

**Schmidt's Printery and Wilkes-Barre Typographical Union No. 187<sup>1</sup> and Wilkes-Barre Printing Pressmen & Assistants' Union, 137,<sup>2</sup> Petitioners. Cases 4-UC-61 and 4-UC-62**

September 17, 1974

**DECISION ON REVIEW**

BY CHAIRMAN MILLER AND MEMBERS FANNING  
AND JENKINS

On March 13, 1974, the Regional Director for Region 4 issued a Decision and Clarification of Bargaining Unit in the above-entitled proceeding in which he granted Pressmen Local 137's request that its existing unit of lithographic production employees at the Employer's commercial printing establishment in Wilkes-Barre, Pennsylvania, be clarified to include the "Compugraphic Compuwriter No. 2 typesetting machine" operator, hereinafter called the Compuwriter operator, and accordingly denied ITU Local 187's request that the disputed classification be declared to be part of its unit at present comprised of one linotype operator. Thereafter, in accordance with National Labor Relations Board Rules and Regulations, ITU Local 187 filed a timely request for review of the Regional Director's decision on the grounds that in making his clarification determinations he departed from officially reported precedent and made findings of fact which are clearly erroneous.

By telegraphic order dated April 5, 1974, the request for review was granted. Thereafter, Petitioners filed briefs on review.

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

The Board has considered the entire record in this case with respect to the issues under review, including Petitioners' briefs on review, and makes the following findings:

In resolving the unit clarification requests before him, the Regional Director considered not only those factors normally viewed as relevant to unit composition issues, but he took into account other matters which the Board weighs in determining jurisdictional disputes in Section 10(k) proceedings, factors such as the assignment of the disputed work by the Employer and the efficient operation of the Employer's business. Although ITU Local 187 does not object to the Regional Director's treatment of the issue within this

framework and argues only that he improperly weighed certain factors, we granted its request for review solely in order to determine from the record whether the clarification requests were susceptible of resolution under applicable principles or whether they must be dismissed on the ground that they involve a jurisdictional dispute that the Board is empowered to determine only in Section 10(k) proceedings. For the reasons below, our review of the record persuades us that the Regional Director's clarification of the units involved is correct.

The Employer is engaged in commercial printing; in the main, by use of the lithographic or photo-offset process. It has two offset presses. It also has two letterpress presses, one of which is a proof press, run only when proofs are printed for use in the lithographic process. All operations are conducted in one large room. A linotype operator, who does all the typesetting for the minimal letterpress printing done by the Employer, is represented by ITU Local 187. Five press department employees, represented by Pressmen Local 137, operate the presses and perform lithographic preparatory functions. Four finishing department employees are unrepresented. The disputed Compuwriter operator, who is a member of Pressmen Local 137, operates his machine in a partially partitioned section of the room, next to the light table used in offset preparatory work.

The Compuwriter was installed in April 1973. In common with a linotype machine, the Compuwriter has a keyboard. There the similarity ends. The Compuwriter is wholly ancillary to the lithographic production process. Through a process of computer-controlled operations, the typed material is properly spaced and collated using the proper facings, is photographed within the machine, and emerges as a finished positive proof, which is then utilized in the traditional lithographic production process. Except for the typewriting skills involved, the Compuwriter operator has and exercises none of the skills typically found in letterpress composition. The Compuwriter operator employed by the Employer also spends approximately 10 percent of his time at the light table performing lithographic preparatory functions normally performed by the pressmen.

Thus, despite the fact that the Compuwriter substitutes for the letterpress printing of proofs used in the lithographic process, we conclude, on the facts of this case, that the Compuwriter operator is performing essentially a lithographic production function and is an accretion to the unit represented by Pressmen Local 137.

<sup>1</sup> Hereinafter called ITU Local 187.

<sup>2</sup> Hereinafter called Pressmen Local 137.

Accordingly, we agree with the Regional Director's determination clarifying the units involved by including the Compuwriter operator in Pressmen Local

137's unit and excluding him from the letterpress composition unit represented by ITU Local 187.