

In the Matter of PROXIMITY PRINT WORKS *and* TEXTILE WORKERS
ORGANIZING COMMITTEE

In the Matter of PROXIMITY PRINT WORKS, OF PROXIMITY MANUFACTURING COMPANY *and* TEXTILE WORKERS ORGANIZING COMMITTEE

Cases Nos. R-486 and C-571, respectively.—Decided June 9, 1938

Cotton Textile Industry—Interference, Restraint, and Coercion: persuading employees to refrain from joining or to resign from union; questioning employees regarding union activity; intimidation—*Investigation of Representatives:* controversy concerning representation of employees: majority status disputed by employer—*Unit Appropriate for Collective Bargaining:* piece-rate and hourly production employees, exclusive of watchmen and clerical and supervisory employees; similarity of skill, wages, hours, and working conditions; functional coherence—*Election Ordered*

Mr. Samuel M. Spencer, for the Board.

Brooks, McLendon, & Holderness, by Mr. L. P. McLendon, and Stern & Stern, by Mr. S. J. Stern, of Greensboro, N. C., for the respondent.

Mr. C. G. Shaw, of Greensboro, N. C., for the Union.

Mr. Arnold R. Cutler, of counsel to the Board.

DECISION

DIRECTION OF ELECTION

AND

ORDER

STATEMENT OF THE CASE

Upon amended charges duly filed by the Textile Workers Organizing Committee, herein called the Union, the National Labor Relations Board, herein called the Board, by Bennet F. Schaufler, Regional Director for the Fifth Region (Baltimore, Maryland), issued its complaint dated November 29, 1937, against the Proximity Manufacturing Company, Greensboro, North Carolina, herein called the respondent, alleging that the respondent had engaged in unfair labor practices affecting commerce, within the meaning of Section 8 (1), and Section 2 (6) and (7), of the National Labor Relations Act, 49 Stat. 449, herein called the Act. With regard to the unfair labor practices, the complaint alleged in substance that the respondent

ent, by intimidating employees at its Proximity Print Works plant, herein called the Print Works, by permitting its agents and employees to solicit members of the Union to give up their membership therein, and by other acts, interfered with, restrained, and coerced its employees at the Print Works in the exercise of the rights guaranteed them in Section 7 of the Act.

On November 29, 1937, copies of the complaint and accompanying notice of hearing were duly served upon the parties. On December 4, 1937, the respondent filed a motion asking that, in advance of the hearing, the Union and the Board be required to furnish a bill of particulars as to the unfair labor practices alleged in the complaint. On December 6, 1937, the respondent filed an answer to the complaint admitting that it is engaged in interstate commerce generally, but denying that it is so engaged in so far as the operations of the Print Works are concerned, denying that it had engaged in the alleged unfair labor practices, and asking that the proceedings be dismissed.

On October 8, 1937, the Union filed with the Regional Director a petition alleging that a question affecting commerce had arisen concerning the representation of employees of the respondent at its Print Works and requesting an investigation and certification of representatives pursuant to Section 9 (c) of the Act. On November 10, 1937, 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 an investigation and authorized the Regional Director to conduct it and to provide for an appropriate hearing upon due notice. On the same day, the Board acting pursuant to Article III, Section 10 (c) (2), and Article II, Section 37 (b), of the Rules and Regulations, ordered that the two cases be consolidated. On November 29, 1937, the Regional Director issued a notice of hearing, copies of which were duly served upon the parties. In its motion of December 4, 1937, the respondent moved that the representation case be dismissed, or, if not dismissed, that the Union and the Board be required to furnish a bill of particulars on the question of representation.

Though not on the date specified in the notice, but with all parties present, a hearing on the complaint and petition was held on December 16 and 17, 1937, at Greensboro, North Carolina, before J. M. Brown, the Trial Examiner duly designated by the Board. The Board and the respondent were represented by counsel. The Union was represented by its subregional director. All parties participated in the hearing. Full opportunity to be heard, to examine and cross-examine witnesses, and to introduce evidence bearing on the issues was afforded all parties. At the commencement of the hearing, counsel for the respondent made several oral motions and a written motion similar in effect to the motion of December 4, 1937. At the respective

close of the complaint and representation cases counsel for the respondent moved that each case be dismissed on the ground that the evidence showed that no labor dispute existed with respect to employees at the Print Works. These motions, including the motion of December 4, 1937, were denied by the Trial Examiner. During the course of the hearing the Trial Examiner made numerous rulings on other motions and on objections to the admission of evidence. The Board has reviewed the rulings of the Trial Examiner, and finds that no prejudicial errors were committed. With the exception noted in Section III, the rulings are hereby affirmed.

On April 11, 1938, the Trial Examiner filed an Intermediate Report finding that the respondent had engaged in unfair labor practices affecting commerce within the meaning of Section 8 (1), and Section 2 (6) and (7), of the Act. On May 3, 1938, the respondent filed its exceptions to the Intermediate Report. In its exceptions, the respondent requested that it be permitted to file a brief and present oral argument before the Board. On May 4, 1938, the respondent filed an affidavit of one Eli Craven.

On May 19, 1938, pursuant to permission granted by the Board, the respondent presented oral argument before the Board in support of its exceptions to the Intermediate Report and to the various rulings of the Trial Examiner. At the same time, by consent of the Board, the respondent filed its brief which the Board has considered. The Board has also considered the exceptions to the Intermediate Report and finds them to be without merit. In its exceptions the respondent made several motions, including a motion to reopen the case. These motions are hereby denied.

Upon the entire record in both cases, the Board makes the following:

FINDINGS OF FACT

I. THE BUSINESS OF THE RESPONDENT

The respondent is a corporation organized under the laws of the State of North Carolina with its office and place of business at Greensboro, North Carolina. It is engaged in the manufacture of cotton goods consisting of denims, khakis, and various printed fabrics.

The respondent operates at Greensboro, North Carolina, several plants, where the cotton is spun and woven into denim, and the Print Works, at which gray goods¹ (or cloth woven from unbleached or undyed yarns, as they come from the loom), manufac-

¹ See *Matter of Martin Dyeing and Finishing Company and Federation of Dyers, Finishers, Printers and Bleachers of America*, 2 N L R B 403, *Matter of Bradford Dyeing Association and Textile Workers Organizing Committee of the C I O*, 4 N L R B 604

tured at the other plants of the respondent, are bleached, dyed, printed, and finished into khakis and printed goods. From the time the gray goods arrive at the Print Works until they are finished, inspected, and made up into the bolts which go out as the finished product, the operations are practically continuous.

The respondent obtains its raw materials, consisting primarily of cotton, and other supplies from various States including Louisiana, Alabama, Georgia, Mississippi, South Carolina, and Texas. The respondent ships more than 50 per cent of its finished products to points outside the State of North Carolina.

In 1936, the respondent manufactured approximately 36,000,000 yards of cotton goods, valued at approximately \$4,000,000. The entire output is sold through a dry goods commission house, the controlling interests in which are identical with those of the respondent. The commission house has its offices in New York City and Greensboro, North Carolina.

II. THE ORGANIZATION INVOLVED

Textile Workers Organizing Committee is a labor organization affiliated with the Committee for Industrial Organization, admitting to its membership all piece-rate and hourly production employees of the respondent at the Print Works, excluding watchmen and clerical and supervisory employees.

III. THE UNFAIR LABOR PRACTICES

Sometime during the month of June 1937, C. G. Shaw, the sub-regional director for the Union, began an active organizational campaign among the employees of the respondent at the Print Works. To aid him in this campaign Shaw had the use of his own assistants and an organizational committee set up among the workers.

The Union contends that at about the time it began its campaign, the superintendent of the Print Works, H. A. Barnes, held a special meeting of all the supervisory employees at the Print Works.² G. W. Wells, one of the supervisory employees, stated that this meeting was held sometime around June 1, 1937. Barnes and two supervisory employees, John Green and C. B. Frazier, testified that such a meeting was called, but stated that it was held during the latter part of April or early part of May. Despite the conflict in the testimony as to the time of the holding of the meeting, it is evident that a meeting of the supervisory employees was held. The respondent contends, how-

² Respondent testified that a second meeting was held for those supervisory employees who did not attend the first. Also, some few who did not attend either of the meetings were approached personally.

ever, that Wells was not present at such meeting. In support of its contention the respondent, subsequent to the hearing, submitted an affidavit of one Eli Craven,³ a supervisory employee, who stated that neither during the first 6 months of 1937, nor during the 10 years he was employed by the respondent, did he attend any meeting in Barnes' office at which Wells was present. This affidavit is vague and lacks specific reference to the meeting in question. In further support of respondent's contention, Green testified that he did not see Wells at the meeting in Barnes' office. On the other hand, two of the respondent's witnesses, Frazier and Barnes, were not at all certain that Wells was not there. Barnes testified that this was the only meeting to which he called all his supervisory employees. He admitted that there was no reason why he should have excluded Wells, who was a supervisory employee, as all the supervisors were called. In view of the lack of definiteness in the affidavit, the testimony of Barnes, the doubtful testimony of Frazier, and the positive testimony of Wells that he was present, the weight of the evidence supports the contention that Wells was present at the meeting.

As to what transpired at the meeting, there is likewise a conflict between the testimony of Wells and the other witnesses. Wells testified that Barnes "mentioned about reading in the papers, hearing of organized labor, such as the C. I. O. and the A. F. of L. and then went ahead and says there wasn't any use of the company going into the trouble of informing us about the union, as they had before; that we understood that the company was against the union in their plant." Wells further testified that the superintendent said "something to the effect that it was up to us, as it was up to the group he was talking to, to help keep the union out." Barnes denied making such statements and testified that the meeting, which was held soon after the Act was declared constitutional, was called for the purpose of advising the supervisory employees regarding the future policy of the respondent towards unions. Though Barnes stated the attitude of the respondent theretofore had been that it "did not need so-called labor unions in our community," at this meeting he told the supervisory employees that thenceforth the respondent and its supervisory employees were to maintain a neutral attitude toward all labor unions, not having anything to do with them "one way or the other." Both Green and Frazier testified to the same effect as Barnes.

It is clear from a survey of the activities at the respondent's plant subsequent to the meeting of the supervisory employees that neither the respondent nor its supervisory employees maintained a neutral

³ Also referred to as Ely Griffin.

position. Indeed, the evidence shows clearly that the respondent and its supervisory employees waged an active campaign against the Union. Under such circumstances, the respondent's claim as to the nature and purpose of the meeting of supervisory employees cannot be accepted.⁴

D. J. Welborn testified that during the spring of 1937, at which time he was a supervisory employee, he was called into Barnes' office and was told by him that the respondent felt the same then as it had theretofore "about the union." The testimony of Welborn was not shaken during cross-examination and was not contradicted by the respondent.

Two employees in the machine shop, J. R. Morrison and Banner Bishop, each testified that during the month of June 1937, following the above meeting, he was approached during the working hours by Green, the foreman of the machine shop, and warned by him about belonging to the Union. Daniel Meetz, another employee in this department, related a similar incident with respect to Green, but the record does not indicate when it occurred. Morrison also testified he was questioned by Green about the C. I. O. on other occasions. Green denied making these statements or any similar to them. The clear weight of the evidence supports the testimony of the three employees.

The record also discloses evidence of considerable antiunion activity during the week of September 19, 1937. Wells testified that during that week Sidney Cone, overseer of the packing department and also described as "boss of the print works [and] office," asked him to take a vote among the employees in the packing department to find out how many of them belonged to the Union. Wells testified he started to do this but Cone came back and told him to drop it. Greer, an employee, testified that he was approached by Cone during the same week. Greer further testified:

He asked me, how did the boys seem to be satisfied in the packing department . . . and he asked me, was there any union in there, and I hesitated, and I didn't answer. He said, from that he should not ask me. He wanted to call all the boys

⁴The general attitude of the respondent towards the Union may be gleaned from the following cross-examination of H. F. Greer, an employee, by counsel for the respondent:

Q (By Mr. McLendon) Mr. Greer, do you know what I mean by the word "meddler"?

A We call that folks that talk too much

Q Yes, people who butt into other people's business.

A I understand that

Q And you know who that kind of fellow is?

A Yes

Q I will ask you if there are not a lot of meddlers who hang around the Proximity Print Works, who do not work for the company, who have no knowledge of its business, or the working conditions, but who have undertaken to give you advice

together and make a speech so he got them all together and made a speech, and spoke about the gold brick.

Various witnesses testified as to the so-called "gold brick" speech by Cone. They testified that the speech, delivered to the employees of the packing department, was to the effect that the employees should hear both sides of the question, that some of the employees were buying "gold bricks," that some would get them, probably already had them, that some would hold them, and that some would throw them away. The witnesses stated that they understood "gold bricks" to refer to union cards. A. C. Paschal, a packing department employee, testified that later the same night Cone stated to him that "some new help might go into a thing like that," but that the "older help had nothing in it." Paschal construed Cone's statement to be in general reference to union cards.

The respondent contends that the purpose of the speech was only to explain a notice posted on September 20, 1937, cutting the workweek from 5 to 3 days, due to a decrease in orders. Barnes offered as a possible explanation for the reference to "gold bricks" the fact that, as the employees were going on a shorter workweek, Cone might have been advising them "to be careful how they spend their money, not to buy things that they don't need." It is significant that the respondent did not call Cone as a witness to explain his speech or to deny his acts and statements made before and after it.

About September 20, 1937, C. G. Shaw, the union organizer, conferred with Cone and asked that the Union be recognized as the exclusive bargaining representative of the respondent's employees at the Print Works. Bill Smith, an employee of the finishing department, testified that while he was at work at his machine on a day following this conference, he was approached by Barnes who said, "Bill, . . . why did you all have to have a representative to go out and see Mr. Cone? . . . You know nothing ever comes up in the mill that we don't try to straighten out and if you come to me I have always been fair with you and you should have come to me about it." This conversation was not denied by the respondent.

Smith also testified that on September 24, while getting some supplies in the jig room, he was approached by the overseer of that department, J. M. Stanley, who was questioned by him about the Union, and was told that the C. I. O. never had, and never would, do any good. Stanley denied making these statements. Millard Gregory, an employee in the jig room, testified that on the same day he was approached by Stanley, who stated that he could not let "the C. I. O. fellows work but 3 days—3 weeks out of the month," and who asked him whether he belonged to the Union. Stanley denied making these statements and testified that, following the decrease in business, as

part of the plan by the respondent to equalize the work among all the employees and to give a preference to married men, he told Gregory not to report for work that week, adding that "some of the C. I. O. fellows might kick."

Wells testified that on September 21, 1937, he saw a group of seven employees,⁵ none of whom were supervisory employees, go into the office of W. S. Thornburg, the assistant superintendent of the Print Works. He also testified that he overheard Thornburg say to this group: "We have got to think up some excuses." Inasmuch as Wells was not absolutely certain that it was Thornburg who made such a statement, the Trial Examiner excluded this part of Wells' testimony. We feel that such testimony should have been admitted and the ruling of the Trial Examiner is hereby accordingly reversed. A number of witnesses testified that at the close of each day's work at the Print Works the seven men were seen talking to the employees. Frank Hinson, an employee in the finishing department, testified that on September 23, 1937, during working hours, he was approached by Frank Thornburg, one of the group of seven, who asked if he belonged to the Union, suggested that he turn in his union card, and advised him that if he did so a good word would be put in for him. Worth Smith, an employee in the bleaching department, testified that on October 7, 1937, during working hours, he was approached by Ronny Everage, another of the seven, who asked him to turn in his union card and advised him that if he did so to "come back and tell Mr. Barnes or Walter Thornburg."

Iby Cobia, an apparent leader of the group of seven, was the only member of the group who testified. He denied that a meeting of the group was ever held in W. L. Thornburg's office and stated that his acts were entirely voluntary and without knowledge of the management. It is significant in this connection to note that Cobia, though employed in the engraving department, went freely about the other departments of the Print Works in his efforts to induce employees to surrender their union cards. Cobia testified that on one occasion the respondent cautioned him not to leave his work during working hours. It is also significant in evaluating the weight to be given Cobia's testimony to note that, though voluble on his dislike of unions; he had an almost complete lapse of memory as to the numbers of cards each member of the group was instrumental in obtaining, despite the fact that the cards were turned over to him by each of the members for ultimate disposition.

⁵ Iby (also appeared in the record as Irby) Cobia, Webb Mahafi, Ronny Everage, Henry Thornburg, Frank Thornburg, Walter Martindale, and Robert Murray (also appeared in the record as Meyer).

In view of all the facts and the failure of the respondent to call as witnesses W. L. Thornburg or any members of the group of seven except Cobia, we are constrained to conclude that the solicitation of the employees to give up their union membership was instigated by the respondent and carried on in its behalf.

On November 26, 1937, several articles pertaining to the C. I. O. appeared in the "Textorian," a weekly newspaper which M. W. Heiss, its editor, testified was owned by various Cone interests. It is clear from the record that the Cone interests control the respondent. The masthead of this newspaper lists the names of the various plants of the respondent, including the Proximity Print Works, and bears a seal-like mark of the controlling interests with the inscription "Cone Fabrics—Seal of Service." The newspaper is distributed free of charge to employees of the respondent. One of the articles reported a purported speech delivered on November 9, 1937, by a high official of the State of Ohio relating to the steel-strike situation in that State which had commenced in May of that year. The tenor of the speech may be gathered from the following excerpts: "The [steel] companies advanced one argument which I could not answer. They took the position that a written contract would bind them, but would not bind the C. I. O. leadership . . . Some of the most vicious of the C. I. O. leaders are known communists . . . Their philosophy is not the elevation of American labor, but it is violence, civil war, and revolution . . . There was one band of some two thousand men [C. I. O.] from Akron alone who attempted an armed invasion of Youngstown with blood in their eyes and violence on their lips." The other article purported to be a reprint of an editorial from the "American Wool and Cotton Reporter." This editorial, printed in type much larger than that used in the other columns of the newspaper and under the heading "Aspinook Company Will Liquidate," told the story of a certain cotton mill which was engaged in operations similar to those of the Print Works. The story was to the effect that the mill, though in a precarious financial position, had nevertheless continued to operate until the C. I. O. had begun an organization drive; and that thereafter the operations of the mill were so obstructed by the newly formed C. I. O. union and its affairs that the management was compelled to liquidate the plant.

The analogy which the employees at the Print Works undoubtedly were expected to draw is obvious. In effect, the employees at the Print Works were informed that, if the C. I. O. were successful in its organizational activities, the security of their jobs would be affected. Under the circumstances, the articles undoubtedly served to

intimidate the employees at the Print Works in connection with a free choice of bargaining representation and the respondent must be charged with such intimidation.

We find that the respondent, by virtue of the acts above set forth, has interfered with, restrained, and coerced its employees at the Print Works in the exercise of their rights guaranteed under Section 7 of the Act.

IV. THE EFFECT OF THE UNFAIR LABOR PRACTICES UPON COMMERCE

We find that the activities of the respondent set forth in Section III above, occurring in connection with the operations of the respondent described in Section I above, have a close, intimate, and substantial relation to trade, traffic, and commerce among the several States, and tend to lead to labor disputes burdening and obstructing commerce and the free flow of commerce.

V. THE REMEDY

Having found that the respondent engaged in various unfair labor practices we shall, in order to effectuate the policies of the Act, order the respondent to cease and desist from in any manner interfering with, restraining, or coercing its employees at the Print Works, and to take certain affirmative action, all as more particularly hereinafter described.

VI. THE QUESTION CONCERNING REPRESENTATION

On September 20, 1937, at a meeting of the organizing committees of the Union, the subregional director of the Union, Shaw, was requested to confer with the management of the Print Works for the purpose of entering into a collective bargaining agreement. Pursuant to this request, at a conference held soon thereafter between Shaw and the respondent, which was represented by Cone, Shaw claimed the Union represented a majority of the employees at the Print Works and requested the respondent to recognize the Union as the representative of the employees at the Print Works for the purpose of collective bargaining. The respondent refused to accept such claim without proof. The Union, both at the conference and at the hearing, refused to reveal the names of its members for fear of possible reprisals, and requested that an election be held among the employees at the Print Works to determine the question of representation.

We find that a question has arisen concerning the representation of employees of the respondent at the Print Works.

VII. THE EFFECT OF THE QUESTION CONCERNING REPRESENTATION UPON
COMMERCE

We find that the question concerning representation which has arisen, occurring in connection with the operations of the respondent described in Section I above, has a close, intimate, and substantial relation to trade, traffic, and commerce among the several States, and tends to lead to labor disputes burdening and obstructing commerce and the free flow of commerce.

VIII. THE APPROPRIATE UNIT

The Union took the position that all piece-rate and hourly production employees of the respondent at the Print Works, exclusive of watchmen and clerical and supervisory employees, should be considered as the appropriate unit. The respondent, on the other hand, contended that the appropriate unit was either a plant unit comprising all the plants of the respondent or craft units based on the skill required in the various departments. No evidence was introduced by the respondent to sustain either of its contentions other than to point out that the Print Works was dependent on the other plants for the gray goods and that different degrees of skill were required in the various departments of the Print Works.

The record discloses that the skill required of, as well as the wages paid to, and the hours and working conditions of, all the production employees at the Print Works, exclusive of watchmen and clerical and supervisory employees, were substantially the same. Furthermore, the operations of the Print Works are such that, although the plant is divided into departments, all function coherently in the completion of each single piece of goods. Under these circumstances, we are of the opinion that the unit sought by the Union is appropriate.

We find that the piece-rate and hourly production employees of the respondent at the Print Works, exclusive of watchmen and clerical and supervisory employees, constitute a unit appropriate for the purposes of collective bargaining and that said unit will insure to employees of the respondent at the Print Works the full benefit of their right to self-organization and to collective bargaining and otherwise effectuate the policies of the Act.

IX. THE DETERMINATION OF REPRESENTATIVES

During 1937, the respondent employed at the Print Works between 412 and 536 employees. At the hearing the Union claimed 281 employees of the respondent at the Print Works were members of the Union. As stated above, the Union refused to reveal the names of

its members for fear of possible reprisals. It requested that an election be held among the employees at the Print Works to determine the question of representation.

We find that the question which has arisen concerning representation can best be resolved by means of an election by secret ballot.

At the hearing the Union requested that the pay roll immediately preceding October 8, 1937, the date of the filing of the petition, be used for determining eligibility to vote, and the respondent has made no objection. We conclude, under the circumstances, that those eligible to vote in the election shall be the employees within the appropriate unit employed by the respondent at the Print Works, during the pay-roll period immediately preceding October 8, 1937, excluding those who have quit or been discharged for cause between such date and the date of election.

Upon the basis of the foregoing findings of fact the Board makes the following:

CONCLUSIONS OF LAW

1. Textile Workers Organizing Committee is a labor organization, within the meaning of Section 2 (5), of the Act.

2. The respondent, by interfering with, restraining, and coercing its employees at the Print Works in the exercise of the rights guaranteed in Section 7 of the Act, has engaged in and is engaging in unfair labor practices, within the meaning of Section 8 (1), of the Act.

3. The aforesaid unfair labor practices are unfair labor practices affecting commerce, within the meaning of Section 2 (6) and (7), of the Act.

4. A question affecting commerce has arisen concerning the representation of employees of the respondent, within the meaning of Section 9 (c) and Section 2 (6) and (7), of the Act.

5. All piece-rate and hourly production employees of the respondent at the Print Works, excluding watchmen and clerical and supervisory employees, constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9 (b) of the Act.

ORDER

Upon the basis of the above findings of fact and conclusions of law, and pursuant to Section 10 (c) of the National Labor Relations Act, the National Labor Relations Board hereby orders that the respondent, Proximity Manufacturing Company, its officers, agents, successors, and assigns, shall:

1. Cease and desist from in any manner interfering with, restraining, or coercing its employees at the Proximity Print Works in the

exercise of their rights to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection, as guaranteed in Section 7 of the Act.

2. Take the following affirmative action, which the Board finds will effectuate the policies of the Act:

(a) Post immediately in conspicuous places in each department of the Proximity Print Works, and maintain for a period of at least thirty (30) consecutive days, notices stating (1) that the respondent will cease and desist as set forth in paragraph 1 of this order; and (2) that the employees of the respondent at the Proximity Print Works are free to join or assist the Textile Workers Organizing Committee, or any other labor organization of their own choosing;

(b) Notify the Regional Director of the Fifth Region in writing within ten (10) days from the date of this order what steps the respondent has taken to comply herewith.

DIRECTION OF ELECTION

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, 49 Stat. 449, and pursuant to Article III, Section 8, of National Labor Relations Board Rules and Regulations—Series 1, as amended, it is hereby

DIRECTED that, as part of the investigation authorized by the Board to ascertain representatives for collective bargaining with Proximity Print Works, of Proximity Manufacturing Company, Greensboro, North Carolina, an election by secret ballot shall be conducted within twenty (20) days from the date of this Direction, under the direction and supervision of the Regional Director for the Fifth Region, acting in this matter as agent for the National Labor Relations Board, and subject to Article III, Section 9, of said Rules and Regulations, among all the piece-rate and hourly production employees of the respondent at the Print Works who were employed by the respondent during the pay-roll period next preceding October 8, 1937, excluding watchmen and clerical and supervisory employees and those who have quit or been discharged for cause between such date and the date of election, to determine whether or not they desire to be represented by Textile Workers Organizing Committee for the purpose of collective bargaining.

[SAME TITLE]

AMENDMENT TO DIRECTION OF ELECTION

June 21, 1938

On June 9, 1938, the National Labor Relations Board, herein called the Board, issued a Decision, Direction of Election, and Order in the above-entitled proceeding. The Direction of Election provided that "an election by secret ballot shall be conducted within twenty (20) days from the date of this Direction, under the direction and supervision of the Regional Director for the Fifth Region." At the request of the Regional Director we shall postpone the election for the present.

The Board hereby amends its Direction of Election by striking out the words "within twenty (20) days from the date of this Direction" and substituting therefor the words "at such time as the Board may in the future direct."