

foregoing, and the entire record, we find that the employees in question are ineligible to participate in the election.<sup>6</sup>

[Text of Direction of Election omitted from publication.]

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<sup>6</sup>Harris Products Company, 100 NLRB 1036; Robert C. Matlock, d/b/a Owensboro Plating Company, 103 NLRB 993.

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ALLISON STEEL MANUFACTURING COMPANY *and* INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL, Petitioner.  
Case No. 21-RC-3058. June 24, 1953

### 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 L. A. Gordon, 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 [Members Houston, Murdock, and Styles].

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

1. The Employer is engaged in commerce within the meaning of the Act.

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

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 Petitioner seeks a unit of all machine shop employees at the Employer's Phoenix, Arizona, plant. The Employer contends that such unit is inappropriate because of the integration of its operations and because it comprises only a small segment of the total number of employees exercising similar skills. With respect to the first contention the record shows that the Employer produces structural steel and aluminum products which are used for the construction of bridges and other heavy structures. Except for its outside workers who are engaged in the construction of bridges, there is no history of collective bargaining at the Employer's plant. The machine shop is located in a building which is 700 feet long and approximately 70 feet wide. The front 100 feet of the building are used as a steel storage area. Immediately back of this area is the machine shop. There is no partition between these two areas, and both are under the supervision of the machine shop foreman. The employees in the machine shop are used in the steel storage area whenever occasion demands. The remaining area in the building is occupied by the galvanizing, plating, welding, and structural department, which is separated

from the machine shop by a partition that runs across the entire width of the building. Altogether the Employer has 13 different departments which are housed in 11 different buildings. The machine shop contains the types of machines usually associated with machine shops. There are 6 tool and die makers, 10 machinists, 17 drill press operators, 23 machine operators, 2 welders, 2 toolroom employees, and 2 sweepers regularly assigned to the machine shop. The parties agree that the tool and die makers and machinists are skilled craftsmen whose duties require the exercise of all the skills usually required of journeyman machinists and tool and die makers. The tool and die makers make tools and dies which are used elsewhere in the plant. The machinists perform the most sensitive machining operations. Both groups do maintenance work throughout the plant. The drill press operators' and machine operators' skills are limited to the operation of individual machines. They perform machining operations on the Employer's end products, 90 percent of which come into the machine shop for such purposes. The welders perform whatever welding is required in the machine shop and spend 20 percent of their time in welding maintenance work throughout the plant. The toolroom employees hand out tools and grind and sharpen tools used in the machine shop. The sweepers sweep cuttings and act as general handymen in the machine shop. Despite the fact that employees in the machine shop spend a large share of their time working on the Employer's end products, it is apparent from the record that the machine shop performs a specialized function in the Employer's operations and is not so integrated with the production processes as to preclude a finding that it may constitute an appropriate bargaining unit on a departmental basis.<sup>1</sup>

With respect to the Employer's second contention, we find in accordance with the agreement of the parties and on the basis of the record that the tool and die makers and the machinists are skilled craftsmen. The record shows that there are no other employees elsewhere in the plant who exercise the same skills. They therefore comprise a nucleus of skilled employees sufficient to support an appropriate departmental grouping of the Employer's machine shop employees.<sup>2</sup> The Employer contends that because of the existence of numerous other employees in other departments of the plant who perform essentially the same operations and exercise the same skills as do the unskilled employees in the machine shop, a departmental unit is inappropriate. We find no merit in this contention. The fact that other employees in the plant perform substantially the same operations as the unskilled employees in the department does not militate against the appropriateness of the departmental unit. It is the existence in the plant of

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<sup>1</sup>Cf. Ingersoll Products Division of Borg-Warner Corporation, 100 NLRB 1531, American Hoist & Derrick Company, 88 NLRB 219.

<sup>2</sup>Certain-Teed Products Corporation, 101 NLRB 1110

other employees possessing the same skills as the employees who comprise the craft nucleus which prevents a departmental unit from being appropriate.<sup>3</sup> We are satisfied that the machine operators and drill press operators in the machine shop are performing functions and exercising skills sufficiently related to the craftsmen in the machine shop to warrant their inclusion in the same unit with them. As the two welders spend most of their time in the machine shop we will include them in the unit.<sup>4</sup> For the same reason we include the two sweepers in the unit. The toolroom employees perform their services only for employees of the machine shop and therefore have a sufficient community of interest to be included in the unit with them.

In view of the foregoing determinations, we shall direct an election among the following employees of the Employer's Phoenix, Arizona, plant, which we hereby find constitute an appropriate unit for the purposes of collective bargaining within the meaning of Section 9 (b) of the Act: All machine shop employees, including tool and die makers, machinists, drill press operators, machine operators, welders, toolroom employees, and sweepers, excluding supervisors as defined by the Act and all other employees.

[Text of Direction of Election <sup>5</sup> omitted from publication.]

<sup>3</sup> Westinghouse Electric Corporation, 101 NLRB 441, General Electric Co., 101 NLRB 1341.

<sup>4</sup> Globe Steel Tubes Co., 101 NLRB 772.

<sup>5</sup> The Petitioner requests that it be placed on the ballot as International Association of Machinists and with the letters IAM appearing above the box in which the vote is marked. As no adequate reason was presented for this departure from normal procedures the request is denied.

LONE STAR GAS COMPANY *and* OIL WORKERS INTERNATIONAL UNION, CIO, Petitioner. Case No. 16-RC-1277.  
June 24, 1953

### DECISION AND CERTIFICATION OF RESULTS OF ELECTION

Pursuant to a stipulation for certification upon consent election, executed on April 6, 1953, and approved by the Regional Director on April 7, 1953, an election by secret ballot was conducted on April 20, 1953, under the direction and supervision of the Regional Director for the Sixteenth Region. Upon the conclusion of the election, a tally of ballots was furnished the parties, in accordance with the Rules and Regulations of the Board. The tally showed that, of approximately 14 eligible voters, 14 cast valid ballots, of which 3 were for the Petitioner and 11 against.

Thereafter, the Petitioner filed objections to conduct affecting the results of the election. In accordance with the Board's Rules and Regulations, the Regional Director investigated the matters raised by the objections and on May 19, 1953, issued and duly served upon the parties his report on objections in which he