

**Alton Box Board Company and Chauffeurs, Teamsters and Helpers Local Union No. 525, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America,<sup>1</sup> Petitioner, and International Brotherhood of Electrical Workers, Local 649, AFL-CIO, Petitioner.<sup>2</sup> Cases 14-RC-5389 and 14-RC-5431.**

May 23, 1967

### DECISION ON REVIEW AND ORDER

BY CHAIRMAN McCULLOCH AND MEMBERS BROWN AND JENKINS

On June 30, 1966, the Regional Director for Region 14 issued a Decision and Direction of Elections in the above-entitled proceeding in which he directed elections in three voting groups of the Employer's employees at its Alton Mill in Alton, Illinois: in voting group 1, comprised of instrument men and helpers; in voting group 2, comprised of electricians and their helpers, to determine whether they wished to be severed from an established plantwide unit represented by Alton Paper Workers Union, herein referred to as APWU; and in voting group 3, comprised of the remainder of the employees in the established plantwide unit.<sup>3</sup> Thereafter, in accordance with Section 102.67 of the National Labor Relations Board Rules and Regulations, Series 8, as amended, the Employer filed a timely request for review of the Regional Director's Decision, solely as to his determination that the employees in voting groups 1 and 2 may be severed from the established broader unit as appropriate craft units.

On July 27, 1966, the National Labor Relations Board by telegraphic order postponed the elections which the Regional Director had scheduled for July 29. Thereafter, on September 28, the Board by telegraphic order granted the request for review and, in the interest of expediting resolution of the question concerning representation of the employees in voting group 3, authorized the Regional Director to conduct the election pursuant to his

Direction of Elections and to impound the ballots cast in voting groups 1 and 2 pending the Board's disposition of the issues under review. In the event the impounded ballots were insufficient in number, when pooled, to affect the results in voting group 3, the Board directed the Regional Director to issue the appropriate certification as to the plantwide unit, except that, if a labor organization were certified, any negotiations as to employees in voting groups 1 and 2 should be subject to the resolution of their unit status.<sup>4</sup>

Pursuant to the provisions of Section 3(b) of the National Labor Relations Act, as amended, the National Labor Relations Board has delegated its powers in connection with this case to a three-member panel.

The Board has considered the entire record in this case with respect to the issues under review, including the positions of the parties, and makes the following findings:

The Employer operates a complex of 46 separate plant facilities at various locations in the United States in the manufacture of paperboard packaging products. The only plant here involved is the Alton, Illinois, mill, the largest of the Employer's three paperboard mills. At the Alton Mill there are approximately 950 employees, of which about 575 are in a unit of production, construction, and maintenance employees represented since about 1937 by APWU.<sup>5</sup> Within that unit are 19 electricians and 5 instrument men.

IBEW, under its amended unit request, seeks to sever from the plantwide unit, as two separate craft units, the electricians and instrument men. The Employer, APWU, and the Teamsters opposed the severance requests; UPP did not. The Regional Director found that both groups were composed of craftsmen of the type IBEW was qualified to represent in separate units, and that they could, under Board precedents, appropriately be severed from the unit established by the bargaining history.

In its request for review the Employer contended, *inter alia*, that the Regional Director erred in refusing to consider, in making the above finding, the Employer's integration of operations and the continuity of its production process.<sup>6</sup>

<sup>1</sup> Referred to herein as the Teamsters

<sup>2</sup> Referred to herein as IBEW

<sup>3</sup> United Papermakers and Paperworkers, AFL-CIO, herein referred to as UPP, intervened on the basis of its interest in the plantwide unit petitioned for by the Teamsters

<sup>4</sup> Pursuant to the Board's Order, the Regional Director conducted an election on October 21, 1966. As no choice on the ballot for voting group 3 could have received a majority, even assuming that all the impounded ballots in voting groups 1 and 2 were favorable to the choice of receiving the greatest number of votes, the Regional Director conducted a runoff election on November 4. The tally for the runoff showed that in voting group 3, of approximately 524 eligible voters, 494 cast ballots, of which 263 were for UPP, 228 were for the Teamsters, and 1 was void. In voting groups 1 and 2, 25 ballots were cast and impounded. The Teamsters filed timely objections. The Acting Regional Director

investigated the objections and on December 6, 1966, issued a Supplemental Decision and Certification of Representative, in which he overruled the objections and, as the impounded ballots were insufficient in number to affect the results in voting group 3, certified UPP as the representative of the plantwide unit with the proviso that any negotiations as to employees in voting groups 1 and 2 be subject to the Board's determination of their unit status. No request for review of his Supplemental Decision was filed.

<sup>5</sup> APWU was certified for the historical unit in 1961.

<sup>6</sup> In view of our disposition below to deny the severance requests, on the basis of the record made herein, we find it unnecessary to pass on the Employer's contention that the Regional Director erred in affirming the Hearing Officer's ruling excluding certain additional evidence of integration of the Employer's operations.

Subsequent to the Regional Director's Decision herein, the Board issued its decision in *Mallinckrodt*<sup>7</sup> under which it concluded that it would no longer limit itself to the restricted and rigid tests of *American Potash*<sup>8</sup> with respect to severance requests and indicated that it would base its determination on a balancing of interests and a weighing of all relevant factors present in each case. It is in the light of this policy that we have reviewed the record herein.

The Alton Mill comprises 30 acres under a single roof. It supplies about 95 percent of the raw material required by six plants of the Employer's Folding Box Board Division and 11 plants of its corrugated Container Division, as well as a number of outside customers. The Alton Mill receives wood chips from the Employer's 2 chip plants and 12 contract sawmill suppliers; it receives graded and baled reclaimed paper stock from 10 employer owned and operated paper stock plants. Because of the perishable nature of these raw materials, the huge daily volume required, and the absence of warehouse space, the Alton Mill is highly automated. All aspects of the operations from scheduling and receipt of raw materials to the shipment of the finished paperboard products to converting plants are geared to the continuous flow-type operation of four high-volume papermaking machines. Operations are continuous on a 7-day-a-week basis.

On arrival at the mill, the bales of reclaimed paper stock are unloaded directly into one of seven hydropulper machines which pulverize the stock into fibers suspended in a water solution; after further processing the solution is thickened and blended with appropriate chemicals and dyes to produce the particular grade or type of paperboard desired; the mixture is then fed into one of three cylinder-type papermaking machines which produces roll of the finished products;<sup>9</sup> the rolls are then immediately loaded onto a truck or railcar for shipment to a converting plant. The No. 3 papermaking machine, which primarily produces corrugating medium for boxes, is a Fourdrenier type machine and uses wood chips as its basic raw material. However, except for this difference, the process is essentially the same as described above for the fabrication of other paperboard products.

The 19 electricians involved are 1 of some 13 groups of employees, each possessing special skills, which make up the maintenance department. Their function is to perform electrical maintenance and repairs on plant machinery, equipment, and utilities

in order to facilitate continuous production operations. They perform some of their work, under an electrical group foreman, in an area designated as the electrical shop within the separate maintenance building. They also rotate on assignments to four "zone" maintenance teams to provide around-the-clock, 7-day-a-week "trouble-shooting" protection.<sup>10</sup> Each team is composed of an electrician, a machinist, a millwright, and a pipefitter. The team members frequently assist each other and work as a team on repair jobs and are subject to the supervision of production supervisors in the areas in which work is being done.<sup>11</sup> Most of the electricians' work involves troubleshooting; i.e., resetting overloaded switches, replacing or resetting motor starters, removing defective motors and replacing them with motors from stock, repairing light fixtures, installing wall plugs, changing light bulbs and fuses, and checking for inadequate insulation or short circuits. Electricians perform motor repairs in the electrical shop. However, over 90 percent of all motor overhaul and repair is performed by outside electrical contractors or suppliers. The mill electricians do not normally work on high voltage equipment, are not expected to read wiring diagrams, do not rewind any but the smallest fractional horsepower motors, do not rebalance motors, and do not install or work on more complex equipment, such as elevators, air-conditioning equipment, and powerhouse electrical controls.

The Employer has no formal apprenticeship program for its electricians. Maintenance laborers, who are assigned to assist all maintenance groups, may bid into helper classifications based on their secondary or maintenance department seniority.<sup>12</sup> Helpers can and do bid across into other helpers classifications in the maintenance department or, in 4 years' time, progress to the electrician classification. Automatic wage progression periods and rates are the same for all maintenance department groups, including both the electrician and helper classifications.

The five instrument repairmen work in the maintenance department under separate supervision. Their duties are to re-ink marking pens and change recording charts on instruments connected to various machines and pieces of equipment located throughout the mill, as well as to maintain and repair the Employer's instrumentation, which includes electric, electronic, and pneumatic systems. Although they have an instrument workshop containing the necessary apparatus for testing and

<sup>7</sup> *Mallinckrodt Chemical Works, Uranium Division*, 162 NLRB 387.

<sup>8</sup> *American Potash & Chemical Corporation*, 107 NLRB 1418.

<sup>9</sup> There is frequent cross-blending of the various types of paperboard sheets fabricated by these three machines to produce several varieties of multiply sheets.

<sup>10</sup> There is a team for each of the three shifts and one for the "swing" shift. Other electricians are on call to assist the "zone"

maintenance men in the event of a major electrical failure.

<sup>11</sup> During the annual or semiannual shutdown of the mill for periodic general maintenance, production employees are assigned to assist electricians and other maintenance employees.

<sup>12</sup> Primary seniority is mill service seniority, secondary is departmental, tertiary is within the classification group, or by helper classification.

repair of instruments and some of them spend most of their time throughout the mill in the performance of their duties. Three of them spend the great majority of their time in the re-inking and chart-changing function, on a daily basis, and incidental thereto perform routine maintenance and make minor repairs and adjustments on the instruments.<sup>13</sup> The other two make installations of instruments, do "trouble-shooting" to ascertain the causes of instrument failures, and make repairs in the instrument shop. Certain complex instruments are installed and serviced, and defects in them are generally repaired, by outside contractors.

As in the case of the electricians, there is no formal apprenticeship program for the instrument men. Vacancies are filled by bid from senior production department applicants who qualify on the basis of a high school education and an Employer-devised instrumentation test. Because of the seniority system, above outlined, in the event of a layoff, an instrument man may bump a junior laboratory technician or exercise primary mill seniority to bump back into a production department job.

As previously indicated, bargaining has proceeded on the basis of a plantwide unit for 29 years. During this entire period, it does not appear that any of the skilled employees in the Employer's maintenance department have been represented in separate craft units. The bargaining relationship, insofar as the interests of the alleged craft groups are involved, appears therefore to have been a stable one.

<sup>13</sup> At one time the re-inking and chart-changing function was performed by a chart and meter man, a classification included in the historical unit. However, in 1961, this classification was eliminated and the duties added to those of the instrument men, who at the same time were made part of a separate process control department. In December 1965, the instrument men were made part of the maintenance department.

<sup>14</sup> However, we need not, and do not, make a finding as to

Upon the basis of the foregoing and the entire record in this case, we are persuaded that the necessity for continuity in the Employer's production processes at its Alton Mill and the high degree to which the maintenance and repair functions performed by the electricians and instrument men's group are integrated with those production operations constitute a weighty factor militating against a finding that such groups may constitute appropriate units for purposes of severance from the established plantwide unit. Furthermore, the fact that the duties of the electricians and instrument men here involved are, in part, specialized, or routine and repetitive, minimizes the weight to be assigned to the exercise, by some of them, of craft skills.<sup>14</sup> Therefore, in all the circumstances, considering especially the long and apparently satisfactory bargaining history on a broader basis, the Employer's need to maintain continuous production and the very substantial integration of the work of the alleged craftsmen with production operations, we conclude that the requested units of electricians and instrument men may not be severed from the existing broader unit.<sup>15</sup> Accordingly, we shall dismiss the petition in Case 14-RC-5431.<sup>16</sup>

#### ORDER

It is hereby ordered that the petition filed in Case 14-RC-5431 be, and it hereby is, dismissed.

whether the groups involved may, in other circumstances, possess and exercise sufficient skills to constitute them as craft units

<sup>15</sup> See *Mallinckrodt, supra*

<sup>16</sup> In view of our disposition herein, the electricians and instrument men involved are, by the provisions of the Certification of Representative issued by the Acting Regional Director in Case 14-RC-5389 on December 6, 1966, included in the certified unit