

In the Matter of THE GULF OIL CORPORATION *and* OIL WORKERS INTERNATIONAL UNION, LOCAL UNION No. 23, C. I. O.

Case No. 16-R-789

SUPPLEMENTAL DECISION
AND
CERTIFICATION OF REPRESENTATIVES

April 4, 1944

On March 10, 1944, pursuant to the Decision and Direction of Election issued by the Board herein on February 23, 1944,¹ an election by secret ballot was conducted under the direction and supervision of the Regional Director for the Sixteenth Region (Fort Worth, Texas). Upon the conclusion of the election, a Tally of Ballots was furnished the parties in accordance with the Rules and Regulations of the Board.

The Tally indicates that of approximately 231 eligible voters in the unit 187 cast valid votes, 84 of which were cast for Oil Workers International Union, Local No. 23, C. I. O., 101 were cast for Brotherhood of Boilermakers, Iron Shipbuilders, Welders, and Helpers of America, Local 305, 2 were cast for neither, and 18 voted under challenge.²

On March 13, 1944, the Boilermakers filed Objections to the Election against the participation in said election of the employees whose ballots were challenged. Since the challenged ballots could affect the results of the election, the Regional Director investigated their validity and incorporated his findings and recommendations in a Report on Objections and Challenged Ballots, which was duly served upon the parties on March 17, 1944. The Regional Director reported that the employees whose ballots had been challenged were either employees permanently transferred out of the unit found appropriate in the Decision and Direction of Election or employees temporarily transferred into said unit, and accordingly recommended that the challenges to all 18 ballots be sustained. No Exceptions were filed to the Regional Director's Report on Objections and Challenged Ballots by any of the parties within the time provided therefor.

¹ 54 N. L. R. B. 1574.

² The Tally also revealed that three ballots were void.

55 N. L. R. B., No. 184.

Upon the Tally of Ballots, the Boilermakers' Objections thereof, the Regional Director's Report on Objections and Challenged Ballots, and the entire record in the case, we find in conformance with the Regional Director's recommendations that Willie A. Cook, Cleve Prince, Walter W. Groda, C. A. Sanford, Stanley Armentor, Lester Arceneaux, B. W. Broussard, J. S. McFarland, W. B. Welch, J. M. Hays, W. A. Whitman, H. J. Roddy, T. Babineaux, V. Whelply, L. M. Woodward, M. W. Hoffpauir, Edmond Brevell, and H. Comeaux were not eligible to vote in the election; we shall, therefore, sustain the Objections of the Boilermakers and consider their ballots invalid. Since this disposition of the challenged ballots does not affect the results of the election, we shall certify the Boilermakers.

CERTIFICATION OF REPRESENTATIVES

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, Sections 9 and 10, of National Labor Relations Board Rules and Regulations—Series 3,

IT IS HEREBY CERTIFIED that International Brotherhood of Boilermakers, Iron Shipbuilders, Welders, and Helpers of America, Port Arthur Local No. 305, affiliated with the American Federation of Labor, has been designated and selected by a majority of all employees of the Gulf Oil Corporation, engaged in its Port Arthur, Texas, refinery as boilermakers, welders, layer-outs, riveters, blacksmiths, inspectors, burners, riggers, tankmen, punch and shearmen, buckers, heaters, caulkers, and their apprentices and helpers, excluding all supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, as their representative for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the Act, the said organization is the exclusive representative of all such employees for the purposes of collective bargaining, with respect to rates of pay, wages, hours of employment, or other conditions of employment.

CHAIRMAN MILLIS took no part in the consideration of the above Supplemental Decision and Certification of Representatives.