

IN the Matter of BETHLEHEM STEEL COMPANY, SHIPBUILDING DIVISION, EMPLOYER *and* CHANDLER C. JACKSON, AN INDIVIDUAL, PETITIONER *and* INTERNATIONAL FEDERATION OF TECHNICAL ENGINEERS', ARCHITECTS' AND DRAFTSMEN'S UNION, LOCAL 116, AFL, UNION

Case No. 16-RD-32

SUPPLEMENTAL DECISION

AND

ORDER

November 23, 1948

On October 8, 1948, the Board issued its Decision and Direction of Election¹ in this proceeding, directing that a decertification election be conducted among the employees in the unit found appropriate. The union had been certified by the Board on December 29, 1945, as the exclusive bargaining representative of these employees.² On October 11, 1948, the Regional Director advised the Board that the Union had formally indicated the surrender of its charter and the complete dissolution of its organization. The Regional Director recommended, therefore, that the Board rescind its Direction of Election and dismiss the decertification petition herein.

On October 20, 1948, the Board issued an Order to Show Cause why the petition herein should not be dismissed. Thereafter, the Petitioner filed a response, expressing no objection to the proposed dismissal of its petition but merely seeking assurance that the Union's certification would no longer be considered effective. No response was received from the Union.

Under these circumstances, whether or not a *de facto* dissolution of the Union has been accomplished, we must regard the Union's notification to the Regional Director, described above, as a disclaimer of its status as exclusive bargaining representative of the employees in the unit and an abandonment of any surviving rights it may have

¹ 79 N. L. R. B. 1271.

² The plant had been under the operation of the Employer's predecessor at that time. *Matter of Pennsylvania Shipyards, Inc.*, 64 N. L. R. B. 1135.

80 N. L. R. B., No. 123.

possessed under its certification.³ As the labor organization sought to be decertified herein no longer claims to represent these employees of the Employer, there does not exist a question concerning representation requisite for us to proceed with the decertification election.

Accordingly, we find that no question affecting commerce exists concerning the representation of employees of the Employer, within the meaning of Section 9 (c) (1) and Section 2 (6) and (7) of the Act, as amended. We shall, therefore, set aside the Direction of Election and dismiss the petition.

ORDER

Upon the basis of the foregoing facts, the National Labor Relations Board hereby orders that the Direction of Election issued in this case on October 8, 1948, be, and it hereby is, set aside, and that the petition for decertification filed herein be, and it hereby is, dismissed.

MEMBERS HOUSTON and GRAY took no part in the consideration of the above Supplemental Decision and Order.

³ *Matter of Federal Shipbuilding and Drydock Company*, 77 N. L. R. B. 463.