

United Pacific Insurance Company, Employer-Petitioner and Local 87, International Brotherhood of Bookbinders, AFL-CIO. Case 19-RM-861

April 30, 1971

DECISION ON REVIEW AND ORDER

BY CHAIRMAN MILLER AND MEMBERS BROWN
AND JENKINS

On October 26, 1970, the Regional Director for Region 19 issued a Decision and Direction of Election in the above-entitled proceeding in which he found appropriate, in accord with the Union's position, a unit confined in scope to the printing section employees of the Employer's general services department at its Tacoma, Washington, headquarters office. Thereafter, in accordance with the National Labor Relations Board Rules and Regulations, the Employer-Petitioner filed a timely Request for Review of the Regional Director's Decision on the grounds that, in reaching his unit determination, he departed from established Board policy and made findings of fact which are clearly erroneous.

On November 20, 1970, the National Labor Relations Board by telegraphic Order granted the request for review and stayed the election pending Decision on Review. Thereafter, the Employer filed a brief on review.

Pursuant to the provisions of Section 3(b) of the National Labor Relations Act, as amended, the Board has delegated its powers in connection with this case to a three-member panel.

Upon the entire record in the case, including the Employer's request for review and its brief on review, the Board makes the following findings:

The Employer contends that the appropriate unit should embrace employees in the printing section plus those in the distribution and mailing sections of its general services department, together with the secretary to the department's manager. There is no history of collective bargaining at the Employer's Tacoma facility and no labor organization is seeking to represent a unit broader than the printing section.

The Employer is engaged in underwriting multiple-line insurance. Its Tacoma headquarters office is housed in a single building, except for the aforementioned three sections of the general services department which are located in the basement of an adjoining building.¹ Of the approximately 475 employees and supervisory personnel at its headquarters office, the Employer alleges to be appropriate herein a unit of the 22 employees who work in the basement: 11 employees

in the printing section; 6 employees in distribution; 4 employees in mailing; and the secretary to the department's manager. Each section has its own supervisor or working foreman who reports to the department manager, whose office is also in the basement.²

The basement is an open area, except for three enclosed rooms: the manager's office; the office in which the addressograph machine is located; and the dark-room. The three sections of the department there located are otherwise separated only by waist-high walls or racks or tables.

The primary function of the printing section is to print and bind a mass of forms, brochures, advertising pieces, and other documents which are then distributed throughout the Employer's operations, including its 21 branch offices. The printing section does no commercial printing. In the printing section, there is a press area with six employees; a bindery area with two employees; a composition area with two employees; and a camera and platemaking area with one employee.

The pressmen use a multilith, an envelope press and duplicators of two sizes, 10- by 15-inch machines (which are called 1250's), and 15- by 18-inch machines (which are called 1850's). The Employer has no apprenticeship program for its pressmen or for any other classification in the printing section.³ The Employer tries whenever possible to promote people into the pressmen's position from other sections of the general services department, usually from supply or mailing, first to the bindery, and then to the presses. It takes approximately 4 to 6 weeks for such an employee to learn to operate the basic machines in the press area. The Employer also hires employees with minimal experience from outside as pressmen.

The pressmen seldom perform any repair work on the machines and they perform no maintenance work on them as the Employer has a maintenance contract with the company which supplied it the machines.⁴ The Employer contracts out the more complicated printing it occasionally needs to job shops, assertedly because its pressmen cannot adequately perform such printing to the desired quality. The Union contends that the reason is, rather, the small size of the Employer's machines.

The two bindery employees make the pads used in assembling 85 percent of the printed material in tablet form; cut paper stock to size for the pressmen; trim paper stock and copy; drill holes in the paper; operate a folder machine; pick up printed material and assemble it in part; and stock the final product for pickup by the supply employees. The only part of their work requiring any training longer than a week is the operation

² The Regional Director found that one other basement employee who does the scheduling is managerial. No request for review was filed as to this determination.

³ The pressmen admittedly are not journeyman craftsmen.

⁴ What little repair work the pressmen may do is very simple.

¹ The fourth section of the department, the supply section, is located in the main office building and is not involved here.

of the folder machine, which takes about 1 month to learn.

The employees in the composition area operate IBM typesetting equipment and they do the pasteup work for the cameraman. A 1- to 2-week period of training is prescribed for operation of the IBM equipment.

The cameraman produces negatives and stats and makes plates for the presses. It takes 1 month to learn the basic camera work and another month or so to learn the more complicated work done by the section.

In the distribution section, there are four distribution clerks, an addressograph operator, and a photocopy machine operator. The four clerks gather material, staple and collate it, and then insert it into envelopes for mailing. They also make up manuals and insert material into binders. Significantly, they also run a stitching machine to stitch reports together and operate a binder to bind booklets. The collating which they perform is done either manually or by machine. One machine is located in the distribution section while the other is in the bindery area. It takes 1 week to train a distribution clerk.

The addressograph operator prepares the plates for the addressograph and addresses envelopes, mailing labels, and galley sheets for the Employer's agents. The photocopy machine operator runs the photocopiers and at times does some stitching and binding.

The four mail clerks receive and sort all mail coming into the headquarters office and send out the outgoing mail. They deliver to the proper offices the incoming mail and intraoffice papers. They also pick up the finished products of the printing section for delivery or mailing to the designated offices. Twenty percent of their workday is spent in delivering material that comes from the Employer's presses. It takes 1 week to train a mailroom employee.

The secretary to the manager does secretarial work 10 percent of the time, works on purchase orders 40 percent of the time, checks bills against purchase orders 20 percent of her time, and does work such as collating or folding for the remaining 30 percent of the time.

In the course of a normal workday, there is much contact between employees of the printing section and other employees in the basement. The bindery employees are constantly bringing material into distribution to be collated and the mail clerks daily pick up finished printed matter from the bindery and deliver it. The distribution clerks are in and out of the bindery area many times a day either to pick up loose pages for collating or to use the collator in the bindery.³ Additionally, distribution clerks also do some binding.

There have been temporary transfers from both the mail and distribution sections into the bindery. In emergencies, such as a large mailing, all the department's employees, including the pressmen, may be assigned to assist in the operation to be performed. Further, the Employer tries to train the employees in various phases of its operations, rather than in only one position, and, moreover, it encourages the relatively unskilled mailing and supply section employees to advance to pressmen positions.

All the employees in the general services department are salaried and all share the same fringe benefits. The employees in the basement have common coffeekes and a common lunch hour. The employees usually eat their lunch in their own general work areas and then mingle with each other during the lunch period. The hours of work for the department are generally 8:30 a.m. to 4:45 p.m., with the exception that five of the six pressmen and the two composition clerks have been granted permission by the Employer to work from 7 a.m. to 3 p.m.

In view of the foregoing facts, we find that the printing section employees do not constitute an appropriate lithographic process unit of the type the Board has approved in the past. The case of *Bank of America, National Trust and Savings Association*, 174 NLRB No. 51, relied on by the Regional Director, is inapposite. In that case, a unit of the employer's design and format control and reproduction department employees was found to be an appropriate unit. The Board was satisfied that the considerable skills required of employees in the department to perform the necessary work was sufficient to constitute them as a lithographic process unit. Here as above indicated, inexperienced pressmen require but 4 to 6 weeks to achieve competence in the operation of the Employer's basic printing machines. Also, the quality of the work produced by the employees is not as high as was required in *Bank of America*. Further, the Union here seeks only a part of the larger department, and the facts show that the employees in the basement are in frequent contact with one another and that distribution employees have on occasion performed some of the work of the bindery employees in the printing section.

Accordingly, we find, contrary to the Regional Director, that a unit limited to printing section employees is not appropriate. As the Union does not claim to represent a broader unit, we shall dismiss the petition.

ORDER

It is hereby ordered that the petition herein be, and it hereby is, dismissed.

³ This same collator can be attached to a press and run automatically.

When this is done, the collator is operated in the same bindery area by a pressman.