

In the Matter of AMERICAN FRANCE LINE *et al.* (THE ATLANTIC & CARIBBEAN STEAM NAVIGATION COMPANY) and INTERNATIONAL SEAMEN'S UNION OF AMERICA

*Case No. R-157*

SUPPLEMENTAL DECISION

AND

ORDER

*August 5, 1938*

On July 16, 1937, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Elections<sup>1</sup> in the above-entitled case. 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, including Grace Line, Inc. and The Atlantic & Caribbean Steam Navigation Company, both of New York City. By a Supplemental Decision and Direction of Elections<sup>2</sup> issued September 17, 1937, similar elections were directed to be held in nine additional companies. Supplemental or amended decisions have also been issued in this case on August 16,<sup>3</sup> September 11,<sup>4</sup> and November 10, 1937,<sup>5</sup> and May 25, 1938,<sup>6</sup> dealing with various matters which need not be set forth in detail here.

On December 22, 1937, Elinore Morehouse Herrick, Regional Director for the Second Region (New York City), 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 an election conducted among the employees of Grace Line, Inc. The Regional Director in her Intermediate Report stated that the vessels formerly owned and operated by The Atlantic & Caribbean Steam Navigation Company were being transferred to the Grace Line, Inc., and that because of this

<sup>1</sup> 3 N. L. R. B. 64.

<sup>2</sup> 3 N. L. R. B. 64, 80.

<sup>3</sup> 3 N. L. R. B. 64, 74.

<sup>4</sup> 3 N. L. R. B. 64, 76.

<sup>5</sup> 4 N. L. R. B. 112.

<sup>6</sup> 7 N. L. R. B. 439.

fact the ballots cast on the vessels owned by The Atlantic & Caribbean Steam Navigation Company, with the exception of one vessel,<sup>7</sup> were added to the ballots cast on the other vessels of the Grace Line, Inc. It further appears from the Intermediate Report that the findings made by the Regional Director were based on a tabulation of all ballots cast, including ballots from the four vessels theretofore operated by The Atlantic & Caribbean Steam Navigation Company. Based upon the balloting and its results, the Board on January 10, 1938, certified<sup>8</sup> National Maritime Union of America, affiliated with the Committee for Industrial Organization, as the exclusive representative for the purposes of collective bargaining in respect to rates of pay, hours of employment, and other conditions of employment 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 vessels operated out of the Atlantic and Gulf ports by the Grace Line, Inc., New York City.

For the reasons set forth above, the petition for investigation and certification of employees of The Atlantic & Caribbean Steam Navigation Company will be dismissed.

### ORDER

By virtue of Section 9 (c) of the National Labor Relations Act, 49 Stat. 449, and pursuant to Article III, Section 8, of National Labor Relations Board Rules and Regulations—Series 1, as amended, it is ordered that the petition for investigation and certification of representatives of employees of The Atlantic & Caribbean Steam Navigation Company, filed by the International Seamen's Union of America, be, and it hereby is, dismissed.

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<sup>7</sup> One of the five vessels transferred by The Atlantic & Caribbean Steam Navigation Company to the Grace Line, Inc., was resold to Northland Transportation Company of Seattle, Washington, and therefore the ballots were not included with those of the other vessels of the Grace Line, Inc.

<sup>8</sup> 4 N. L. R. B. 816.