

ELECTION APPEALS MASTER

IN RE:

WILLIE WILLIAMS,

Protestor.

06 Elec. App. 048 (KC)

ORDER

This matter is an appeal from the Election Supervisor's decision 2006 ESD 259 issued May 19, 2006.

A hearing was held before me on June 9, 2006. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq. and Steven Newmark, on behalf of the Election Supervisor, Robert M. Baptiste, Esq. on behalf of Local 391, Randy Conrad, Organizer of Local 391 and Willie Williams the protester.

As a consequence of finding that Randy Conrad had failed to acknowledge to the Election Supervisor's investigator conduct and statements made by him at Local 391's nominations meeting, he was required to post a notice on all the Local's bulletin boards that he had thereby violated the IBT's Election Rules.

The Protester here, Mr. Williams, complains that Conrad did not carry out the requirements of the penalty.

The Election Supervisor has looked into the matter, and concluded that Conrad has indeed substantially complied with his obligation under disposition of Webb, 2006 ESD 155 (March 24, 2006).

It is difficult to understand why, given the nature of the Rules offense here, a direct injury to the ongoing viability of the Election Supervisor's authority as an appointee of the Federal Court in New York, he would excuse non-compliance with his own mandate here. In any case, the Election Supervisor's review of the matter is entirely supported by the record.

I defer to the Election Supervisor's judgment of substantial compliance by Conrad.

