

In the Matter of INTERNATIONAL FREIGHTING CORP., *et al.* (MYSTIC STEAMSHIP COMPANY) and INTERNATIONAL SEAMEN'S UNION OF AMERICA

Case No. R-159

CERTIFICATION OF REPRESENTATIVES

April 15, 1938

On September 17, 1937, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Elections in the above-entitled case.¹ On November 10, 1937, the Board issued an Amendment to Decision and Direction of Elections.² The Direction of Elections, as amended, directed that elections by secret ballot be conducted among the unlicensed seamen, except wireless and radio operators, chief electricians on electrically driven ships, and junior engineers who hold licenses, employed on all type of craft operated in or out of Atlantic and Gulf ports, except craft operated in harbors only, by several named companies, including Mystic Steamship Company, New York City.

Pursuant to the Decision and Direction of Elections, as amended, an election by secret ballot has been conducted under the direction and supervision of Elinore Morehouse Herrick, the Regional Director for the Second Region (New York City), among the eligible employees of Mystic Steamship Company.

On February 17, 1938, American Federation of Labor Seamen's Union, successor to International Seamen's Union of America, filed a protest with the said Regional Director concerning the conduct of the election on the *S. S. A. L. Kent*, one of the 15 vessels operated by the Company. On March 11, 1938, the Regional Director ruled that the protest was without merit except as to two ballots cast on the vessel. As to one ballot, which had been challenged, the Regional Director held that the ballot should not be counted. As the other ballot had not been challenged and could not be segregated, the Regional Director stated that in the event the results of the election depended on one vote, the *S. S. A. L. Kent* should be revoked.

On March 18, 1938, the Acting 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

¹ 3 N. L. R. B. 692.

² 4 N. L. R. B. 111.

upon the parties an Intermediate Report on the election. The Acting Regional Director stated in the Intermediate Report that the protest had been filed, set forth the rulings of the Regional Director, and concluded that in view of the results of the election, it was not necessary under the ruling of the Regional Director to revoke the *S. S. A. L. Kent*. No appeal has been made to the Board from the rulings of the Regional Director and no objections or exceptions have been filed to the Intermediate Report. The Board will not, therefore, review the protest or the rulings of the Regional Director.

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

Total number eligible to vote.....	360
Total number of ballots cast.....	331
Total number of votes in favor of International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor.....	7
Total number of votes in favor of National Maritime Union of America, affiliated with the Committee for Industrial Organization.....	316
Total number of votes in favor of neither organization.....	5
Total number of blank ballots.....	0
Total number of void ballots.....	1
Total number of challenged ballots.....	2

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, 49 Stat. 449, 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 National Maritime Union of America, affiliated with the Committee for Industrial Organization, has been designated and selected by a majority of the unlicensed seamen, except wireless and radio operators, chief electricians on electrically driven ships, and junior engineers who hold licenses, employed on all type of craft operated in or out of Atlantic and Gulf ports, except craft operated in harbors only, by Mystic Steamship Company, New York City, as their representative for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the Act, National Maritime Union of America, affiliated with 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.