

In the Matter of THE MURRAY CORPORATION OF AMERICA and INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW-CIO), AMALGAMATED LOCAL 889

*Cases Nos. R-4380 and R-4381*

## SUPPLEMENTAL DECISION

### ORDER SETTING ASIDE ELECTION

AND

### SECOND DIRECTION OF ELECTION

*July 9, 1943*

On November 28, 1942, the Board issued a Decision and Direction of Election in the above-entitled proceeding,<sup>1</sup> and on December 17, 1942, an Amendment to Decision and Direction of Election.<sup>2</sup> Pursuant to the Direction of Election, an election by secret ballot was conducted on January 6, 1943. On January 12, 1943, the Union filed Objections on which the Board, on March 16, 1943, ordered a hearing. On March 22, 1943, the Union filed a motion for Modification and Amendment of Decision and Direction of Election. On July 5, 1943, the Union requested withdrawal of its objections conditioned upon the Board amending its Decision and directing an election in a unit as thus amended. The motion for modification is granted, to the extent indicated below. The request for withdrawal of objections is also granted, and we hereby vacate our Order directing hearing on the Objections.

Upon the entire record in the case, the Board makes the following supplemental findings of fact which, to the extent that they are inconsistent therewith, supersede the findings made in the Decision issued November 28, 1942, as amended December 17, 1942.

### SUPPLEMENTAL FINDINGS OF FACT

In its Decision the Board found that time checkers (or timekeepers) exercised such a degree of managerial discretion in the performance

---

<sup>1</sup> 45 N. L. R. B. 854.

<sup>2</sup> 46 N. L. R. B. 103.

51 N. L. R. B., No. 43.

of their duties as to warrant their exclusion from the unit found appropriate therein for the purposes of collective bargaining. The duties of these employees, set forth in the Decision, clearly indicate that they are similar to those of the timekeepers in the *Bohn Aluminum Company* case.<sup>3</sup> For reasons set forth in that case, we find that the time checkers (or timekeepers) employed by the Company at its Main Plant<sup>4</sup> should have been included in the unit found appropriate in our Decision issued November 28, 1942, as amended December 17, 1942. We shall therefore include them.

We find that all clerical employees of the Ecorse Plant and the Main Plant of the Company, including employees in the cashier's office; telephone operators; stenographers, typists, and clerks in the Plant Protection, Education, Cost Control, Industrial Engineering, and Insurance departments (Departments 85, 109, 93, 80A, and 162, respectively); engineering follow-up clerks, die and jig; engineering planning and scheduling clerks (Department 395); and time checkers (or time keepers) in the Main Plant; but excluding the classifications set forth in Appendix "A," and the compensation clerk, insurance claim clerk, and insurance investigator in the Insurance Department (Department 162), estimators and the estimator leader in the Estimating Department, Sales Estimating Section, and Tool Time Standards Section (Departments 99 and 395), all employees in the Industrial Relations Department (Department 90), and all employees in the Employment Department (Department 106), constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9 (b) of the Act.

We shall set aside the election held on January 6, 1943, and shall issue a Second Direction of Election. We hereby direct that the election be held among the employees in the appropriate unit who were employed during the pay-roll period immediately preceding the date of our Second Direction of Election, subject to the limitations and additions set forth in the Direction.

### ORDER

The National Labor Relations Board hereby vacates and sets aside the election held in this proceeding on January 6, 1943, and the results thereof.

<sup>3</sup> 47 N. L. R. B. 1229. On June 11, 1943, following oral argument and rehearing, the Board issued a Supplemental Decision affirming its original Decision.

<sup>4</sup> Although the time checkers (or timekeepers) employed by the Company at its Ecorse Plant might more properly be included in the unit hereinafter found to be appropriate, we shall exclude them from the unit since they are now covered by a collective bargaining contract between the Company and Local No. 2 of the International here involved.

## SECOND 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, and pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 2, as amended, it is hereby

DIRECTED that, as part of the investigation to ascertain representatives for the purposes of collective bargaining with The Murray Corporation of America, Detroit, Michigan, at its Main and Ecorse Plants, an election by secret ballot shall be conducted as early as possible, but not later than thirty (30) days from the date of this Direction of Election, under the direction and supervision of the Regional Director for the Seventh Region, acting in this matter as agent for the National Labor Relations Board, and subject to Article III, Section 10, of said Rules and Regulations, among all employees of the Company in the unit found appropriate, above, who were employed during the pay-roll period immediately preceding the date of this Direction, including employees who did not work during said pay-roll period because they were ill or on vacation or temporarily laid off, and including employees in the armed forces of the United States who present themselves in person at the polls, but excluding any who have since quit or been discharged for cause, to determine whether or not they desire to be represented by International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), Amalgamated Local 889, for the purposes of collective bargaining.

## APPENDIX "A"

## MAIN PLANT

*Department No. 305—Operations Planning*

Statisticians  
Typists

Stenographers  
Secretary

*Supervisory Classifications*

Executives  
Managers  
Superintendents  
Co-Ordinating Superintendents  
Department Supervisors  
Section Supervisors  
Cashier

Chief Buyer  
Chief Timekeeper  
Chief Engineer  
Chief Telephone Operator  
Chief Accountant  
Buyers  
Budget Director

*Engineering Classifications*

Sales Engineers	Electrical Engineer
Jr. Sales Engineers	Welding Engineer
Process Engineers (Methods)	Equipment Engineer
Industrial Engineers	Transportation Engineer
Stationary Engineers	Consulting Engineer
Time Study Engineers	Safety Engineer
Product Engineers	Tool Engineer
Research Engineers	Salvage Engineer
Plant Engineer	

*Professional*

Laboratory Technicians (Chemical Laboratory)	Auditors
Chemist	Artist
	Art and Color

*Draftsmen*

Production Draftsman	Plant Layout Draftsman
Tool and Die Draftsman	

*Industrial Relations Division**Department #85—Plant Protection*

1st Class Patrolman	Fire Marshal
Desk Sergeant	Watchman
Sergeant	Superintendent Plant Protection
2nd Class Patrolman	1st Class Watchman
Special Investigator	Lieutenant Plant Police
Probationary Patrolman	Chief Fire Marshal
Investigator	
3rd Class Patrolman	

*Department #90—Industrial Relations*

Industrial Relations Manager	Supervisors
Personnel Manager	Secretary
Employment Manager	Personnel Analyst
Personnel Auditor	

*Department #104—Public Relations*

Supervisor	Stenographer
Editor	Photographer
Assistant Editor	Reporter

*Department #106—Employment*

Supervisors	Welfare
Interviewers, Final	

*Department #108—Medical*

Doctor	Clerks
Nurses	Technicians—Laboratory
Head Nurse	Laboratory—Helpers
Secretary	

*Department #109—Educational*

Director	Secretary
Supervisors	Safety Engineers
Instructors	

*Standards Division—Time Study—Methods—Budget**Department #93—Cost Control*

Jr. Analyst	Secretary
Sr. Analyst	

*Department #95—Time Standards*

Supervisors	Time Study Observers
Jr. Analyst	Time Study Analysts
Sr. Analyst	

*Department #395—Engineering Time Standards*

Supervisors	Sr. Analysts
Jr. Analysts	

*Department #99—Estimating (Methods)*

Supervisors	Secretary
-------------	-----------

*Industrial Engineering Department*

Head of the Department	Sr. Analysts
Industrial Engineers	Jr. Analysts

## ECORSE PLANT

## FRAME DIVISION

*Industrial Relations Division**Department #85—Plant Protection*

Sergeant	3rd Class Patrolman
1st Class Patrolman	Probationary Patrolman
2nd Class Patrolman	

*Department #90—Industrial Relations*

Supervisor
------------

*Department #108—Medical*

Doctor

Nurses

*Supervisory Classifications*

Manager

Chief Timekeeper

Superintendents

Chief Engineer

Co-Ordinating Superintendent

Chief Accountant

Department Supervisor

Cashier

Section Supervisor

*Engineering Classifications*

Product Engineer

Safety Engineer

*Time Study—Methods—Budget**Department #95*

Time Study Observer

Sr. Analysts

Jr. Analysts