

## Teamsters Challenge Printing Union's Injunction Bid

By **Beverly Banks**

Law360 (August 7, 2023, 6:59 PM EDT) -- The International Brotherhood of Teamsters urged a D.C. federal judge Monday not to issue a preliminary injunction that would stop the union from having jurisdiction over a printing workers union and its locals, arguing that a merger agreement between the labor organizations is still in effect.

The Teamsters are opposing a preliminary injunction motion from the Printing Packaging & Production Workers Union of North America, formerly known as the Teamsters Graphic Communications Conference, or GCC. The international union argued in a **memorandum** that a 2005 merger agreement linking the unions is active and that extending a stipulated order between the parties would also render the preliminary injunction moot.

"The merger agreement, a document which the GCC has since terminated, dictates the specific terms and conditions under which the underlying merger itself could be rescinded," the Teamsters said. "Those circumstances were never realized. Therefore, the merger between the [Graphic Communications International Union] and the IBT continues in effect."

The PPPWU **filed a complaint** in June, seeking a declaratory judgment that the union is totally separate from the Teamsters after the termination of a merger agreement. The PPPWU also requested a preliminary injunction to stop the Teamsters from taking control of the PPPWU and its affiliates.

The Teamsters and what was then the Graphic Communications International Union entered into a merger agreement in 2005, with the GCIU then becoming the GCC, according to court filings. The merger agreement affiliated the unions, according to court documents.

The parties were entangled in a separate court case that sprang up in November after the GCC **asked for a preliminary injunction** to halt the Teamsters from ending the merger agreement until an arbitrator had reviewed the case. U.S. District Judge Christopher R. Cooper granted the injunction in December.

The **GCC accused the Teamsters** of breaching Judge Cooper's order, saying the international union was trying to recruit other unions to affiliate with the Teamsters. In May, the GCC filed a **notice of dismissal**, tossing the case without prejudice.

Arbitrator Mark L. Irvings weighed in on the spat but has not yet rendered a decision, according to the Teamsters' memorandum Monday.

The Teamsters said that the GCC's dismissal of the complaint did not end the 2005 merger and that the GCC "never operated as an independent labor organization."

"The GCC's claim that because it filed annual LM-2 reports, it therefore qualified as its own labor organization has no foundation in law or fact," the Teamsters said. A union must send an LM-2 financial report annually to the U.S. Department of Labor.

The Teamsters pointed to a stipulated order on June 30 — in which the Teamsters agreed to "refrain from asserting and exercising authority or jurisdiction over the PPPWU, its district councils, and its locals" — that encompasses putting PPPWU affiliates in a trusteeship or trying to merge PPPWU units with Teamsters locals. The stipulated order would last until the preliminary injunction motion was resolved.

The international union said it is open to extending the stipulated order "throughout the pendency of this litigation," showing that the PPPWU won't experience harm if an injunction isn't entered.

"The PPPWU has failed to credibly identify or allege the insufficiency of available relief at a later date in the unlikely event that the IBT ignored its obligations under the stipulated order, which it will not," the Teamsters said.

PPPWU President Kurt Freeman said in a statement to Law360 on Monday that the Teamsters ended the merger agreement and "told us to get out of the international."

"We are confident that the judge will agree that because of the Teamsters' conduct, the Teamsters have no jurisdiction over the PPPWU, its locals, or its members," Freeman said.

Representatives of the Teamsters did not immediately respond to requests for comment.

The International Brotherhood of Teamsters is represented by Michael A. Feinberg and Gabriel O. Dumont Jr. of Feinberg Dumont & Brennan.

The PPPWU is represented by Steven F. Benz, Mark P. Hirschboeck, Kyle M. Wood of Kellogg Hansen Todd Figel & Frederick PLLC.

The case is Printing Packaging & Production Workers Union of North America et al. v. International Brotherhood of Teamsters, case number 1:23-cv-01872, in the U.S. District Court for the District of Columbia.

--Additional reporting by Tim Ryan and Emily Brill. Editing by Khalid Adad.