

In the Matter of AMERICAN FRANCE LINE *et al.* (THE TEXAS COMPANY) and INTERNATIONAL SEAMEN'S UNION OF AMERICA

Case No. R-157

CERTIFICATION OF REPRESENTATIVES

April 18, 1938

On July 16, 1937, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Elections in the above-entitled case.¹ The Direction of Elections directed that elections by secret ballot be conducted among the unlicensed personnel employed in the deck, engine, and stewards' departments, except wireless and radio operators, chief electricians on electrically driven ships, and junior engineers who hold licenses, on the vessels operated out of Atlantic and Gulf ports by 52 named companies. By a Supplemental Decision and Direction of Elections, issued September 17, 1937,² similar elections were directed to be held in nine additional companies, including The Texas Company, New York City. Supplemental or amended decisions have also been issued in this case on August 16, September 11, and November 10, 1937,³ dealing with various matters which need not be set forth in detail here.

Pursuant to these decisions and Directions of Elections, 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), on the vessels operated out of Atlantic and Gulf ports by The Texas Company.

On February 17, 1938, a protest concerning the conduct of the election on the S. S. *Rhode Island*, one of the 26 vessels operated by the Company, was filed with the said Regional Director by American Federation of Labor Seamen's Union, successor to International Seamen's Union. On March 11, 1938, prior to the counting of the ballots, the Regional Director ruled that the protest, having been found upon investigation to be without merit, was disallowed. Since no appeal from the ruling of the Regional Director has been made to the Board, the Board will not review the ruling of the Regional Director.

¹ 3 N. L. R. B. 64.

² 3 N. L. R. B. 80

³ 3 N. L. R. B. 74; 3 N. L. R. B. 76; and 4 N. L. R. B. 112, respectively

On March 18, 1938, the Acting Regional Director for the Second Region, 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 an Intermediate Report on the election. No objections or exceptions to the Intermediate Report have been filed by any of the parties.

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

Total number eligible to vote.....	669
Total number of ballots cast.....	641
Total number of votes in favor of International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor.....	54
Total number of votes in favor of National Maritime Union of America, affiliated with the Committee for Industrial Organization.....	431
Total number of votes in favor of neither organization.....	149
Total number of blank ballots.....	2
Total number of void ballots.....	4
Total number of challenged ballots.....	1

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 selected by a majority of the unlicensed personnel employed in the deck, engine, and stewards' departments, except wireless and radio operators, chief electricians on electrically driven ships, and junior engineers who hold licenses, on the vessels operated out of Atlantic and Gulf ports by The Texas 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.