

In the Matter of AMERICAN SUGAR REFINING COMPANY *and* COMMITTEE FOR INDUSTRIAL ORGANIZATION

In the Matter of AMERICAN SUGAR REFINING COMPANY *and* UNITED SUGAR WORKERS UNION, LOCAL 21023

*Cases Nos. R-363 and R-364*

## CERTIFICATION OF REPRESENTATIVES

*February 14, 1938*

On August 14, 1937, the Committee for Industrial Organization, herein called the C. I. O., and United Sugar Workers Union, Local 21023, herein called the Federal Union, each filed with the Regional Director for the Fifth Region (Baltimore, Maryland) a petition alleging that a question affecting commerce had arisen concerning the representation of employees of American Sugar Refining Company, herein called the Company, at its refinery located in Baltimore, Maryland, and requesting an investigation and certification of representatives pursuant to Section 9 (c) of the National Labor Relations Act, 49 Stat. 449, herein called the Act. On September 25, 1937, the National Labor Relations Board, herein called the Board, acting pursuant to Article III, Section 10 (c) (2), of National Labor Relations Board Rules and Regulations—Series 1, as amended, directed that the cases be consolidated for the purposes of a hearing, and acting pursuant to Article III, Section 3, of said Rules and Regulations, ordered an investigation and authorized the Regional Director to conduct it and to provide for an appropriate hearing upon due notice.

On October 7, 1937, the Regional Director issued a notice of hearing, copies of which were duly served upon the Company, upon the C. I. O. and upon the Federal Union. On October 20, 1937, the Regional Director also issued to the International Longshoremen's Association and to the Truck Drivers' and Helpers' Union notices advising each such organizations of its right to intervene in this case.

Pursuant to the notices, a hearing was held on October 25, 1937, at Baltimore, Maryland, before Leo J. Kriz, the Trial Examiner duly designated by the Board. On January 13, 1938, the Board issued a Decision and a Direction of Election.<sup>1</sup> The Direction of Election

<sup>1</sup> 4 N. L. R. B. 897.

provided that an election by secret ballot be held within 15 days from the date of the Direction among production employees of American Sugar Refining Company at its plant in Baltimore, Maryland, who were on its pay roll of October 16, 1937, including weighers, checkers, samplers, and chauffeurs, but excluding longshoremen, guards, laboratory workers, supervisory and clerical employees, and those who since had voluntarily quit or been discharged for cause, to determine whether they desired to be represented by the Committee for Industrial Organization or by the United Sugar Workers Union, Local 21023, affiliated with the American Federation of Labor, for the purposes of collective bargaining, or by neither.

The Regional Director, acting pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended, issued and duly served upon the parties to the proceeding his Intermediate Report on the ballot. No exceptions to the Intermediate Report have been filed by any of the parties.

As to the balloting and its results the Regional Director reported as follows:

Total number of eligibles.....	675
Total number of ballots cast.....	613
Total number of blank ballots.....	0
Total number of void ballots.....	1
Total number of challenged ballots.....	0
Total number of votes for the Committee for Industrial Organization.....	486
Total number of votes for United Sugar Workers Union, Local 21023, affiliated with the American Federation of Labor.....	67
Total number of ballots cast for neither labor organization.....	59

By virtue of and pursuant to the power vested in the National Labor Relations Act and pursuant to Article III, Sections 8 and 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended,

IT IS HEREBY CERTIFIED that the Committee for Industrial Organization has been designated and selected by a majority of the production employees of the American Sugar Refining Company at its plant in Baltimore, Maryland, including weighers, checkers, samplers, and chauffeurs, but excluding longshoremen, guards, laboratory workers, supervisory and clerical employees, as their representative for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the National Labor Relations Act, the Committee for Industrial Organization is the exclusive representative of all such employees for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, and other conditions of employment.