

drilling project to another, and hires additional employees at each project site. The Employer will where acceptable rehire those who have worked for it previously. While the average length of employment among the locally hired workers varies according to the duration of the drilling operation, and other factors, it is established that approximately 60 percent of those hired work 10 or more days a year. All of the Employer's multistate operations are centrally controlled. In view of the foregoing and for the reasons set forth in *Sprecher Drilling Corporation*, we find that the Employer's operations have an element of stability to them sufficient to enable the Board to define a unit appropriate for collective bargaining purposes. We find, therefore, that a question affecting commerce exists concerning the representation of certain employees of the Employer within Section 9(c) (1) and Section 2(6) and (7) of the Act.

4. In view of the foregoing facts and for reasons set forth in *Sprecher Drilling Corporation*, we find that the following employees of the Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act: All motor men, derrick men, and floor men employed by the Company in drilling operations, excluding all office clericals, professional employees, guards, drillers,³ and all other supervisors as defined in the Act.

[Text of Direction of Election omitted from publication.]

³The record shows that drillers who are employed in such job classifications exercise authority to hire and discharge and responsibly to direct the work of other employees. Accordingly we find that they are supervisors within the meaning of Section 2(11) of the Act and exclude them from the unit herein found appropriate

Fitzpatrick Drilling Company, Inc.¹ and Millwrights and Machinery Erectors, Local No. 2834, AFL-CIO, Petitioner. *Case No. 27-RC-2280. November 15, 1962*

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 F. T. Frisbey, 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 Leedom, Fanning, and Brown].

¹ The name of the Employer appears as corrected at the hearing.

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. The facts in the record before us are substantially the same as the facts before us in the recently decided case of *Sprecher Drilling Corporation*.² The record here, as in *Sprecher*, indicates that the Employer is engaged in the business of exploratory oil drilling in approximately the same geographical area of Western States.³ It employs a small nucleus of regular employees who travel with the rigs from one drilling project to another, and hires additional employees at each project site. The record indicates that the Employer rehires those employees who have worked previously for it if acceptable. While the average length of employment among the locally hired workers varies according to the duration of the drilling operation, and other factors, it is established that approximately 55 percent of those hired work 10 or more days a year. All of the Employer's multi-state operations are centrally controlled from its offices in Casper. In view of the foregoing and for reasons set forth in *Sprecher Drilling Corporation*, we find that the Employer's operations have an element of stability to them sufficient to enable the Board to define a unit appropriate for collective-bargaining purposes. We find, therefore, that a question affecting commerce exists concerning the representation of certain employees of the Employer within Section 9(c)(1) and Section 2(6) and (7) of the Act.

4. In view of the foregoing facts and for reasons set forth in *Sprecher Drilling Corporation*, we find that the following employees of the Employer constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:⁴ All motor men, derrick men, and floor men employed by the Company in drilling operations, excluding all office clericals, professional employees, guards, drillers,⁵ and all other supervisors as defined in the Act.

[Text of Direction of Election omitted from publication.]

² 139 NLRB 1009.

³ In the last 2 years, however, its operations have been confined to the States of Wyoming and Montana.

⁴ Although the Petitioner requested a unit of only employees working in the State of Wyoming, we are administratively advised that it has a sufficient showing of interest in the larger unit herein found appropriate. However, if the Petitioner does not desire to participate in the election herein directed, it may withdraw upon proper notice to the Regional Director within 10 days from the date of this Direction of Election.

⁵ The record shows that drillers who are employed in such job classifications exercise authority to hire and discharge and responsibly to direct the work of other employees. Accordingly, we find that they are supervisors within the meaning of Section 2(11) of the Act and exclude them from the unit herein found appropriate.