

In the Matter of ATLANTIC STEEL COMPANY and LOCAL UNION #2401  
OF THE STEEL WORKERS' ORGANIZING COMMITTEE

*Case No. R-2964.—Decided September 13, 1941*

**Investigation and Certification of Representatives:** stipulation for Certification of Representatives upon consent election.

*Mr. Robert Frazer*, for the Board.

*Mr. Ralph Williams*, of Atlanta, Ga., for the Company.

*Mr. Joseph K. Gaither*, of Atlanta, Ga., for the Union.

*Miss Melvern R. Krelow*, of counsel to the Board.

DECISION

AND

CERTIFICATION OF REPRESENTATIVES

STATEMENT OF THE CASE

On August 13, 1941, Local Union #2401 of the Steel Workers' Organizing Committee, affiliated with the C. I. O., herein called the Union, filed with the Regional Director for the Tenth Region (Atlanta, Georgia) a petition alleging that a question affecting commerce had arisen concerning the representation of employees of Atlantic Steel Company, Atlanta, Georgia, herein called the Company, engaged in the manufacture and sale of steel and steel products, at Atlanta, Georgia, and requesting an investigation and certification of representatives pursuant to Section 9 (c) of the National Labor Relations Act, 49 Stat. 449, herein called the Act. On August 13, 1941, the National Labor Relations Board, herein called the Board, acting pursuant to Section 9 (c) of the Act, and Article III, Section 3, of National Labor Relations Board Rules and Regulations—Series 2, as amended, ordered an investigation and authorized the Regional Director to conduct it and to provide for an appropriate hearing upon due notice. On August 13, 1941, the Company, the Union, and the Regional Director entered into a "Stipulation for Certification Upon Consent Election."

Pursuant to the stipulation, an election by secret ballot was conducted on August 20, 1941, under the direction and supervision of the Regional Director, among all production and maintenance em-

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ployees of the Company, including melters and heaters on the soaking pits, and rollers and assistant rollers, but excluding all weekly and monthly salaried employees, all clerical and office employees, all employees in the engineering, metallurgical, industrial engineering, inspection, timekeeping, weighing, employment, first aid, and watchmen departments and all foremen and other supervisory employees,<sup>1</sup> to determine whether or not said employees desire to be represented by the Union. On August 21, 1941, the Regional Director issued and duly served upon the parties an Election Report on the ballot. No objections to the conduct of the ballot or the Election Report have been filed by any of the parties.

In his Election Report, the Regional Director reported as follows concerning the balloting and its results:

Total number eligible.....	1,166
Total ballots cast.....	1,102
Total number of ballots cast for Local #2401 of the Steel Workers' Organizing Committee, affiliated with the CIO.....	770
Total number of ballots cast against Local #2401 of the Steel Workers' Organizing Committee, affiliated with the CIO.....	327
Total number of challenged ballots.....	0
Total number of void ballots.....	5
Total number of blank ballots.....	0

Upon the basis of the stipulation, the Election Report, and the entire record in the case, the Board makes the following:

#### FINDINGS OF FACT

1. A question affecting commerce has arisen concerning the representation of employees of Atlantic Steel Company, Atlanta, Georgia, within the meaning of Section 9 (c) and Section 2 (6) and (7) of the National Labor Relations Act.

2. All production and maintenance employees of the Company, including melters and heaters on the soaking pits and rollers and assistant rollers, but excluding all weekly and monthly salaried employees, all clerical and office employees, all employees in the engineering, metallurgical, industrial engineering, inspection, timekeeping, weighing, employment, first aid, and watchmen departments and all foremen and other supervisory employees, constitute a unit appropriate for the purposes of collective bargaining, within the meaning of Section 9 (b) of the National Labor Relations Act.

<sup>1</sup>The provision of the stipulation with respect to the unit reads as follows: "all of the maintenance and production employees of the Company, except and excluding all weekly and monthly salaried employees, all clerical and office employees, all employees in the engineering, metallurgical, industrial engineering, inspection, timekeeping, weighing, employment, first aid, and watchman departments and all foremen and supervisory employees except rollers and assistant rollers, but including melters and heaters on the soaking pits. Rollers and assistant rollers are included in the appropriate unit."

We interpret this provision as indicated in the text.

3. Local Union #2401 of the Steel Workers' Organizing Committee, affiliated with the C. I. O., has been designated and selected by a majority of the employees in the above unit as their representative for the purposes of collective bargaining, and is the exclusive representative of all employees in said unit, within the meaning of Section 9 (a) of the National Labor Relations Act.

### CERTIFICATION OF REPRESENTATIVES

By virtue of and pursuant to the power vested in the National Labor Relations Board by Section 9 (c) of the National Labor Relations Act

IT IS HEREBY CERTIFIED that Local Union #2401 of the Steel Workers' Organizing Committee, affiliated with the C. I. O., has been designated and selected by a majority of all production and maintenance employees of the Company, including melters and heaters on the soaking pits, and rollers and assistant rollers, but excluding all weekly and monthly salaried employees, all clerical and office employees, all employees in the engineering, metallurgical, industrial engineering, inspection, timekeeping, weighing, employment, first aid, and watchmen departments and all foremen and other supervisory employees, as their representative for the purposes of collective bargaining, and that pursuant to Section 9 (a) of the Act, Local Union #2401 of the Steel Workers' Organizing Committee, affiliated with the C. I. O., is the exclusive representative of all such employees for the purposes of collective bargaining, in respect to rates of pay, wages, hours of employment, and other conditions of employment.

[SAME TITLE]

### AMENDMENT TO DECISION

AND

### CERTIFICATION OF REPRESENTATIVES

*September 19, 1941*

On September 13, 1941, the National Labor Relations Board, herein called the Board, issued a Decision and Certification of Representatives in the above-entitled proceeding. On September 17, 1941, the parties filed an Agreement As To Appropriate Unit which clarified their previous stipulation as to the appropriate unit. The Board, having considered the matter, hereby orders

(1) That the second paragraph of said Decision and the accompanying footnote be deleted and that the following be inserted in lieu thereof:

Pursuant to the stipulation, an election by secret ballot was conducted on August 20, 1941, under the direction and supervision of the Regional Director, among all maintenance and production employees of the Company, except and excluding all weekly and monthly salaried employees, all clerical and office employees, all employees in the engineering, metallurgical, industrial engineering, inspection, timekeeping, weighing, employment, first aid, and watchman departments, and all foremen and supervisory employees, and melters, and heaters on the soaking pits, but including rollers and assistant rollers;

(2) That the second numbered Finding of Fact be deleted from said Decision and that the following be inserted in lieu thereof:

2. All maintenance and production employees of the Company, except and excluding all weekly and monthly salaried employees, all clerical and office employees, all employees in the engineering, metallurgical, industrial engineering, inspection, timekeeping, weighing, employment, first aid, and watchman departments, and all foremen and supervisory employees, and melters, and heaters on the soaking pits, but including rollers and assistant rollers constitute a unit appropriate for the purposes of collective bargaining, within the meaning of Section 9 (b) of the National Labor Relations Act; and

(3) That the second paragraph of said Certification of Representatives be deleted and that the following be inserted in lieu thereof:

IT IS HEREBY CERTIFIED that Local Union No. 2401 of the Steel Workers' Organizing Committee, affiliated with the C. I. O., has been designated and selected by a majority of all maintenance and production employees of the Company, except and excluding all weekly and monthly salaried employees, all clerical and office employees, all employees in the engineering, metallurgical, industrial engineering, inspection, timekeeping, weighing, employment, first aid, and watchman departments, and all foremen and supervisory employees, and melters, and heaters on the soaking pits, but including rollers and assistant rollers, as their representative for the purposes of collective bargaining, and that pursuant to Section 9 (a) of the Act, Local Union No. 2401 of the Steel Workers' Organizing Committee, affiliated with the C. I. O., is the exclusive representative of all such employees for the purposes of collective bargaining, in respect to rates of pay, wages, hours of employment, and other conditions of employment.