

IN the Matter of AMERICAN MANUFACTURING COMPANY, EMPLOYER and
METAL POLISHERS, BUFFERS, PLATERS AND HELPERS INTERNATIONAL
UNION, A. F. L., PETITIONER

Case No. 10-R-2716.—Decided March 11, 1948

Messrs. Jac Chambliss and W. G. Alexander, of Chattanooga, Tenn.,
for the Employer.

Mr. Marvin Farmer, of Nashville, Tenn., for the Petitioner.

Mr. James F. Grubbs, of Nashville, Tenn., and *Mr. R. C. Higgins*,
of Lewisburg, Tenn., for the Intervenor.

DECISION

AND

ORDER

Upon an amended petition duly filed, hearing in this case was held at Chattanooga, Tennessee, on December 22, 1947, before Frank H. Stout, 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 Board¹ makes the following:

FINDINGS OF FACT

I. THE BUSINESS OF THE EMPLOYER

American Manufacturing Company is a Tennessee corporation engaged in the business of manufacturing metal stampings and fabricated wire products. Its principal raw materials are steel and wire. During the past 12 months the Employer purchased raw materials of a value in excess of \$100,000, more than 90 percent of which was received from points outside the State of Tennessee. During the same period, its sales of finished products exceeded \$500,000 in value, of which more than 90 percent was shipped to points outside the State. The Employer admits and we find that it is engaged in commerce within the meaning of the National Labor Relations Act.

¹ 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-man panel consisting of the undersigned Board Members [Houston, Murdock, and Gray].

II. THE ORGANIZATIONS INVOLVED

The Petitioner is a labor organization affiliated with the American Federation of Labor, claiming to represent employees of the Employer.

Stove Mounters' International Union of North America, herein called the Intervenor, is a labor organization affiliated with the American Federation of Labor, claiming to represent employees of the Employer.

III. THE ALLEGED APPROPRIATE UNIT; THE ALLEGED QUESTION CONCERNING REPRESENTATION

The Petitioner seeks a craft unit composed of all platers, polishers, and helpers in the Employer's plant. There are approximately 175 employees in the plant, 7 of whom are in the unit sought by the Petitioner. The Employer and the Intervenor assert that the existing plant-wide unit, including the employees sought by the Petitioner, is the appropriate one. The Intervenor has represented these employees in a plant-wide unit for 7 or 8 years.² Both the Intervenor and the Employer agree that their present contract is not a bar to this proceeding.

It is clear from the record that the unit which the Petitioner seeks to represent is composed of unskilled manual laborers. The oldest employee in the plating room, who testified as a witness for the Petitioner, stated that his work was not even semi-skilled, but that he merely stood at a tank, and, when someone else put a metal part in his tank, he took it out, rinsed it in hot water, dried it, and placed it on a truck. None of the employees so engaged has any technical knowledge of the composition of the liquids in the tanks, or of the electric charge carried in each; nor do any of them exercise any independent discretion or judgment on the job. The opinion of all witnesses was that a new employee could be trained in a few minutes to perform the required tasks as competently as an employee who had worked there for years. There is considerable interchange of personnel between the plating room and other parts of the plant. There is a substantially uniform wage rate throughout the plant, with a slight differential for employees who work with paints and acids to compensate them for use of rubber gloves and damage to their clothes.

We find no justification in the record for severing this group of employees from the plant-wide unit. Accordingly we find that the

² The collective bargaining history of the Employer and the Intervenor is outlined in *Matter of American Manufacturing Co*, 73 N. L. R. B. 920. Following the election directed in that case, the International Association of Machinists has represented employees in the Employer's machine shop.

proposed unit is inappropriate, and we shall, therefore, dismiss the petition herein.

Inasmuch as we have held that the bargaining unit sought to be established by the Petitioner is inappropriate for collective bargaining purposes, we find that no question exists concerning the representation of employees of the Employer within the meaning of Section 9 (c) (1) of the Act.

ORDER

Upon the basis of the above findings of fact and the entire record in the case, the National Labor Relations Board hereby orders that the petition for investigation and certification of representatives of employees of American Manufacturing Company, Chattanooga, Tennessee, filed by Metal Polishers, Buffers, Platers and Helpers International Union, A. F. L., be, and it hereby is, dismissed.