

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

PG PUBLISHING CO., INC. d/b/a)
PITTSBURGH POST-GAZETTE,)
)
and)
)
GRAPHIC COMMUNICATIONS)
INTERNATIONAL UNION, GCC/)
INTERNATIONAL BROTHERHOOD)
OF TEAMSTERS LOCAL 24M/9N)

Case 06-CA-233676

**RESPONDENT’S REPLY BRIEF TO
COUNSEL FOR THE GENERAL COUNSEL’S ANSWERING BRIEF
IN OPPOSITION TO RESPONDENT’S CROSS-EXCEPTIONS
TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE**

Pursuant to Section 102.46 of the National Labor Relations Board’s Rules and Regulations, Respondent PG Publishing Co., Inc. d/b/a Pittsburgh Post-Gazette files this Reply Brief To Counsel For The General Counsel’s Answering Brief In Opposition To Respondent’s Cross-Exceptions To The Decision Of The Administrative Law Judge without record citation. Counsel for General Counsel only takes issue with, and states General Counsel “does not concede or agree to the validity or applicability of any of the statements or agreements made by Respondent in its Cross-Exceptions . . .” Answering Brief at page 3.

On June 8, 2020, the parties entered into a Joint Motion to Submit Stipulated Facts and Joint Exhibits to the Administrative Law Judge in Lieu of Unfair Labor Practice Hearing (“Motion”). The Motion was granted on June 8, 2020 by Administrative Law Judge David Goldman (“Order”). The Stipulated Facts and Exhibits are the record in this case. Counsel for

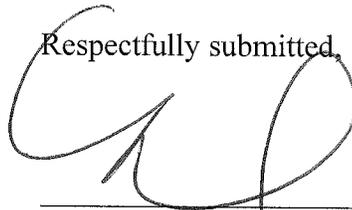
General Counsel may not like that the Stipulated Facts “are true” as set forth in the Motion, but Respondent’s Statement of Facts are straightforward from the record. Motion at page 2. The Stipulated Facts include the Exhibits, and the Exhibits’ contents Order. The Exhibits constitute documentary evidence. Counsel for General Counsel’s weak attempt in footnote 1 in the Counsel for General Counsel’s Answering Brief (and previous Reply Brief) to claim that Respondent’s Statement of Facts are “misleading” is simply buyer’s remorse over the stipulated record.

Counsel for General Counsel also takes issue with Respondent’s Cross-Exceptions – Counsel for General Counsel’s position is that the Cross-Exceptions and Brief in Support “feels redundant and unnecessary,” and, therefore, there is no need for a response. Answering Brief at page 3. Respondent under applicable Board procedure must preserve all exceptions to procedures, fact, law or policy which Cross-Exception is taken to the Administrative Law Judge’s decision. Section 102.46(a)(1)(A)-(D) and (c) of the National Labor Relations Board’s Rules and Regulations. Respondent did just that in its Answering Brief, Cross-Exceptions, and Brief in Support. Failure to do otherwise would subject Respondent to being precluded from raising the omitted matter before the Board, or in any further proceeding. Section 102.46(f) of the National Labor Relations Board’s Rules and Regulations.

Respondent’s Answering Brief, Cross Exceptions and Brief in Support are properly before the Board and all matters and issues Answered and presented therein are ripe for decision.

Dated this 21st day of December, 2020

Respectfully submitted,



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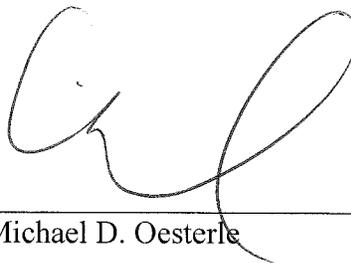
Attorney for
PG Publishing Co., Inc. d/b/a
Pittsburgh Post-Gazette

CERTIFICATE OF SERVICE

This is to certify that the foregoing Respondent's Reply Brief To Counsel For The General Counsel's Answering Brief In Opposition To Respondent's Cross-Exceptions To The Decision Of The Administrative Law Judge was electronically filed via the NLRB E-Filing System with the National Labor Relations Board and served on the following via email on this 21st day of December, 2020:

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A handwritten signature in black ink, appearing to read "Michael D. Oesterle", is written over a horizontal line.

Michael D. Oesterle