

NOT INCLUDED IN
BOUND VOLUMES

Groton, CT
HJMc

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ELECTRIC BOAT CORPORATION

Employer

and

Case 01-RC-124746

UNITED BROTHERHOOD OF
CARPENTERS AND JOINERS
OF AMERICA, LOCAL 1302

Petitioner

METAL TRADES COUNCIL OF
NEW LONDON COUNTY, AFFILIATED
WITH AFL-CIO

Intervenor

DECISION ON REVIEW AND ORDER

On August 14, 2014, the Board granted the Intervenor's Request for Review of the Regional Director's Decision and Direction of Election as it raised a substantial issue with respect to whether the Regional Director correctly directed a severance election among employees in the petitioned-for unit of approximately 220 carpenters, who are currently included in the broader production and maintenance unit of approximately 2225 employees.

The Board has delegated its authority in this proceeding to a three-member panel.

Having carefully examined the entire record, including the briefs on review, the Board has decided to affirm the Regional Director's Decision and Direction of Election.¹

¹ In evaluating a petition for a severance election, the Board balances the special interest of the petitioned-for employees in having an opportunity to vote for separate representation with the

ORDER

This proceeding is remanded to the Regional Director for appropriate action consistent with this Decision and Order.

Dated, Washington, D.C., April 30, 2015.

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, III, MEMBER

LAUREN McFERRAN, MEMBER

interests of all employees in continuing to bargain together, as well as with the public interest and the interests of the employer and the incumbent union in maintaining overall stability in labor relations and uninterrupted operation of integrated production facilities. *Mallinckrodt Chemical Works*, 162 NLRB 387, 392 (1967); accord *Metropolitan Opera Assn.*, 327 NLRB 740, 752 (1999). Our determination is made only after weighing all relevant factors on a case-by-case basis. 162 NLRB at 398. Relevant factors include, but are not limited to, factors that are also relevant to the distinct question of whether a petitioned-for group of employees constitutes a separate craft unit as an initial matter under, e.g., *Burns & Roe Services Corp.*, 313 NLRB 1307, 1308 (1994). The Regional Director appropriately considered these and other relevant factors. Here, neither granting nor denying the petition would preserve the 70-year-old, historically stable, “federal” bargaining structure, under which employees in the petitioned-for unit have been represented not only by the Intervenor but also by the Petitioner as an active affiliate of the Intervenor. Moreover, the question concerning representation has arisen here only because of the Intervenor’s termination of that affiliation. Particularly in light of these unusual circumstances, we agree with the Regional Director that a weighing of all the relevant factors warrants permitting the employees in the petitioned-for unit to determine whether to be represented by the Petitioner or by the Intervenor.