UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, D.C. 20570

August 25, 2011

[redacted]
LAKE CHARLES PRINTING AND
GRAPHICS UNION LOCAL 260
1906 BELLFIELD RD
LAKE CHARLES, LA 70611-4648

Re: Seaport Printing & Ad Specialties Inc. d/b/a
Port Printing Ad and Specialties
Lake Charles, Louisiana
Case 15-CA-017976

Dear [redacted]

Your appeal from the Regional Director's decision outlined in her compliance determination letter has been carefully considered. The appeal is denied substantially for the reasons in the Regional Director's June 30, 2011 letter. With respect to your contentions on appeal challenging the hourly pay rate used to project gross backpay, the Region conducted a subsequent investigation and verified that your claim that backpay should be calculated based on $12.95 an hour was correct. The Region then revised the figures accordingly and applied the rates to all calculations. Furthermore, with regard to your contentions on appeal, gross back pay was calculated in accordance with Section 5 of the contract at 8 hours a day for any day in which a comparable employee reported to work. Similarly, overtime was also calculated for any day in which a comparable employee worked over 8 hours. With respect to your contentions about calculations of vacation and sick leave, the investigation disclosed that the calculations were based on accrual commencing on your anniversary date of May 26. The investigation disclosed that this information was communicated to you via email in April 2011 and you did not raise any challenges. Finally, the Region also reviewed the previously performed calculations and found an error in the fourth quarter 2005 gross wages where the holiday pay was not added to the total figure. The Region subsequently corrected this error. The Region's current total backpay calculation is $14,524.04.

Pursuant to the National Labor Relations Board's Rules and Regulations Section 102.53, Series 8, as amended, you may file a request for a review of the above decision with the National Labor Relations Board at:

Executive Secretary

National Labor Relations Board

1099 14th Street, N.W., Room 11602

Washington, D.C. 20570

This request for review must be received by the National Labor Relations Board no later than the close of business 14 days after the date appearing on this letter. The request for review must contain a complete statement of the facts and reasons upon which it is based and must identify with particularity the error claimed in this decision. A copy of the request for review shall be served on the undersigned General Counsel and on the Regional Director.

Sincerely,

Lafe E. Solomon
Acting General Counsel

By _____
Yvonne T. Dixon, Director
Office of Appeals

cc: KATHLEEN MCKINNEY
REGIONAL DIRECTOR
NATIONAL LABOR
RELATIONS BOARD
600 S MAESTRI PL 7TH FL
NEW ORLEANS, LA 70130-3408

[redacted]
SEAPORT PRINTING & AD
SPECIALTIES INC.
D/B/A PORT PRINTING AD &
SPECIALTIES
931 HODGES STREET
LAKE CHARLES, LA 70601

[redacted]
JONES, TETE, FONTI &
BELFOUR, LLP
1135 LAKE SHORE DR FL 6TH
LAKE CHARLES, LA 70602-9422

GRAPHIC COMMUNICATIONS INTL
UNION, AFL-CIO CLC
1900 L ST NW
WASHINGTON, DC 2036-5002

mjb