

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION FOUR**

In the Matter of:	:	
	:	
GRAPHIC COMMUNICATIONS	:	
CONFERENCE/INTERNATIONAL	:	
BROTHERHOOD OF TEAMSTERS	:	
LOCAL 735-S,	:	CASE NO. 4-CB-215127
	:	
Respondent,	:	
	:	
and	:	
	:	
BEMIS COMPANY, INC.,	:	
	:	
Charging Party.	:	

**RESPONDENT'S EXCEPTIONS TO  
THE ADMINISTRATIVE LAW JUDGE'S DECISION**

AND NOW COMES the Respondent, Graphic Communications Conference/International Brotherhood of Teamsters, Local 735-S, by and through its attorneys, IRA H. WEINSTOCK, P.C., in accordance with Section 102.46 of the Board's Rules and Regulations, and files the following exceptions to the findings, conclusions, and recommendations of Administrative Law Judge David Goldman. (ALJ):

1. The Union excepts to the ALJ's findings of fact to the extent that it is found that Mr. Davidovich threatened Samsel and that he was acting on behalf of the Union in making statements to Mr. Davidovich. (Decision at pp. 6-7; p. 12).

2. The Union excepts to the ALJ's findings of fact that the Communicator posting threatens or credibly threatens to retaliate against Union members in the manner found. (Decision at pp. 6-7).

3. The Union excepts to the ALJ's Conclusion of Law Number 2. (Decision at 17). No employee was threatened with blacklisting from employment opportunities. The posting reflected truthfully that employees put each other in jeopardy with the employer by tit-for-tat reporting of each other.

4. The Union excepts to the ALJ's Conclusion of Law Number 3. (Decision at 17). Mr. Samsel, who changed his story multiple times and was not credible, was not threatened with reprisals including property damage due to complaints of hostile notes and, therefore, there was no violation of Section 8(b)(1)(A).

Respectfully Submitted,

IRA H. WEINSTOCK, P.C.  
800 North Second Street  
Harrisburg, PA 17102  
Phone: 717-238-1657

By:   
IRA H. WEINSTOCK

**CERTIFICATE OF SERVICE**

AND NOW, this 27<sup>th</sup> day of March, 2019, I, Ira H. Weinstock, Esquire, attorney for the Respondent, hereby certify that I served the within **RESPONDENT'S EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S DECISION** this day by depositing the same in the United States mail, postage prepaid, in the post office at Harrisburg, Pennsylvania, addressed to:

By E-Mail to:

Lea Alvo-Sadiky, Esquire  
National Labor Relations Board  
The Wanamaker Building  
100 Penn Square East, Suite 400  
Philadelphia, PA 190107  
Email: [lea.alvo-sadiky@nrlrb.gov](mailto:lea.alvo-sadiky@nrlrb.gov)

Timothy C. Kamin, Esquire  
Olgetree, Deakins, Nash, Smoak  
& Stewart, P.C.  
1243 N. 10<sup>th</sup> Street, Suite 200  
Milwaukee, WI 53205-2559  
Email: [timothy.kamin@ogletree.com](mailto:timothy.kamin@ogletree.com)

By: \_\_\_\_\_



IRA H. WEINSTOCK