

In the Matter of WESTERN ELECTRIC COMPANY, INCORPORATED, EMPLOYER and INTERNATIONAL ASSOCIATION OF MACHINISTS, DIE AND TOOL MAKERS LODGE No. 113, PETITIONER

*Case No. 13-R-4269.—Decided August 14, 1947*

*Mr. H. P. Robinson*, of Chicago, Ill., for the Employer.

*Mr. P. L. Siemiller*, of Chicago, Ill., for the Petitioner.

*Mr. Edwin R. Hackett*, of Chicago, Ill., for the Intervenor.

*Mr. A. Sumner Lawrence*, of counsel to the Board.

## DECISION

AND

## ORDER

Upon a petition duly filed, hearing in this case was held at Chicago, Illinois, on June 4, 5, and 9, 1947, before Herman J. De Koven, 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

Western Electric Company, Incorporated, a New York corporation with its principal office in New York City, is engaged in the manufacture, purchase, and sale of communications equipment. The Employer operates numerous plants throughout the United States, including a plant at Chicago, Illinois, known as the Archer Avenue plant, which alone is involved in this proceeding. During the past year, the Employer purchased for use at its Archer Avenue plant, materials valued in excess of \$500,000, of which more than 50 percent was received at this plant from points outside the State of Illinois. During the same period, the Employer's finished products from its Archer Avenue plant exceeded \$500,000 in value, of which approximately 75 percent was shipped to points outside the State of Illinois.

The Employer admits and we find that it is engaged in commerce within the meaning of the National Labor Relations Act.

## II. THE ORGANIZATIONS INVOLVED

The Petitioner is a labor organization claiming to represent employees of the Employer.

Communication Equipment Workers, Inc., herein called the Intervenor, is a labor organization claiming to represent employees of the Employer.

## III. THE ALLEGED APPROPRIATE UNIT

The Petitioner seeks a unit of various craft maintenance machine and toolroom employees employed in the toolroom at the Employer's Archer Avenue plant. The Employer and the Intervenor contend that the proposed unit is inappropriate in that it is contrary to the multiple-plant unit established by a history of collective bargaining between the Employer and the Intervenor and also upon the ground that the unit in question is not such a craft unit as may be found appropriate for the purposes of collective bargaining.

The record discloses that since 1939 the Intervenor has represented the hourly paid non-supervisory employees of the Employer on a multiple-plant basis, which representation has included the employees of the Archer Avenue plant since its establishment in 1945. It further appears that the Archer Avenue plant is one of a group of plants in the Chicago area whose operations and personnel are closely integrated in a single administrative organization known as the Hawthorne Works; and that uniform working conditions permitting interchange of employees, are maintained among the employees in all such plants, including the craft employees in the Archer Avenue plant sought to be represented by the Petitioner.

The Petitioner, however, contends that by reason of the craft character of the unit requested and the fact that such employees have never had an opportunity to determine for themselves in an election whether they desire to be represented in a separate unit for the purposes of collective bargaining, an opportunity should now be afforded them for such determination. Under the circumstances here presented, we are of the opinion that neither the history of collective bargaining nor the integration of the Employer's operations would necessarily warrant our finding inappropriate a separate craft unit as such.<sup>1</sup> However, in view of the multiple-plant bargaining pattern which apparently has functioned successfully for a period of years

<sup>1</sup> See *Matter of E I du Pont de Nemours & Company, Inc. Neoprene Plant*, 73 N. L. R. B. 439, *Matter of Continental Can Company, Inc.*, 73 N. L. R. B. 1375

among the employees of the Employer, we are persuaded that, in the interest of preserving this pattern insofar as possible, any severance of the craft employees involved herein should be effected upon a multiple-plant basis.<sup>2</sup> In the present instance, the unit sought by the Petitioner does not include similar craft employees of the Employer at other plants in the area under consideration. We find, therefore, that the unit claimed by the Petitioner is inappropriate for the purposes of collective bargaining. Accordingly, since the Petitioner neither seeks nor has submitted evidence of representation in the more inclusive craft unit, we shall dismiss the petition.

#### IV. THE ALLEGED QUESTION CONCERNING REPRESENTATION

Since the bargaining unit sought to be established by the petition is inappropriate as stated in Section III, *supra*, we find that no question concerning representation of employees of the Employer within an appropriate unit has arisen within the meaning of Section 9 (c) of the Act.

#### ORDER

Upon the basis of the foregoing findings of fact and the entire record in this proceeding, the National Labor Relations Board hereby orders that the petition for investigation and certification of representatives of employees of Western Electric Company, Incorporated, Chicago, Illinois, filed by International Association of Machinists, Die and Tool Makers Lodge No. 113, be, and it hereby is, dismissed.

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<sup>2</sup> The Board has recently held that where a separate election was sought for craft employees who had been included in a bargaining history upon a multiple-plant and multiple-employer basis, such election could not be limited to the craft employees of a single plant but must be coextensive with the multiple-plant unit, see *Matter of T. C. King Pipe Company, et al.*, 74 N. L. R. B. 468.