

**OFFICE OF THE ELECTION ADMINISTRATOR  
for the  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

<b>IN RE: ROY WHITE,</b>	)	Protest Decision 2001 EAD 358
	)	Issued: May 9, 2001
<b>Protestor.</b>	)	OEA Case No. PR040614SO
	)	
<hr/>		

Roy White, a member of Local 682, filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2000-2001 IBT International Union Delegate and Officer Election ("*Rules*"). He alleges that a flyer supporting the UNITE slate in the Local 682 delegate election was distributed in violation of the *Rules*.

Election Administrator representative Dolores Hall investigated the protest.

**Findings of Fact and Analysis**

White is a delegate candidate on the RUN slate at Local 682. He received a flyer in the mail that contained a picture of General President Hoffa and urged support for the UNITE slate. The flyer indicated that the use of General President Hoffa's title was for identification purposes. The flyer was prepared by the Hoffa slate, while the UNITE slate paid for its reproduction and mailing costs.

We DENY this protest because the endorsement of the UNITE slate by Hoffa was indicated in the flyer as being in his individual capacity, and thus proper under Article VII, Section 11(b), and because there was no improper use of Hoffa slate funds to support the UNITE slate, but rather an expenditure permitted under Article XI, Section 1(b)(9)(B).

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within two (2) working days of receipt of this decision. The parties are reminded that, absent extraordinary circumstances, no party may rely upon evidence that was not presented to the Office of the Election Administrator in any such appeal. Requests for a hearing shall be made in writing, shall specify the basis for the appeal, and shall be served upon:

Kenneth Conboy  
Election Appeals Master  
Latham & Watkins  
Suite 1000  
885 Third Avenue  
New York, New York 10022  
Fax: 212-751-4864

Copies of the request for hearing must be served upon all other parties, as well as upon the Election Administrator for the International Brotherhood of Teamsters, 727 15<sup>th</sup> Street NW,

**White**, 2001 EAD 358  
May 9, 2001

Tenth Floor, Washington, DC 20005 (facsimile: 202-454-1501), all within the time prescribed above. A copy of the protest must accompany the request for hearing.

*William A. Wertheimer, Jr.*

William A. Wertheimer, Jr.  
Election Administrator

cc: **Kenneth Conboy**  
*2001 EAD 358*

**White**, 2001 EAD 358  
May 9, 2001

**DISTRIBUTION LIST VIA UPS NEXT DAY AIR:**

Patrick Szymanski  
IBT General Counsel  
25 Louisiana Ave. NW  
Washington, DC 20001

Bradley T. Raymond  
Finkel, Whitefield, Selik,  
Raymond, Ferrara & Feldman  
32300 Northwestern Highway  
Suite 200  
Farmington Hills, MI 48334

J. Douglas Korney  
Korney & Heldt  
30700 Telegraph Road  
Suite 1551  
Bingham Farms, MI 48025

Barbara Harvey  
Penobscot Building  
Suite 1800  
645 Griswold  
Detroit, MI 48226

Betty Grdina  
Yablonski, Both & Edelman  
Suite 800  
1140 Connecticut Ave. NW  
Washington, D.C. 20036

Tom Leedham c/o Stefan Ostrach  
110 Mayfair  
Eugene, OR 97404

IBT Local 682  
5730 Elizabeth Street  
St. Louis, MO 63110

Ronald J. Wurst  
UNITE Slate  
6543 Bradley  
St. Louis, MO 63139

Fred Littrell  
2105 Ridgedale Drive  
High Ridge, MO 63049

Thomas J. Wright  
924 S. Old Potosi Road  
Gerald, MO 63037

Bonnie Sonnenberg  
3523 Bonsai Court  
St. Louis, MO 63129

Roy White  
674 Mater Die Lane  
Florissant, MO 63031

Dolores Hall  
1000 Belmont Place  
Metairie, LA 70001