

APPENDIX B

NOTICE TO ALL EMPLOYEES

Pursuant to the recommendations of a Trial Examiner of the National Labor Relations Board, and in order to effectuate the policies of the Labor Management Relations Act, we hereby notify our employees that:

WE WILL NOT interrogate our employees concerning their voting intentions or concerning their conversations with union representatives or threaten employees with discharge because of the latter; threaten employees with surveillance in the voting booths; threaten employees that if the Union wins the election we will revoke existing benefits and privileges or that we will shut down the plant and lay off the employees; promise wage increases or other benefits if the Union is defeated in the election; and we will not engage in surveillance either of union activities or of employees during the course of the Board's official investigations.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce our employees in the exercise of their rights to self-organization, to form labor organizations, to join or assist Lodge 1243, International Association of Machinists, AFL-CIO, or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid and protection, or to refrain from any or all such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in Section 8 (a) (3) of the Act.

"M" SYSTEM, INC., MOBILE HOME
DIVISION, MID-STATE CORPORATION,
Employer.

Dated _____ By _____
(Representative) (Title)

This notice must remain posted for 60 days from the date hereof, and must not be altered, defaced, or covered by any other material.

Robinson Printers, Inc. and Amalgamated Lithographers of America,¹ AFL-CIO, Local #74 and International Printing Pressmen² & Assistants' Union of North America, AFL-CIO, Petitioners. Cases Nos. 12-RC-84 and 12-RC-98. July 5, 1957

DECISION AND DIRECTION OF ELECTIONS

Upon petitions duly filed under Section 9 (c) of the National Labor Relations Act, a consolidated hearing was held before M. E. Stadler, hearing officer. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

Pursuant to the provisions of Section 3 (b) of the Act, the Board has delegated its powers in connection with this case to a three-member panel [Members Rodgers, Bean, and Jenkins].

Upon the entire record in this case, the Board finds:

1. The Employer is engaged in commerce within the meaning of the Act.

¹ Herein called Amalgamated.

² Herein called Printing Pressmen.

2. The labor organizations involved claim to represent certain employees of the Employer.

3. A question affecting commerce exists concerning the representation of employees of the Employer within the meaning of Section 9 (c) (1) and Section 2 (6) and (7) of the Act.

4. The appropriate units:

The Employer, a Florida corporation, is engaged in commercial printing, including both letterpress and lithography. Its operations are located in Apopka, Orlando, and Tallahassee, Florida. Only the operations at Apopka and Orlando are involved in this proceeding. The Amalgamated seeks to represent the lithographic employees at the Orlando operation. The Printing Pressmen seek to represent a unit of both lithographic employees at Orlando and letterpress employees at Apopka. The Employer did not attend the hearing and therefore took no position with respect to the unit contentions of the petitioning unions.

The Employer's Orlando operation is devoted solely to lithographic (offset) printing. The employees therein perform all phases of the standard lithographic process, using standard offset and lithographic equipment. The employees at Apopka are engaged in a typical letterpress operation, and do not perform any phases of lithographic printing. There is no interchange among the employees at Orlando and Apopka, and each group is separately supervised. There is, however, a certain integration of production processes, in that printed matter from Orlando is trucked to Apopka for perforating, cutting, and binding.

The Board has consistently held that lithographic and letterpress employees in combination do not constitute an appropriate unit, unless there is regular interchange between them. As there is no interchange between the lithographic employees at Orlando and the letterpress employees at Apopka, we find that a combined unit of these employees is inappropriate.³ However, as the employees in the two operations are separately located and separately supervised, perform different functions, and comprise separate homogeneous groups, which are accorded separate representation by the Board, we find that they may constitute separate bargaining units.⁴

Accordingly, we find that the following employees of the Employer constitute appropriate units for the purpose of collective bargaining within the meaning of Section 9 (b) of the Act:

A. All lithographic (offset) employees, employed by the Employer at its plant in Orlando, Florida, excluding all other employees and all supervisors as defined in the Act.

³ *McQuiddy Printing Company*, 116 NLRB 1114.

⁴ *McQuiddy Printing Company*, *supra*; *Harvey Paper Products Company*, 116 NLRB 1624, 1626.

B. All letterpress employees employed by the Employer at its plant in Apopka, Florida, excluding all other employees and all supervisors⁵ as defined in the Act.

5. As the Amalgamated made no showing of interest among the letterpress employees at Apopka, we shall not place the Amalgamated on the ballot for this unit.

[Text of Direction of Elections omitted from publication.]

⁵ The Printing Pressmen contend that one John Hill, classified as a foreman, should be included in the unit. The record reflects that this individual spends approximately 90 percent of his time in assigning work to other employees and laying out jobs. While he has no authority to hire or fire employees, he does have the authority to effectively recommend such action. Under the circumstances, we conclude that John Hill has supervisory authority, and he therefore is excluded from the unit.

J. I. Case Company (Rock Island, Illinois) and International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO

J. I. Case Company (Bettendorf Works) and International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, AFL-CIO, and Its Local 858. Cases Nos. 13-CA-2200 and 13-CA-2297. July 8, 1957

DECISION AND ORDER

On November 26, 1956, Trial Examiner Lloyd Buchanan issued his Intermediate Report in the above-entitled consolidated proceedings, finding that the Respondent had engaged in and was engaging in unfair labor practices within the meaning of Section 8 (a) (5) and (1) of the Act and recommending that it cease and desist therefrom and take certain action, as set forth in the copy of the Intermediate Report attached hereto. Thereafter, the Respondent, the General Counsel, and the Union¹ filed exceptions to the Intermediate Report with supporting briefs.

Pursuant to the provisions of Section 3 (b) of the National Labor Relations Act, the Board has delegated its powers in connection with this case to a three-member panel [Chairman Leedom and Members Murdock and Jenkins].

On January 4, 1957, Respondent moved the Board to dismiss the complaint, contending that certain members of the International Union's board of trustees are "officers" within the purview of Section 9 (h) of the Act but have not filed non-Communist affidavits in compliance with that section. The Board has held that the trustees of

¹ The term "Union" refers to the International Union as the certified representative at the Bettendorf Works, and also to its Local 806 as the certified representative at the Rock Island plant.