

Any other result would be disruptive of the traditional patterns of representation in the metal trades industries and destructive of craft organizations for whom Congress indicated considerable concern less their special capabilities as the representatives of craft employees be impaired. Furthermore, the Board has, since the issuance of the *Hughes Aircraft* decision, recognized, in accord with the basic premise underlying its decision herein, that in the metal trades, welding is normally a function of a particular craft,⁸ and that welders are appropriately represented by the craft union having jurisdiction over the basic craft.⁹

Accordingly, as the welders sought by the Petitioner do not constitute a separate and distinct craft group eligible for craft severance, we shall dismiss the petition.¹⁰

[The Board dismissed the petition.]

⁸ *Standard Oil Company*, 118 NLRB 1099; *Koppers Company, Inc.*, 117 NLRB 422; cf. *Olin Mathieson Chemical Corporation*, 117 NLRB 1441, 1445.

⁹ *Koppers Company, Inc*, *supra*.

¹⁰ In view of our decision herein, we find it unnecessary to pass upon other contentions of the parties.

Alameda Tank Co.; American Pipe & Steel Corp.; Downey Mfg. Co.; Graver Tank & Pump Co.; Lacy Mfg. Co.; L. W. Lefort;¹ National Tank Co.; Orange County Machine Wks.; Pelton Water Wheel Co.; Southwest Welding & Mfg. Co.; United Concrete Pipe Corp.; Vulcan Pipe Corp.; Willard Concrete Machine Co. and National Union, United Welders of America, Independent, Petitioner. Case No. 21-RC-4945. April 1, 1958

DECISION AND ORDER

Upon a petition duly filed under Section 9 (c) of the National Labor Relations Act, a hearing was held before Ben Grodsky, 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 Board finds:

1. The Employers are engaged in commerce within the meaning of the Act.
2. The labor organizations involved claim to represent employees of the Employers.²

¹ This Employer's name appears as set forth in the record

² International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, AFL-CIO, Local 92, AFL-CIO, was permitted to intervene on the basis of its contractual interest in the employees covered by the petition

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 Employers are engaged in the manufacture, fabrication, and construction of metal products from steel plate, including many different kinds of pipes, tanks, containers, pumps, and pressure vessels, the type of product varying from Employer to Employer. All but two of the Employers produce some pressure vessels, on which the welds must conform to specifications of the American Society of Mechanical Engineers.

The employees engaged in the production of such products are currently covered by separate but identical agreements between the Employers and the Intervenor.³ These agreements are the latest in a series of agreements resulting from the Employers' joint bargaining negotiations with the Intervenor. The Petitioner seeks to sever from the unit covered by the above agreements, all employees who devote 50 percent of their time to welding and burning operations. The Employers and the Intervenor contend that such employees are not craftsmen and are therefore ineligible for severance.

We agree with the contention of the Employers and the Intervenor. In the recent *C F Braun & Co* case⁴ in which the Petitioner and the Intervenor participated, we rejected Petitioner's contention that under the *Hughes Aircraft* decision⁵ welders who perform welding operations normally associated with a metal trades craft, constitute a separate and distinct craft eligible for severance. We found instead that such welders could not sever from units of metal trades craft employees, with whom they work in close association. That decision was based on a lengthy record, presenting in great detail, evidence relating to the skill, training and experience required of welders performing welding operations comparable to those performed by the employees whom the Petitioner seeks to sever in this case, as well as evidence relating to the traditional pattern of representation of such welders by the various metal trades craft unions. That decision is controlling here.

Accordingly, as the employees sought by the Petitioner are engaged in welding operations of the type normally performed by employees

³ As these agreements were executed after the Employers had received notice of the Petitioner's claim to representation, and of the filing of the petition, we find no merit in the Employers' and Intervenor's claim that the contract bars an election of representatives at this time.

⁴ 120 NLRB 282

⁵ *Hughes Aircraft Company*, 117 NLRB 98.

of the boilermaker craft, we find that they are ineligible for severance from the existing unit. As the unit sought by Petitioner is therefore inappropriate, we shall dismiss the petition.

[The Board dismissed the petition.]

Dierks Paper Company and International Brotherhood of Pulp, Sulphite and Paper Mill Workers, AFL-CIO, and United Papermakers and Paperworkers, AFL-CIO, and International Association of Machinists, AFL-CIO, Petitioners. *Cases Nos. 32-RC-1098, 32-RC-1102, and 32-RC-1103. April 1, 1958*

DECISION AND DIRECTION OF ELECTIONS

Upon separate petitions filed under Section 9 (c) of the National Labor Relations Act, a consolidated hearing was held before Joseph W. Bailey, 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 these cases to a three-member panel [Chairman Leedom and Members Bean and Fanning].

Upon the entire record in these cases, the Board finds:

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

2. The labor organizations involved claim to represent certain employees of the Employer.¹

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 Petitioners in Cases Nos. 32-RC-1098 and 32-RC-1102, referred to herein as Pulp and Sulphite Workers, and Papermakers, respectively, seek plantwide units of production and maintenance employees. The Petitioner in Case No. 32-RC-1103, herein called Machinists, and the Intervenors, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers, Local Lodge No. 592, AFL-CIO, (Boilermakers), and Local Union 706, United Association of Journeymen and Apprentices of the Plumbing

¹ After the hearing was closed, International Brotherhood of Electrical Workers, AFL-CIO, sought to intervene in order to appear on the ballot for a unit of electricians. As the IBEW request is for a unit which none of the Petitioners sought to represent, it was incumbent upon it to support its motion to intervene with a petitioner's showing of interest. However, as the number of authorization cards which it supplied are less than 30 percent of the number of employees in the electricians group, we deny the motion to intervene *Thokol Chemical Corporation*, 114 NLRB 21 and 113 NLRB 547.