

In the Matter of RICHFIELD OIL CO. OF CALIFORNIA *and* SAILORS UNION
OF THE PACIFIC

In the Matter of RICHFIELD OIL CORPORATION *and* PACIFIC COAST
MARINE FIREMEN, OILERS, WATERTENDERS, & WIPERS ASSOCIATION

In the Matter of RICHFIELD OIL CO. OF CALIFORNIA *and* MARINE COOKS
& STEWARDS ASSOCIATION OF THE PACIFIC COAST

In the Matter of RICHFIELD OIL CO. OF CALIFORNIA *and* PACIFIC COAST
MARINE FIREMEN, OILERS, WATERTENDERS, & WIPERS ASSOCIATION

Cases Nos. R-481, R-502, R-508, and R-514, respectively

CERTIFICATION OF REPRESENTATIVES

July 20, 1938

On March 9, 1938, and March 15, 1938, the National Labor Relations Board, herein called the Board, issued Decisions and Directions of Elections¹ in the above-entitled cases and fourteen related cases. In so far as they dealt with the above-entitled cases, the Directions of Elections provided that separate elections by secret ballot be held as soon as convenient, and beginning as promptly as practicable after the dates of the Directions, among the unlicensed deck personnel, the unlicensed personnel of the engine departments, and the unlicensed personnel of the stewards' departments on all tankers operated out of Pacific Coast ports by Richfield Oil Corporation,² herein called the Company, to determine whether or not they desired to be represented by the Sailors Union of the Pacific, the Pacific Coast Marine Firemen, Oilers, Watertenders, and Wipers Association, or the Marine Cooks and Stewards Association of the Pacific Coast, respectively, for the purposes of collective bargaining.

Pursuant to the Directions, three separate elections by secret ballot were conducted upon each of the Company's Pacific Coast tankers. On May 12, 1938, Alice M. Rosseter, Regional Director for the Twentieth Region (San Francisco, California), acting pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended, issued three Intermediate Reports

¹ 5 N. L. R. B. 893, includes R-481; 5 N. L. R. B. 982, includes R-502, R-508, and R-514

² Designated in the titles of cases R-481, R-508, and R-514, as Richfield Oil Co of California.

Upon Secret Ballots, copies of which were duly served upon all parties to the proceedings. As to the balloting and the results thereof, the Regional Director reported as follows:

Unlicensed Deck Personnel

Number of votes for Sailors Union of the Pacific.....	22
Number of votes against Sailors Union of the Pacific.....	14
Total ballots counted.....	36
Number of challenged votes.....	2
Number of blank or void ballots.....	0
Number eligible to vote.....	39

Unlicensed Personnel of the Engine Departments

Number of votes for Pacific Coast Marine Firemen, Oilers, Watertenders, & Wipers Association.....	33
Number of votes against Pacific Coast Marine Firemen, Oilers, Watertenders, & Wipers Association.....	3
Total ballots counted.....	36
Number of challenged, blank, or void ballots.....	0
Number eligible to vote.....	38

Unlicensed Personnel of the Stewards' Departments

Number of votes for Marine Cooks & Stewards Association of the Pacific Coast.....	16
Number of votes against Marine Cooks & Stewards Association of the Pacific Coast.....	7
Total ballots counted.....	23
Number of challenged, blank, or void ballots.....	0
Number eligible to vote.....	24

On June 3, 1938, the Company filed Objections to the Ballots and Intermediate Reports with the Regional Director, alleging in substance that it had been arbitrarily and unreasonably denied the right to have observers present during the conduct of the several ballots and that no report of the Trial Examiner, copy of the Board's findings, conclusions, or proposals, or claims or proposals of the petitioners or of counsel to the Board had been served upon or made known to it prior to the issuance of the Board's Decisions and Directions of Elections. Numerous specific objections to the Ballots and the Intermediate Reports were predicated upon the above allegations. The Regional Director has reported to the Board that these allegations raise no substantial or material issues. The Board finds that the refusal of the Regional Director to permit the Company to have observers at the elections constituted no abuse of discretion and that the other allegations raise no substantial or material issues. The objections are, therefore, dismissed.

The Company made further allegations upon information and belief to the effect that the ballots as conducted upon the *S. S. Topila*

and *S. S. Agwiworld* were not secret in that voters were required to mark ballots in small rooms aboard ship within the presence and view of the union observers. Additional objections to the Ballots and the Intermediate Reports were predicated upon such allegations. The representative of the Board who conducted the balloting on the two ships above mentioned has reported fully concerning such balloting and has answered specifically the allegations with respect to the lack of secrecy in the voting. The Board is of the opinion that such allegations are without merit. The objections based thereon are, therefore, dismissed.

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 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 Sailors Union of the Pacific, the Pacific Coast Marine Firemen, Oilers, Watertenders, & Wipers Association, and the Marine Cooks & Stewards Association of the Pacific Coast have been designated and selected, respectively, by the majority of the unlicensed deck personnel, the unlicensed personnel of the engine departments, and the unlicensed personnel of the stewards' departments on tankers operated out of Pacific Coast ports by Richfield Oil Corporation, as their representatives for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the National Labor Relations Act, Sailors Union of the Pacific is the exclusive representative of such unlicensed deck personnel; Pacific Coast Marine Firemen, Oilers, Watertenders, & Wipers Association is the exclusive representative of such unlicensed personnel of the engine departments; and Marine Cooks & Stewards Association of the Pacific Coast is the exclusive representative of such unlicensed personnel of the stewards' departments, for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, and other conditions of employment.