

**E. I. Dupont de Nemours and Company (Florence Plant) and International Brotherhood of Electrical Workers, Local Union 382, AFL-CIO, Petitioner.**  
Case 11-RC-3252

August 27, 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 at Florence, South Carolina, before Hearing Officer Donald L. Dotson of the National Labor Relations Board. Following the hearing and pursuant to Section 102.67 of the Board's Rules and Regulations and Statements of Procedure, Series 8, as amended, the Regional Director for Region 11 transferred this case to the Board for decision. The Petitioner and Employer 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 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.

The Employer manufactures "mylar," a polyester film, at its Florence, South Carolina, plant. The film, which is the end product of a complex polymerization process, is used primarily as recording tape and as a first coat of insulation for telephone or electrical cable.

The plant operates 24 hours a day, 7 days a week. The manufacturing process is a closed one, in that the raw materials flow continuously through closed vessels and supply lines. Although the plant has limited storage facilities, a shutdown of key production lines could cause the polymer to solidify with severe consequences.

The Employer has approximately 444 wage roll

employees, 89 of whom are in the maintenance department. Within that department there are 5 routine repairmen, 57 general mechanics, and 27 control mechanics. It is these control mechanics whom Petitioner seeks to represent. The Employer contends that only a production and maintenance unit is appropriate. There is no bargaining history.

After completing their training program, the control mechanics reach the most highly paid classification in the plant, group 8. Their job, although diversified, basically consists of maintenance and repair of the electrical and pneumatic control instruments and machinery. It includes checking circuitry, measuring voltage, working on control panels, installing and replacing components, layout work, and valve maintenance.

Until June 1970, the control mechanics had separate control-mechanic group supervision. In an effort to streamline operations, management shifted supervision of the control mechanics to two works engineering supervisors, who also supervise the general mechanics and routine repairmen. However, the control mechanics have retained their own foreman with whom they meet each morning to obtain their work assignments. Once they have been sent to one of the various plant areas, where they spend in excess of 90 percent of their time, the lines of supervision become less distinct. A production area supervisor may tell a control mechanic how a malfunctioning machine operates, when it should be fixed, and where the problem might lie, but only the control mechanic has the expertise necessary for analyzing and correcting such problems.

In order to qualify for the 3-year control mechanic training program, an employee transferring in from another section of the plant must pass a maintenance department test. The program consists of more than 1,000 hours of classroom training, supervised on-the-job training, and periodic examinations as trainees progress from group 3 to group 8 in 3 years. While the program is geared to the Florence plant operation, it includes instruction in basic electricity and basic electronics, pressure fundamentals, pneumatic instrumentation, and some general maintenance instruction. According to one who had completed the training program, the instruction adequately prepared him to pass the Master Electrician Test given by the city of Florence. The rigorous nature of the program has compelled 13 out of 55 participants to abandon it.

Although the control mechanics work in close cooperation with other employees, both maintenance and production, their particular function and skills remain identifiable. While the former safety rule that

only control mechanics may perform electrical work has been removed from the plant manual, the rule is still operational for all intents and purposes.<sup>1</sup> Only the control mechanics use pneumatic charts which guide electrical work, only control mechanics can remove and replace components, only control mechanics can handle circuitry and regulators, and only control mechanics can work on control panels. Where electrical work is involved, general mechanics and routine repairmen help control mechanics only as standby men. Conversely, when control mechanics do work of a nonelectrical nature, such as insulation, welding, rigging, millwright and carpentry, painting, motor alignment, and sheetmetal work, they do so only in the context of electrical work. Thus, in order to repair a faulty circuit in a machine, the machine must be rigged, the insulation of the wiring must be removed, and upon completion the motor must be realigned.

The functional overlap between the control mechanics and other employees is negligible. The rule of thumb is that control mechanics work primarily on energy systems, be they pneumatic, electrical, electronic, or drive, whereas the general mechanics work primarily on mechanical equipment. While both groups remove valves, align motors, place edgers on slitters, and install batteries, and while control mechanics and production operators work together in overhauling casting machines, adjusting polymer viscosity, and operating potentiometers, these instances of teamwork are outnumbered by those where control mechanics, although synchronized with other employees, do their own skilled work.

As indicated the Petitioner seeks a craft unit composed of all control mechanics. During the lengthy and comprehensive hearing, and in its exhaustive brief, the Employer contended that the control mechanics do not comprise an appropriate unit because neither their training, their supervision, nor their function or skill sets them sufficiently apart from the other employees at the Florence plant. The Employer relies heavily on *Monsanto Company*, 172 NLRB No. 159, wherein the Board dismissed a petition seeking representation of mechanical electricians. We believe, however, that the instant case is controlled not by *Monsanto*, but by *E. I. DuPont de Nemours and Company (May Plant, Camden)*, 162 NLRB 413 (1966).<sup>2</sup> In that case, where, as here, there was an absence of bargaining history at the plant, the

<sup>1</sup> The rule was changed when the routine repairmen were added to the maintenance department and permitted to assist the control mechanics, for safety reasons, on certain electrical tasks, the wording of the rule no longer being technically accurate.

<sup>2</sup> Employer's May plant is involved in the companion case, *E. I. DuPont de Nemours and Company (May Plant)*, 192 NLRB No. 165.

<sup>3</sup> This case is similarly distinguishable from the other cases upon which the Employer relies. In *Potlatch Forests, Inc.*, 165 NLRB 1065, the

Board found appropriate a craft unit composed of approximately 40 electrical mechanics. Despite the fact that the employees sought worked in coordination with others to maintain the smooth functioning of an integrated and continuous manufacturing process, the Board found the separate craft identity of the electrical mechanics had not been obliterated. That finding was supported by evidence that the electrical mechanics received 3 years of training in a program which included classroom instruction, on-the-job training, and homework, and that only they were authorized to perform electrical work, under separate supervision.

In contrast to the evidence in the 1966 *DuPont* case, and to that presented in the instant case, the facts regarding the Monsanto plant operation did not compel recognition by the Board of the craft unit sought there. The only training for the mechanic electricians sought in *Monsanto* consisted of informal classes, their work was repetitive and required only minimal electrical expertise and skill, and much of it was performed by interlocking teams of employees in various classifications, with considerable overlap of functions, under production supervision. In addition, work demanding a high degree of skill was contracted out.

In all crucial respects, the case at bar parallels the 1966 *DuPont* case and differs from *Monsanto*.<sup>3</sup> In line with the Board's case-by-case approach when determining the appropriateness of a craft unit, we have considered all of the factors relevant to such a determination, and conclude that the unit sought herein is appropriate. The control mechanics' rigorous training program, their exclusive jurisdiction over difficult electrical work, and the diversified nature of their job—requiring mastery of a wide range of skills—sufficiently distinguish them from the other *DuPont* employees and justify recognition of them as a separate entity within the plant.

We find, therefore, 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 control mechanics and trainees at the Employer's Florence, South Carolina, plant, but excluding all the maintenance employees, all office clerical employees, professional employees, guards, and supervisors as defined in the Act.

maintenance electricians sought were assigned to specific machines at the plant and given little training. In *Dundee Cement Company*, 170 NLRB 422, and *Alton Box Board Company*, 164 NLRB 919, the latter case involving craft severance, the maintenance electricians sought similarly were only marginally trained and engaged in largely routinized work.

Member Fanning would not so distinguish this case. See his dissent in *Dundee Cement*, 170 NLRB at 426, referring to *DuPont*, 162 NLRB 413, as parallel. He did not participate in *Potlatch* or *Alton Box*.

[Direction of Election<sup>4</sup> omitted from publication.]

<sup>4</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; *N.L.R.B. v. Wyman-Gordon Co.*, 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 requirement shall be grounds for setting aside the election whenever proper objections are filed.