

In the Matter of NORFOLK SHIPBUILDING & DRYDOCK CORPORATION and
INDUSTRIAL UNION OF MARINE AND SHIPBUILDING WORKERS OF
AMERICA (C. I. O.)

Case No. 5-R-1627

SUPPLEMENTAL DECISION

AND

DIRECTION

September 20, 1944

On August 25, 1944, pursuant to a Decision and Direction of Election issued by the Board on August 8, 1944,¹ an election was conducted among certain employees of Norfolk Shipbuilding & Drydock Corporation, Norfolk, Virginia, under the direction and supervision of the Regional Director for the Fifth Region (Baltimore, Maryland). The results of the election are as follows:

Approximate number of eligible voters.....	2,087
Valid votes counted.....	1,686
Votes cast for the C. I. O.....	835
Votes cast for the A. F. of L.....	281
Votes cast against participating unions.....	570
Challenged ballots.....	38
Void ballots.....	4

On August 26, 1944, the C. I. O. filed a letter with the office of the Regional Director, which was treated as objections to the election, alleging that the Company engaged in certain actions which affected the results of the election. On September 1, 1944, the Company filed an answer to the objections.

Inasmuch as it appeared that the challenged ballots might affect the results of the election and render immaterial the C. I. O.'s objections, the Regional Director, pursuant to Article III, Section 10, of National Labor Relations Board Rules and Regulations—Series 3, as amended, investigated only the issues raised by the challenged ballots, and on September 11, 1944, issued and duly served upon all parties to this proceeding copies of a Report on Objections and Challenges. No Exceptions to the Report have been filed by any of the parties. In view of the failure of the parties to file Exceptions to

¹ 57 N. L. R. B. 1168.

58 N. L. R. B., No. 77.

the Report, we shall, in accordance with the Regional Director's recommendations, sustain the challenges to the ballots of the following employees, collectively referred to as Group 1:

Buchanan, T. J.	Dickens, J. R.
Conway, J.	Harris, Ed
Grant (Graham), M. L.	Matheny, H. W.
Hill, C.	Sawyer, F.
Pyle, O. M.	Wells, B. F.
Walker, W. E.	Coughill, W. H.
Wright, C. S.	Armstrong, G.
Lea, R. L.	Wilton, T. W.
Carmichael, M. L.	Williams, E. H.
Cartwright, R. L.	

and overrule the challenges to the ballots of the following employees, collectively referred to as Group 2:

Clark, J. O.	Cullins, E. L.
Harshberger, C.	Sparrow, L. G.
Woolridge, R. C.	Chalk, E.
Giles, D. M.	Kilby, J. H.
Wilkie, H. L.	Williams, M. C.
Baker, M. M.	Crosby, M. J.
Eason, William	Hill, M. (Mrs.)
Mills, William H.	Smith, R. R.
Smith, T. E.	Taylor, S. W.
Temple, M. B.	

For reasons stated in the Regional Director's Report, we conclude and find that Group 1 was not eligible to vote in the election, and the ballots of these employees are hereby declared invalid. We further find that Group 2 was eligible to vote in the election and the ballots of these employees are declared valid. Since the results of the election may depend upon the counting of the challenged ballots declared valid, we shall direct that they be opened and counted. If after counting the challenged ballots declared valid the results are not conclusive, the Regional Director shall proceed pursuant to Article III, Sections 10 and 11, of the Board's Rules and Regulations.

DIRECTION

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 10, of National Labor Relations Board Rules and Regulations—Series 3, as amended, it is hereby

DIRECTED that, as part of the investigation authorized by the Board to ascertain representatives for the purposes of collective bargaining with Norfolk Shipbuilding & Drydock Corporation, Norfolk, Virginia, the Regional Director for the Fifth Region shall, pursuant to the Rules and Regulations of the Board set forth above, and subject to Article III, Section 10, of said Rules and Regulations, within ten (10) days from the date of this Direction, open and count the ballots of:

Clark, J. O.	Baker, M. M.
Cullins, E. L.	Crosby, M. J.
Harshberger, C.	Eason, William
Sparrow, L. G.	Hill, M. (Mrs.)
Woolridge, R. C.	Mills, William H.
Chalk, E.	Smith, R. R.
Giles, D. M.	Smith, T. E.
Kilby, J. H.	Taylor, S. W.
Wilkie, H. L.	Temple, M. B.
Williams, M. C.	

and thereafter prepare and cause to be served upon the parties in this proceeding a Supplemental Election Report, embodying therein his findings and his recommendations as to the result of the balloting.