the plant, interrogated Grutter as to how many employees had signed the petition, and, in furtherance of a compaign against the Machinists, called a meeting of the toolroom on July 30 to promote the interests of the Steelworkers.

As appears above, I have found that the petition in question was prepared by the Steelworkers and that, contrary to Wibiral's testimony, Goff did not ask that he circulate it among his fellow employees. The facts in connection with the meeting of July 30 have been set forth above (section III, A). Nothing which Goff said during this meeting could be construed as beyond the scope of protected free speech under Section 8 (c) of the Act. The General Counsel urges that at least the Respondent must be charged with responsibility for the anti-Machinists' petition since it was typed on company time and freely circulated during working hours. On the facts present here, I can not agree with this contention. There was no evidence of any no-solicitation rule at the plant and from the testimony in the record it is plain that, throughout this period, propagandizing for the Machinists, as well as for the Steelworkers, went on apace during working hours without any objection from the Respondent. Nor does it appear that the fact that the petition in question was typed by a company stenographer who had on various other occasions typed notices for the union merit any significance.

Goff's query to Wibiral as to who had started the Machinists' movement and his subsequent question to Grutter as to how many had signed the petition constituted unlawful interrogation within the meaning of Section 8 (a) (1) as the Board has construed that provision of the Act. *Syracuse Color Press, Inc.*, 103 NLRB 377. (But see, *N. L. R. B.* v. *Arthur Winer, Inc.*, 194 F. 2d 370 (C. A. 7), cert. denied, 344 U. S. 819.) However, as the Board has also held that an isolated instance of interrogation does not merit the issuance of a remedial order, (*Waffle Corporation of America*, 103 NLRB 895; *American Thread Company*, 97 NLRB 810; *Gazette Publishing Company*, 101 NLRB 1694), and because, as appears above, it is my conclusion that the Respondent has not violated Section 8 (a) (1), (2), (3), or (5) of the Act, in any of the other respects alleged, I will recommend that the complaint be dismissed in its entirety.

On the basis of the foregoing and upon the entire record in the case, I have reached the following:

CONCLUSIONS OF LAW

1. The Respondent, William D Gibson Co., Division of Association Spring Corporation, is engaged in commerce within the meaning of Section 2 (6) and (7) of the Act.
2 The Steelworkers and the Machinists are labor organizations within the meaning of the Act.
3. The Respondent has not engaged in unfair labor practices as alleged in the complaint within the meaning of Section 8 (a) (1), (2), (3), and (5) of the Act.

[Recommendations omitted from publication.]

GOFF-MCNAIR MOTOR COMPANY *and* INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL

LYLE BRYAN MOTOR COMPANY *and* INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL

P. R. GREEN, D/B/A GREEN CHEVROLET COMPANY *and* INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL. *Cases Nos. 32-CA-276, 32-CA-368, 32-CA-274, 32-CA-367, 32-CA-275, and 32-CA-369. October 29, 1954*

Decision and Order

On May 6, 1953, Trial Examiner Robert E. Mullin issued his Intermediate Report and on April 29, 1954, his Supplemental Intermediate Report in the above-entitled proceeding, finding that the Re-

spondents had engaged in and were engaging in certain unfair labor practices alleged in the complaints and recommending that they cease and desist therefrom and take certain affirmative remedial action. The Respondents filed exceptions to the original Intermediate Report and to the Supplemental Intermediate Report and briefs in support of the exceptions.[1] The General Counsel filed exceptions to the original Intermediate Report.

The Board has reviewed the rulings of the Trial Examiner made at the hearing so far as they are pertinent to the jurisdictional issue and finds that no prejudicial error was committed. The rulings are hereby affirmed. The Board has considered the Intermediate Reports, the exceptions and briefs, and the record in the cases and finds merit in the Respondents' exceptions with respect to the jurisdictional issue.

There is no dispute as to the jurisdictional facts. The Respondents, Goff-McNair Motor Company, Lyle Bryant Motor Company and Green Chevrolet Company are separate companies engaged at Fayetteville, Arkansas, in selling, servicing, and repairing automobiles. They operate under franchise agreements from different automobile manufacturers.

During the 12-month period preceding November 1, 1952, Goff-McNair made purchases exceeding $225.000 in value; Lyle Bryan made purchases valued at approximately $103,000, and Green Chevrolet made purchases exceeding $432,000 in value. Between 82 and 90 percent of the purchases made by each of these companies represented shipments to their Fayetteville places of business from sources outside the State of Arkansas. During the same period, these companies made practically all their sales within the State.

The Respondents are separately owned and operated companies. The separate cases involving each of them have been consolidated in this proceeding for the purpose of hearing convenience. There is no contention and no evidence that together they constitute a single employer within the meaning of the Act.

We agree with the Trial Examiner's conclusion that the Respondents are individually engaged in commerce within the meaning of the Act. However, we find that it will not effectuate the policies of the Act to assert jurisdiction in view of the essentially local nature of their businesses.[2] We shall therefore dismiss the complaints.

[The Board dismissed the complaints.]

MEMBERS MURDOCK and PETERSON took no part in the consideration of the above Decision and Order.

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[1] The Respondents also request oral argument This request is hereby denied as the record and the exceptions and briefs adequately present the issues and the positions of the parties.

[2] *Wilson-Oldsmobile*, 110 NLRB 534.