

of the votes cast in the election, we shall certify the Petitioner as representative of the employees in the appropriate unit.

[The Board certified International Union, United Automobile, Aircraft & Agricultural Implement Workers of America, AFL-CIO, as the duly designated collective-bargaining representative of the employees in the appropriate unit.]

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**Allis-Chalmers Manufacturing Company and International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-AFL-CIO), Petitioner.** *Case No. 6-RC-1864. March 22, 1957*

### DECISION AND ORDER

Upon a petition duly filed under Section 9 (c) of the National Labor Relations Act, a hearing was held before Joseph Thackery, 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 [Chairman Leedom and Members Murdock and Rodgers].

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. No 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, for the following reasons:

The Petitioner seeks to represent a unit of all drafting employees in the maintenance department at the Employer's Pittsburgh, Pennsylvania, Works. The Employer contends that this unit is inappropriate.

The Employer's Pittsburgh Works consists of five buildings or plants. Operations are subdivided into general manager's, accounting, engineering, purchasing, and manufacturing divisions. Since 1949 the Petitioner has represented a unit of hourly paid production and maintenance employees, all of whom are in the manufacturing division.<sup>1</sup>

In the maintenance department, which is part of the manufacturing division, there are five drafting employees in the classifications of

<sup>1</sup> See 84 NLRB 30.

draftsman A, draftsman B, detailer, and tracer. These employees make layouts, sketches, and designs for jigs and fixtures needed in production areas. The Employer in hiring employees for these jobs prefers that they have schooling in drafting and familiarity with standard drafting practice. All of the employees presently in these classifications have had at least a year of technical school training. We find, accordingly, that they are technical employees.<sup>2</sup> It does not appear that there are any other technical employees in the maintenance department. However, other unrepresented employees at the Works include approximately 125 electrical testers, an undisclosed number of plant engineering department employees, 8 to 12 time-study employees in the manufacturing division, and engineering assistants and laboratory assistants in the engineering division. It appears from the present record that some if not all of these unrepresented employees are also technical employees,<sup>3</sup> and the record does not establish that the interests of the draftsmen are materially distinguishable from the interests of the other unrepresented technical employees. As the Board will not, under such circumstances, find appropriate a unit consisting of only a segment of the Employer's unrepresented technical employees,<sup>4</sup> we find that the unit sought is inappropriate and will dismiss the petition.

[The Board dismissed the petition.]

<sup>2</sup> *The Firestone Tire and Rubber Company*, 112 NLRB 571, 572

<sup>3</sup> There are also drafting employees in the engineering division. With one exception, however, these employees are in a separate bargaining unit represented by the Petitioner by virtue of a consent-election agreement in Case No. 6-RC-1843. See Decision and Certification of Representatives therein, 117 NLRB 744, denying the Employer's motion to vacate the consent-election agreement.

<sup>4</sup> *Boeing Airplane Company*, 116 NLRB 1775, *Plankinton Packing Company*, 116 NLRB 1225; *Solar Aircraft Company*, 116 NLRB 200

**General Motors Corporation, Chevrolet Motor Division, Chevrolet Experimental Engineering Center, Warren, Michigan<sup>1</sup> and Pattern Makers' League of North America, Detroit Association, AFL-CIO, Petitioner.** *Case No. 7-RC-2767. March 22, 1957*

#### ORDER DENYING MOTION FOR CLARIFICATION OF CERTIFICATION

On May 12, 1955, following an election held pursuant to a "Stipulation for Certification upon Consent Election," the Board issued a certification of representatives in which the Petitioner was certified as the exclusive bargaining representative of a union of pattern-makers and modelmakers. Thereafter, on December 3, 1956, the Petitioner filed a "Motion for Clarification of Certification" stating

<sup>1</sup> The Employer's name appears as stipulated by the parties at the remand hearing 117 NLRB No. 113.