

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

TEAMSTERS LOCAL 743  
Employer

And

Case 13-UC-239758

CHICAGO NEWS GUILD LOCAL 34071  
Petitioner

ORDER

The Petitioner's Request for Review of the Regional Director's administrative dismissal of the unit clarification petition is granted. On review, we find that the petition raises issues which can best be resolved upon the basis of a record developed at a hearing.<sup>1</sup> Although the Regional Director stated in his dismissal letter that the Attorney classification has been historically excluded from the unit, it does not appear that there is any dispute on that count. This finding accordingly does not resolve whether the petitioned-for Attorney-Senior Representative<sup>2</sup> classification—which the parties appear to agree is a distinct classification—has been historically excluded or whether the petition should be dismissed on some other basis (including the other grounds that the Employer has advanced in its Opposition to the Petitioner's Request for Review). Further, although the Employer contends that the incumbent Attorney-Senior Representative should be excluded from the unit, it appears to admit that the two predecessor Attorney-Senior Representatives were included in the unit. Thus, at a minimum, a hearing is necessary to determine the incumbent Attorney-Senior Representative's duties and how those duties compare to those of the two predecessor Attorney-Senior Representatives as well as those of the unit employees (particularly the Senior Representatives). Accordingly, the case is remanded to the Regional Director for further proceedings consistent with the Order.

JOHN F. RING,	CHAIRMAN
MARVIN E. KAPLAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER

Dated, Washington, D.C., March 12, 2020.

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<sup>1</sup> See Board's Rules and Regulations Sec. 102.71(a)(5). The Regional Director erroneously stated that any request for review of his dismissal would be governed by Sec. 102.67, but requests for review of administrative dismissals are governed by Sec. 102.71.

<sup>2</sup> It appears that the Employer uses the words "representative" and "business agent" interchangeably in its classification titles and that Attorney-Senior Representative, Attorney-Union Representative, and Senior Business Agent-Attorney refer to the same classification. The parties will, of course, have the opportunity to clarify this matter at the hearing directed herein.