

In the Matter of GRACE LINE, INC., and PANAMA MAIL STEAMSHIP
COMPANY and NATIONAL MARINE ENGINEERS' BENEFICIAL ASSOCIATION,
LOCAL No. 33

Case No. R-110

CERTIFICATION OF REPRESENTATIVES

January 10, 1938

On November 13, 1936, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Election in the above-entitled case. On February 4, 1937, the Board, after further hearing, issued a Supplemental Decision and Direction of Election. The Direction of Election directed that elections be held among the licensed chief, assistant, and relief engineers and the junior engineers, whether licensed or not, employed on the vessels operated by Grace Line, Inc., New York City, and by Panama Mail Steamship Company, New York City, respectively, to determine whether they wished to be represented by National Marine Engineers' Beneficial Association,¹ herein called M. E. B. A. or by United Licensed Officers of the United States of America, herein called U. L. O., or by International Union of Operating Engineers, herein called I. U. O. E. Pursuant to the Direction, elections were conducted by the Regional Director for the Second Region (New York City) between March 13 and June 9, 1937.

On June 11, 1937, prior to certification by the Board of the results of these elections, International Seamen's Union of America, filed a petition with the Board concerning the representation of the unlicensed personnel employed on the vessels operated by Grace Line, Inc.² At the hearing on this petition additional evidence was secured on the question of whether junior engineers, many of whom hold licenses though not required to do so by law, should be included in the unit with licensed engineers or in the unit comprised of unlicensed personnel.

The Decision and Direction of Elections, rendered pursuant to the petitions filed on June 11, 1937,³ found that junior engineers who do

¹ Incorrectly named in the Direction as "Marine Engineers' Beneficial Association."

² This was one of 76 petitions filed simultaneously concerning unlicensed personnel employed on vessels operated out of Atlantic and Gulf ports. These petitions were consolidated for purposes of hearing, under the title *Matter of American France Line et al. and International Seamen's Union of America*, Case No. R-157.

³ *Matter of American France Line et al. and International Seamen's Union of America*, 3 N. L. R. B. 64.

not hold licenses should be included in a unit with other unlicensed personnel.

In the elections which had been held among the licensed engineers employed by Grace Line, Inc., and Panama Mail Steamship Company, the ballots of junior engineers who did not hold licenses were not segregated and the majority received by one of the unions was so slight that an elimination of these ballots might have materially affected the results of the elections. The Board accordingly, on September 8, 1937, directed that new elections be held among the licensed chief, assistant, and relief engineers and the junior engineers who hold licenses, employed by Grace Line, Inc., and Panama Mail Steamship Company, respectively.

On December 6, 1937, the Regional Director for the Second Region, 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 the election among the licensed engineers employed by Panama Mail Steamship Company and on December 16, 1937, issued and duly served upon the parties an Intermediate Report on the election among the licensed engineers employed by Grace Line, Inc. On December 22, 1937, the Regional Director issued and duly served an Amendment to the Intermediate Report on the election in Grace Line, Inc. No objections or exceptions to the Intermediate Reports, or to the Amendment thereto, have been filed by any of the parties.

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

Grace Line, Inc.

Number eligible to vote.....	44
Number of ballots cast.....	41
Number of ballots counted.....	37
Number of votes for I. U. O. E.....	0
Number of votes for M. E. B. A.....	31
Number of votes for U. L. O.....	6
Number of blank ballots.....	0
Number of void ballots.....	1
Number of challenged ballots.....	3

Panama Mail Steamship Company

Number eligible to vote.....	18
Number of ballots cast.....	16
Number of ballots counted.....	15
Number of votes for I. U. O. E.....	0
Number of votes for M. E. B. A.....	12
Number of votes for U. L. O.....	3
Number of blank ballots.....	1
Number of void ballots.....	0
Number of challenged ballots.....	0

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 National Marine Engineers' Beneficial Association has been designated and selected by a majority of the licensed chief, assistant, and relief engineers and the junior engineers who hold licenses employed on the vessels operated by Grace Line, Inc., New York City, as their representative for the purposes of collective bargaining and that, pursuant to the provisions of Section 9 (a) of the Act, National Marine Engineers' Beneficial Association, is the exclusive representative of all such employees for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, and other conditions of employment; and

IT IS HEREBY CERTIFIED that National Marine Engineers' Beneficial Association has been designated and selected by a majority of the licensed chief, assistant, and relief engineers and the junior engineers who hold licenses employed on the vessels operated by Panama Mail Steamship Company, New York City, as their representative for the purposes of collective bargaining and that, pursuant to the provisions of Section 9 (a) of the Act, National Marine Engineers' Beneficial Association, is the exclusive representative of all such employees for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, and other conditions of employment.

MR. DONALD WAKEFIELD SMITH took no part in the consideration of the above Certification of Representatives.