

In the Matter of TIDEWATER ASSOCIATED OIL *and* MARINE COOKS &
STEWARDS ASSOCIATION OF THE PACIFIC COAST

Case No. R-505

Water Transportation Industry—Election Ordered: run-off.

SUPPLEMENTAL DECISION
AND
SECOND DIRECTION OF ELECTION

August 6, 1938

On March 15, 1938, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Election,¹ in the above-entitled case and 14 related cases. In so far as it applied to the above-entitled case, the Direction of Election provided that an election by secret ballot be held as soon as convenient, and beginning as promptly as practicable after the date of the Direction, among the unlicensed personnel of the stewards' departments on tankers operated out of Pacific Coast ports by Tidewater Associated Oil Company,² herein called the Company, to determine whether they desired to be represented by the Marine Cooks' & Stewards' Association of the Pacific Coast or by the Associated Seamen's Association, for the purposes of collective bargaining, or by neither.

Pursuant to the Direction, an election by secret ballot was conducted upon each of the Company's Pacific Coast tankers. On June 13, 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 an Intermediate Report Upon Secret Ballot, copies of which were duly served upon all parties to the proceedings. No exceptions to the Intermediate Report have been filed by any of the parties.

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

UNLICENSED PERSONNEL OF THE STEWARDS' DEPARTMENTS

Number of votes for Marine Cooks' & Stewards' Association of the Pacific Coast.....	14
Number of votes for Associated Seamen's Association.....	13
Number of votes for neither of the above organizations.....	2

¹ 5 N. L. R. B. 982.

² Designated in the title of the case as Tidewater Associated Oil.

8 N. L. R. B., No. 100.

Total number of ballots counted.....	29
Number of blank, void, or challenged ballots.....	0
Number eligible to vote.....	31

The results of the election show that an overwhelming majority of the unlicensed personnel of the stewards' departments have indicated a desire to bargain collectively with the Company, but that neither of the rival unions has been given a majority of the ballots cast. Under similar circumstances, we have, upon request of the union receiving the greater number of votes, directed a run-off election to determine whether or not the employees desire to be represented by such union, for the purpose of collective bargaining.³ The Regional Director has informed the Board that the Marine Cooks' & Stewards' Association of the Pacific Coast, having received the greater number of votes, has requested a run-off election in the instant case. The Board finds that, in order to fully resolve the question concerning representation, such a run-off election should be held and will so direct.

DIRECTION OF ELECTION

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, Section 8, of National Labor Relations Board Rules and Regulations—Series 1, as amended, it is hereby

DIRECTED that, as part of the investigation authorized by the Board to ascertain representatives for collective bargaining with Tidewater Associated Oil Company, an election by secret ballot shall be conducted as soon as convenient, and beginning as promptly as practicable after the date of this Direction, in conformity with the rules for the conduct of elections set forth in the Decision and Direction of Election ⁴ hereinabove referred to, under the direction and supervision of the Regional Director for the Twentieth Region, acting in this matter as agent for the National Labor Relations Board, subject to Article III, Section 9, of said Rules and Regulations, among the unlicensed personnel of the stewards' departments of all tankers operated out of Pacific Coast ports by Tidewater Associated Oil Company, to determine whether or not they desire to be represented by the Marine Cooks' & Stewards' Association of the Pacific Coast, for the purposes of collective bargaining.

³ *Matter of Fedders Manufacturing Co and Lodge No 1753, Amalgamated Association of Iron, Steel, and Tin Workers of North America, through Steel Workers Organizing Committee.* 4 N. L. R. B. 770.

⁴ 5 N. L. R. B. 269.