

All of our employees are free to become, remain, or refrain from becoming members of the above-named union or any other labor organization except to the extent that their right to refrain may be affected by a lawful agreement which requires membership in a labor organization as a condition of employment.

C. C. LANG & SON, INC.,
Employer.

By _____
(Representative) (Title)

Dated _____

This notice must remain posted for 60 days from the date hereof, and must not be altered, defaced, or covered by any other material.

RADIO STATION WAPA and GREMIO DE PRENSA, RADIO Y TEATRO DE PUERTO RICO, INDEPENDIENTE, PETITIONER. *Case No. 24-RC-241. February 27, 1953*

Supplemental Decision and Order

On November 19, 1951, the Board issued a Decision and Direction of Election in the above-entitled case.¹ Thereafter, on December 29, 1951, the Petitioner was certified as the representative of a unit of all radio actors, actresses, sound men, comedians, special program announcers, narrators, and commentators, scriptwriters, and all such employees who work on packaged programs sponsored by Procter & Gamble Commercial Company and other sponsors, but excluding all executive and administrative personnel, radio station announcers, control men, transmitter operators, guards, watchmen, and all supervisors as defined in the amended Act. On January 13, 1953, on motion of the Petitioner, the Board reopened the record and remanded this proceeding to the Regional Director for the Twenty-fourth Region for the purpose of conducting a hearing as to the unit status of employee Margarita Nazario.²

Pursuant to the Board's Order of January 13, a reopened hearing was held on January 23 before George L. Weasler, 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 this case, the Board³ makes the following supplemental findings:

¹ Not reported in printed volumes of Board decisions.

² On November 3, 1952, the Petitioner filed a motion to reopen hearing and clarify unit as to the status of employee Nazario. On December 17 the Board issued a notice to show cause why the Board should not grant the motion of the Petitioner. No responses having been filed to this notice, the order to reopen and remand ensued.

³ Pursuant to the provisions of Section 3 (b) of the National Labor Relations Act, the Board has delegated its powers in connection with this proceeding to a three-member panel [Members Houston, Murdock, and Styles].

The Board, in its decision and direction of election in this matter, found that a unit of program personnel including scriptwriters was appropriate for the purposes of collective bargaining with the Employer. Announcers and control operators at the Employer's radio station are represented in a separate unit. Employee Margarita Nazario voted under challenge in the election directed herein and the Petitioner contends that her duties are those of a scriptwriter included in the unit. The Employer contends that employee Nazario is a clerical employee not properly included in the bargaining group specified by the Board.

The record shows that employee Nazario's work, prior to September 1952, consisted of script continuity writing as well as other duties in the station music library. Since that date, however, she has been employed as a music librarian and her duties consist of maintaining the record files and forwarding lists of records to be used in programs to the control room. In the latter assignment she apparently exercises some discretion as to the choice of music to be played. For a minor portion of each day, she also performs secretarial work for the station production manager. Her hours of employment vary from those of the regular secretarial staff.

On the entire record, the Board finds that employee Nazario, while not within the classification of scriptwriter, has duties, interests, and conditions of employment closely allied to those of employees in the unit found appropriate and is properly included in such unit.

Order

IT IS HEREBY ORDERED that the Decision and Certification of Representatives in this proceeding be, and it hereby is, amended specifically to include the music librarian in the unit therein found appropriate for purposes of collective bargaining.

GREENEVILLE CABINET CO., INCORPORATED¹ and CONGRESS OF INDUSTRIAL ORGANIZATIONS. *Case No. 10-CA-1037. February 27, 1953*

Decision and Order

On September 5, 1952, Trial Examiner Sydney S. Asher, Jr., issued his Intermediate Report in the above-entitled proceeding, finding that the Respondent had engaged in and was engaging in certain unfair labor practices, and recommending that it cease and desist therefrom and take certain affirmative action, as set forth in the copy of the

¹ It appears from certain papers filed in this case that, subsequent to the hearing, the Employer's name was changed to The Magnavox Company of Tennessee.