

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
Division of Judges

BEMIS COMPANY, INC.

and

GRAPHIC COMMUNICATIONS CONFERENCE
OF THE INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL 727-S

18-CA-202617

18-CA-205446

18-CA-205920

Cases 18-CA-205927

18-CA-207874

18-CA-210170

18-CA-210936

18-CA-211086

BEMIS COMPANY, INC.

and

PHILIP A. McMEINS, An Individual

Case 18-CA-209515

CROSS-EXCEPTIONS TO THE DECISION
OF THE ADMINISTRATIVE LAW JUDGE

Submitted by:

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Pursuant to Section 102.46 of the Board's Rules and Regulations, Counsel for the General Counsel hereby submits the following Cross-Exceptions to the Decision of Administrative Law Judge Charles J. Muhl (the ALJ) in the above-captioned case:

1. To the ALJ's findings and conclusion (ALJD 39 ll.40-44) that Phillip McMeins agreed with the determination to discharge Linda Hesler.

2. To the ALJ's findings and conclusion (ALJD 38-40) that Respondent did not violate the Act as alleged in paragraph 6(c) by discharging Phillip McMeins.

3. To the ALJ's findings and conclusions (ALJD 31-32 fn.65) that Hesler was not engaged in protected concerted activity when she posted messages to co-workers on Facebook and when she spoke up at meetings.

4. To the ALJ's findings and conclusion (ALJD 57 l.4-58 l.4) that Respondent did not violate the Act as alleged in paragraph 14(g) by changing its seniority preference policies regarding bidding shifts and jobs.

5. To the ALJ's findings and conclusion (ALJD 99 ll.19-25 and fn.178) that special remedies of a minimum bargaining schedule and required filing of progress reports were sufficient to remedy Respondent's unfair labor practices of surface bargaining and refusal to meet at reasonable times, and the ALJ's consequent denial of reimbursement for the Union's bargaining expenses as an additional remedy.

6. To the ALJ's findings and conclusion (ALJD 93 ll.3-31) that Respondent's handbook rule banning "false . . . statements concerning any employee, supervisor, the company or its products" was a general rule of civility and not prohibited by Section 8(a)(1).

Dated: October 9, 2019

/s/ Joseph H. Bornong

/s/ David J. Stolzberg

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