

In the Matter of AMERICAN FRANCE LINE, *et al.* and INTERNATIONAL
SEAMEN'S UNION OF AMERICA

Case No. R-157

SUPPLEMENTAL DECISION

AND

AMENDMENTS TO CERTIFICATIONS OF
REPRESENTATIVES

May 25, 1938

Pursuant to petitions filed and hearings held, the National Labor Relations Board, herein called the Board, on July 16 and September 17, 1937, respectively, issued a Decision and Direction of Elections¹ and a Supplemental Decision and Direction of Elections² in the above-named case, directing that elections by secret ballot be held among the unlicensed personnel, with certain exceptions, employed by 60 named steamship companies.

The labor organization which had filed the petitions in this case, and which was one of the organizations whose name was directed to be placed on the ballots, was International Seamen's Union of America, herein called I. S. U., affiliated with the American Federation of Labor. On September 8, 1937, I. S. U. petitioned the Board for a further hearing and for a stay of the elections pending such further hearing. The petition alleged that a reorganization of I. S. U. was then under way, that such reorganization involved a possible change in the name of I. S. U., and that the elections should be postponed until such reorganization was perfected. After oral argument, the Board, on September 11, 1937, issued a Decision on the motion.³ In the Decision, the Board granted I. S. U. a period of 1 week in which to notify the Board of the name to be substituted for I. S. U. on the ballots, and further stated that if such notification was not received by the Board within the designated period, the phrase "International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor" should be used on the ballots in place of the

¹ 3 N L R B. 64.

² 3 N L R B. 80.

³ 3 N L R B. 76

name "International Seamen's Union of America." No notification having been received from I. S. U. within the specified period, the phrase "International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor" has been used on the ballots in the elections which have been held. In addition, in those companies in which I. S. U. has been selected as collective bargaining representative by a majority of the employees as a result of the elections which have been held, the Board has certified "International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor" as the exclusive collective bargaining representative of the employees of such company.

A question having subsequently arisen as to the identity of the successor union to I. S. U., the Board on its own motion directed that a supplemental hearing be held before the Board on May 9, 1938, for the purpose of determining the successor union to I. S. U. Notice of the hearing was served upon the American Federation of Labor and other parties to the proceedings which had an interest in the determination of this question. Evidence introduced by counsel and representatives of the American Federation of Labor at the hearing of May 9, 1938, shows that the reorganization of I. S. U. pending on September 11, 1937, has now been completed and that the American Federation of Labor has granted exclusive jurisdiction to American Federation of Labor Seamen's Union No. 21420, to replace jurisdiction formerly vested in and now surrendered by the Atlantic and Gulf Districts of International Seamen's Union of America.

In view of the testimony introduced by the American Federation of Labor, the Board now directs that the name "American Federation of Labor Seamen's Union No. 21420" be substituted in lieu of "International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor" on the ballots to be used in elections among the employees of any of the companies herein involved in which the election has not yet been begun or in any company in which it may be necessary for any reason to hold another election. However, in the elections in which one or more vessels of a company have already been posted with a notice of election, a sample ballot, a list of employees eligible to vote, and a notice of the time and place where balloting will be conducted, and in those elections in which one or more of the vessels of a company have already been balloted, the ballots will continue to use the phrase "International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor" throughout the present election among the employees of that company.

The Board also hereby amends the Certifications of Representatives previously issued in A. H. Bull Steamship Company, Colonial Navigation Company, Eastern Steamship Lines, Inc., Merchants & Miners

Transportation Company, Mississippi Shipping Company, Ocean Steamship Company of Savannah, and Seas Shipping Company, Inc., by directing that the phrase "American Federation of Labor Seamen's Union No. 21420" be now substituted for "International Seamen's Union of America, or its successor, affiliated with the American Federation of Labor" wherever the latter phrase occurs in the certifications previously issued concerning the representatives selected in A. H. Bull Steamship Company, Colonial Navigation Company, Eastern Steamship Lines, Inc., Merchants & Miners Transportation Company, Mississippi Shipping Company, Ocean Steamship Company of Savannah, and Seas Shipping Company, Inc.