

**Cone Mills Corporation, Carlisle Finishing Company  
Plant and Machine Printers and Engravers Association  
of the United States, Petitioner. Case  
11-RC-3054**

January 8, 1971

**DECISION AND DIRECTION OF  
ELECTION**

**BY CHAIRMAN MILLER AND MEMBERS  
FANNING AND BROWN**

Upon a petition duly filed under Section 9(c) of the National Labor Relations Act, as amended, a hearing was held before Hearing Officer Charles M. Williamson of the National Labor Relations Board. Following the close of the hearing the Regional Director for Region 11 transferred this case to the Board for decision. Thereafter, the Employer and the Petitioner filed briefs.

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.

The Board has reviewed the Hearing Officer's rulings made at the hearing, and finds that they are free from prejudicial error. They are hereby affirmed.

Upon the entire record in this case, the Board finds:

1. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.
2. The labor organization involved claims to represent certain employees of the Employer.
3. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.
4. The appropriate unit:

Petitioner seeks an election in a departmental unit composed of all employees in the screen print department at the Employer's Carlisle, South Carolina, plant, excluding all other employees, watchmen, guards, and supervisors. The Employer contends that such a departmental unit is inappropriate because the screen print department employees do not constitute a homogeneous readily identifiable group of employees within its plant. Moreover, the Employer further contends that the Petitioner has historically represented only certain roller print and screen print employees on a craft basis, and that the petitioned-for employees in the instant case normally constitute portions of overall production and maintenance units traditionally represented by the Textile Workers Union of America or the United Textile Workers.

The Employer is a North Carolina corporation and is engaged in the finishing and sale of textile products at its plant in Carlisle, South Carolina. The instant

case involves the Employer's screen print department which embraces the following functions: color shop or color mixing, screen printing operation, and color analysis and table strike-off. The Petitioner has had a contract with the Employer at Carlisle for a number of years covering a craft unit of machine printers and apprentices in the roller printing department.

The silk screen machine process is comparatively recent, and the first silk screen printing machine was introduced into the United States in 1950. The record shows that the Employer's screen print department (which is a distinct and separate operation, utilizing entirely different processes and machinery than the roller machine printing department) has a complement of approximately 107 employees on three shifts. Three screen print machines are operated on each of the three shifts. Each machine is manned by a screen printer machine operator, an assistant operator, and a machine utility man. The machines are 7 or more feet wide and may extend to 190 feet in length. The screen printer and the assistant operator work on opposite sides of the machine. The screen printer is responsible for the registration, or "fit" of the pattern. He sets up the repeat of the pattern and, with the help of the assistant operator, makes the setting of the print heads of each succeeding screen. The silk screen prints are put into the machine by the screen printer, the assistant, and the utility man. The latter pours colors into the machines, washes screens, and assists in removing screens and resetting the machine.

The color shop furnishes the color or dyes which the screen printing operation uses in the printed application of colors in printed patterns. Most of the requested employees work in the color shop area. The color analysis and table strike-off area prepares sample patterns of textile to be sent to a customer before he decides on an order. This is done by a physically pasting down cloth of different lengths on a table, then by hand reproducing the print the customer wishes.

There is a plant superintendent who supervises 12 production departments. Each production department has a general foreman who reports to the plant superintendent. However, the screen print department general foreman is also the assistant superintendent of the plant, with plantwide authority to hire and fire. A technical supervisor is responsible for coordinating the technical processes involved in screen printing, ageing and soaping, and operation of the laboratory in the screen printing department. Within the screen print department, there are three distinct areas, each having its own foreman; i.e., color mixing, screen printing, and color analysis, or table strike-off. In the screen printing area the job categories are utility, assistant machine operator, screen machine operator, rotary screen operator, and lear-

ner. In the table strike-off area there are two table strike-off operators, one assistant table strike-off operator, two learners, and two color mixers. There is one clerk, one screen repairman, one color inventory control clerk, and one formula paste mixer, who are assigned to the department rather than to one of the three areas.

The Employer's plant is three stories high. Screen printing is located on the first floor and part of the second or main floor. The screen printing on the second or main floor is located immediately off the dyehouse, next to the cloth control department. The screen printing on the first floor is located immediately below the cloth control department and the dyehouse. On the second floor, located adjacent to a portion of screen printing called the formula paste mixing room, is warehousing, layout and sew area, preparation department, roller printing department, color shop, and dyehouse. The third floor houses the general offices and staff, the formulation mixing room for the finishing department and color shop, and a portion of the inspection and packing department.

A common entrance for all production and maintenance employees, including the screen print employees, is located on the first floor. The screen print employees share the same fringe benefits, park in the same parking lot, are paid in the same manner, hired by the same personnel office using the same application form, work the same hours, and share the same nursing facilities as other production and maintenance employees.

There are, however, marked distinctions between the production and maintenance employees and screen print employees. The screen printing department is functionally distinct and physically separate from the other departments.<sup>1</sup> It has separate supervisors who hold separate departmental supervisory meetings to discuss departmental production and quality problems.<sup>2</sup> Separate departmental seniority obtains. Moreover, despite Employer's claim of great interchange between production and maintenance and screen print employees, it is undisputed that screen print employees work in other departments less than 1 percent of the time. The record reveals that over approximately an 8-year period, there were eight

permanent transfers into screen print and six permanent transfers out.<sup>3</sup> There is very little interchange as the term is generally understood. The interchange alleged by the Employer appears to involve such employees as hoist truck operators, expeditors, clerks, mechanics, lab personnel, and sweepers, who work with all departments. The screen print department has an on-the-job training program, with the assistants and leadmen progressing through those positions in about 3 years to jobs as screen machine print operators. Because of skill and training factors, employees in other departments could not interchange easily with screen print personnel. The bids for jobs in screen printing are posted on its bulletin boards, and although theoretically it is possible after 3 days for other than screen printing employees to bid on the jobs, in practice unless that employee had prior screen printing experience and is approved by the screen printing foreman, he will not get the job. At the present time, there is no screen print operator without prior experience.

The unrepresented employees of the screen print department work under common supervisors, separate from that of all other employees. There is no substantial interchange on a continuing basis between screen print employees and employees of other departments. The screen print employees work in close contact, and of necessity must work as a team, thus having a community of interest not shared with other production workers, and they comprise a separate functional and departmental group of employees. The Board has found an analogous departmental grouping to be appropriate for bargaining.<sup>4</sup> Thus, considering all the factors involved in this case, we have concluded that the following employees constitute a separate, identifiable unit appropriate for purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All employees of the screen print department of Carlisle Finishing Co. employed at the Company's plant in Carlisle, South Carolina, excluding all other employees, watchmen, guards, and supervisors as defined in the Act.

[Direction of Election<sup>5</sup> omitted from publication.]

department and those of other departments

<sup>4</sup> *Lyman Printing and Finishing Co.*, 177 NLRB No 117

<sup>5</sup> In order to assure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses which may be used to communicate with them *Excelsior Underwear Inc.*, 156 NLRB 1236, *NLRB v Wyman-Gordon Company*, 394 U.S. 759 Accordingly, it is hereby directed that an election eligibility list, containing the names and addresses of all the eligible voters, must be filed by the Employer with the Regional Director for Region 11 within 7 days of the date of this Decision and Direction of Election. The Regional Director shall make the list available to all parties to the election. No extension of time to file this list shall be granted by the Regional Director except in extraordinary circumstances. Failure to comply with this

(Continued)

<sup>1</sup> In determining the degree of integration between the screen print department and other production departments in the plant, it is significant to note that there is undisputed record testimony establishing that the remainder of the plant can operate completely independent of the screen printing department operations.

<sup>2</sup> We have concluded that the screen print department is separately supervised based, *inter alia*, upon uncontroverted evidence that the department has its own general foreman who is responsible for the overall direction of that department's operations. The mere fact that at the present time this same general foreman also occupies the position of assistant plant superintendent is to us a matter of no special significance.

<sup>3</sup> In view of this evidence, we are unable to perceive any reasonable basis for our dissenting colleague's expressed concern over "real and potential interchange" between the employees of the screen print

CHAIRMAN MILLER, dissenting:

Contrary to the majority, I am not persuaded that the unit sought qualifies for separate representation on a departmental basis. It does not conform with the traditional type of departmental units found appropriate by the Board in the past, and, as conceded by Petitioner, groups employees who historically have been represented as part of an overall production and maintenance unit. It is significant that the screen print operation is part of an integrated production process, which results in frequent contacts with other unrepresented and unsought production employees, and has resulted in both real and potential interchange on both a permanent and temporary basis. The common interests of those sought with other production employees is established not only by their common terms and conditions of employment, but also by the fact that 51 of the screen department employees

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requirement shall be grounds for setting aside the election whenever proper objections are filed

occupy classifications having the identical job content as other unsought production employees. There is also a lack of the type of separate immediate supervision commonly found in departmental units. Thus the only supervision common to all three sections of the screen department is by an individual whose authority extends to other production and maintenance employees. Otherwise the screen department employees are in three separate supervisory units. In these circumstances, it is my opinion that the screen department employees do not constitute a homogeneous grouping whose interests are sufficiently distinct to warrant representation separate from the unrepresented production and maintenance employees. Accordingly, and as this grouping of employees does not qualify for separate representation on any other basis, I would dismiss the petition as seeking an inappropriate unit.