

In the Matter of CLYDE-MALLORY LINES *and* COMMERCIAL TELEGRAPHERS UNION, MARINE DIVISION—A. F. OF L.

Case No. R-550

CERTIFICATION OF REPRESENTATIVES

May 5, 1938

On February 19, 1938, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Election¹ in the above-entitled case. On February 25, 1938, the Board issued an Amendment to the Direction of Election.² The Direction of Election, as amended, directed that an election by secret ballot be conducted among the radio telegraphers employed by the Clyde-Mallory Lines during the pay-roll period next preceding January 11, 1938, excluding those who had since quit or been discharged for cause, but including Mitchell Gittleston and John Gillespie, who had been discharged prior to January 11, 1938. The Decision and Direction of Election, as amended, provided for the segregation of the ballots of Gittleston, Gillespie, and the two men who replaced them, such ballots to be considered only if material to the ultimate result of the election. The tabulation set forth below shows that such ballots are not determinative in the election.

Pursuant to the Decision and Direction of Election, as amended, an election by secret ballot has been conducted under the direction and supervision of the Regional Director for the Second Region (New York City), among the eligible employees of the Clyde-Mallory Lines. Full opportunity was accorded all parties to this investigation to participate in the conduct of the secret ballot and to make challenges. On April 12, 1938, the said Regional Director, acting pursuant to Article III, Section 9, of the Board's 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.

¹ 5 N. L. R. B. 503.

² 5 N. L. R. B. 507.

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

Total number eligible to vote.....	28
Total number of ballots cast.....	28
Total number of ballots counted.....	24
Total number of votes in favor of American Radio Telegraphists' Association, affiliated with the C. I. O.....	7
Total number of votes in favor of Commercial Telegraphers Union, Marine Division, affiliated with the A. F. of L.....	17
Total number in favor of neither union.....	0
Total number of blank votes.....	0
Total number of void ballots.....	0
Total number of challenged votes.....	4

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 the Commercial Telegraphers Union, Marine Division, affiliated with the A. F. of L., has been designated and selected by a majority of the radio telegraphers employed by the Clyde-Mallory Lines, as their representative for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the Act, Commercial Telegraphers Union, Marine Division, affiliated with the A. F. of L., is the exclusive representative of all such employees for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, and other conditions of employment.