331, Upholsterers' International Union, AFL, or by United Furniture Workers of America, Local 331, CIO, for the purposes of collective bargaining, or by neither.