

In the Matter of UNION BUFFALO MILLS COMPANY *and* TEXTILE
WORKERS ORGANIZING COMMITTEE

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WORKERS ORGANIZING COMMITTEE

Cases Nos. R-562 and R-563

SUPPLEMENTAL DECISION

ORDER

AND

CERTIFICATION OF REPRESENTATIVES

March 21, 1938

On October 18, 1937, Textile Workers Organizing Committee, herein called the Union, filed with the Regional Director for the Tenth Region (Atlanta, Georgia) two petitions alleging that questions affecting commerce had arisen concerning the representation of employees of Union Buffalo Mills Company, herein called the Company, at its Buffalo, South Carolina, mill and at its Fairmont, South Carolina, mill, respectively. Each petitioner requested 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 November 27, 1937, 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 1, as amended, ordered investigations and authorized the Regional Director to conduct them and to provide for an appropriate hearing upon due notice. On December 7, 1937, the Board acting pursuant to Article III, Section 10 (c) (2), of Rules and Regulations, ordered that the two cases be consolidated for the purpose of hearing.

On December 22, 1937, the Regional Director issued a notice of hearing, copies of which were duly served upon the Company and upon the Union. Pursuant to the notice, a hearing was held on January 13, 1938, at Spartanburg, South Carolina, before James M. Brown, the Trial Examiner duly designated by the Board. On February 18, 1938, the Board issued a Decision and a Direction of

Elections.¹ The Direction of Elections provided that elections by secret ballot be held within 15 days from the date of the Direction among the hourly and piece-rate production and maintenance employees of the Company in its Buffalo mill and at its Fairmont mill, respectively, who were employed during the pay-roll period ending October 14, 1937, excluding clerical and supervisory employees, and those employees who have since quit or been discharged for cause, to determine whether or not they desired to be represented by the Textile Workers Organizing Committee for the purposes of collective bargaining.

Pursuant to the Direction, balloting was conducted on March 4, 1938. Thereafter, the Regional Director, acting pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended, issued and duly served upon the parties to the proceeding his Intermediate Report on the ballot. No exceptions to the Intermediate Report have been filed by either of the parties. As to the balloting and its results, the Regional Director reported as follows:

IN THE BUFFALO PLANT

Total number eligible.....	1068
Total number of ballots cast.....	1007
Total number of votes for the Textile Workers Organizing Committee, affiliated with the C. I. O.....	445
Total number of votes against the Textile Workers Organizing Committee, affiliated with the C. I. O.....	543
Total number of challenged ballots.....	17
Total number of void ballots.....	2
Total number of blank ballots.....	none

IN THE FAIRMONT PLANT

Total number eligible.....	211
Total number of ballots cast.....	189
Total number of votes for the Textile Workers Organizing Committee, affiliated with the C. I. O.....	118
Total number of votes against the Textile Workers Organizing Committee, affiliated with the C. I. O.....	70
Total number of challenged ballots.....	none
Total number of void ballots.....	none
Total number of blank ballots.....	1

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, and pursuant to Article III, Sections 8 and 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended,

¹ 5 N L R. B. 398.

IT IS HEREBY CERTIFIED that Textile Workers Organizing Committee has been selected by a majority of the production and maintenance employees of the Union Buffalo Mills Company at its plant in Fairmont, South Carolina, excluding supervisory and clerical employees, as their representative for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the Act, Textile Workers Organizing Committee 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.

ORDER

Pursuant to Article III, Sections 8 and 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended,

IT IS ORDERED that the petition filed by Textile Workers Organizing Committee for investigation and certification of representatives of the production and maintenance employees of the Union Buffalo Mills Company at its plant in Buffalo, South Carolina, be, and it hereby is, dismissed.

MR. EDWIN S. SMITH took no part in the consideration of the above Supplemental Decision, Order and Certification of Representatives.