

IN the Matter of THE TIMES-MIRROR COMPANY, PUBLISHERS OF THE
LOS ANGELES TIMES and INTERNATIONAL PRINTING PRESSMEN &
ASSISTANTS' UNION OF NORTH AMERICA, AFL.

Case No. 21-R-2144.—Decided January 22, 1944

Messrs. T. B. Cosgrove, Leonard Diether, and Phillip Chandler, of Los Angeles, Calif., for the Company.

Messrs. Leo M. Rosecrans and Edward M. Balsz, of Los Angeles, Calif., and Mr. J. H. de la Rosa, of San Mateo, Calif., for the Union.

Miss Marcia Hertzmark, of counsel to the Board.

DECISION

AND

DIRECTION OF ELECTION

STATEMENT OF THE CASE

Upon a petition duly filed by International Printing Pressmen & Assistants' Union of North America, AFL, herein called the Union, alleging that a question affecting commerce had arisen concerning the representation of employees of The Times-Mirror Company, Los Angeles, California, herein called the Company, the National Labor Relations Board provided for an appropriate hearing upon due notice before William B. Esterman, Trial Examiner. Said hearing was held at Los Angeles, California, on December 8, 1943. The Company and the Union appeared, participated, and were afforded full opportunity to be heard, to examine and cross-examine witnesses, and to introduce evidence bearing on the issues. The Trial Examiner's rulings made at the hearing are free from prejudicial error and are hereby affirmed. All parties were afforded opportunity to file briefs with the Board.

Upon the entire record in the case, the Board makes the following:

FINDINGS OF FACT

I. THE BUSINESS OF THE COMPANY

The Times-Mirror Company, a California corporation having its principal place of business in Los Angeles, California, is engaged in the publication, distribution, and sale of the Los Angeles Times, a morn-

ing newspaper published daily, including Sunday, at its plant in Los Angeles, California. During the year 1939 the Los Angeles Times had an average daily circulation of about 220,266 copies and an average Sunday circulation of approximately 367,814 copies. Its present circulation is considerably greater. Approximately 1.7 percent of its daily circulation and approximately 2.5 percent of its Sunday circulation is outside the State of California. All the newsprint, mats, and ink used in printing the Los Angeles Times are purchased outside the State of California.

The Company admits, and we find, that it is engaged in commerce within the meaning of the National Labor Relations Act.

II. THE ORGANIZATIONS INVOLVED

International Printing Pressmen & Assistants' Union of North America, affiliated with the American Federation of Labor, is a labor organization admitting to membership employees of the Company.

III. THE QUESTION CONCERNING REPRESENTATION

On or about September 17, 1943, the Union requested recognition as the exclusive bargaining representative of certain employees of the Company. The Company refuses to grant such recognition until the Union is certified by the Board.

A statement of a Field Examiner for the Board, introduced in evidence at the hearing, indicates that the Union represents a substantial number of employees in the unit hereinafter found appropriate.¹

We find that a question affecting commerce has arisen concerning the representation of employees of the Company within the meaning of Section 9 (c) and Section 2 (6) and (7) of the National Labor Relations Act.

IV. THE APPROPRIATE UNIT

The Company and the Union agree, and we find, that all journeymen pressmen and apprentices, including foremen and assistant foremen,² operators, color men, tension men, oilers, floor or reel men, revise men, plate men, and fly men, employed in the operation of the newspaper presses in the newspaper pressroom of the Company, excluding all

¹ The Field Examiner's report stated that the Union submitted 25 application for membership cards, all bearing apparently genuine, original signatures, and 23 bearing names of persons whose names appear on the Company's pay roll of November 26, 1943, which contains the names of 66 persons within the unit hereinafter found appropriate.

² Since foremen and assistant foremen are traditionally included in printing trades units, and since the parties are in agreement as to their inclusion, we shall include them in the unit here. See *Matter of W. F. Hall Printing Company*, 51 N. L. R. B. 640, and *Matter of A. S. Abell Company*, 54 N. L. R. B. 62.

other employees, constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9 (b) of the Act.

V. DETERMINATION OF REPRESENTATIVES

The Union requests that the Board determine eligibility to vote by selecting the pay-roll period in which the petition was filed. It states as its reason for this request that the Company has added several employees to its pay roll since the petition was filed. The Company desires that the Board follow its usual practice for determining eligibility. We find no reason to depart from our customary practice and shall direct that the question concerning representation which has arisen be resolved by an election by secret ballot among the employees in the appropriate unit who were employed during the pay-roll period immediately preceding the date of the Direction of Election herein, subject to the limitations and additions set forth in the Direction.

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, and pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 3, it is hereby

DIRECTED that, as part of the investigation to ascertain representatives for the purposes of collective bargaining with The Times-Mirror Company, Los Angeles, California, an election by secret ballot shall be conducted as early as possible, but not later than thirty (30) days from the date of this Direction, under the direction and supervision of the Regional Director for the Twenty-first Region, acting in this matter as agent for the National Labor Relations Board, and subject to Article III, Sections 10 and 11, of said Rules and Regulations, among the employees in the unit found appropriate in Section IV, above, who were employed during the pay-roll period immediately preceding the date of this Direction, including employees who did not work during said pay-roll period because they were ill or on vacation or temporarily laid off, and including employees in the armed forces of the United States who present themselves in person at the polls, but excluding those employees who have since quit or been discharged for cause and have not been rehired or reinstated before the election, to determine whether or not they desire to be represented by International Printing Pressmen & Assistants' Union of North America, AFL, for the purposes of collective bargaining.