

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

IN RE: DIANNE BOLTON,)	Protest Decision 2006 ESD 251
)	Issued: May 17, 2006
Protestor.)	OES Case Nos. P-06-218-031406-HQ
_____)	

Dianne Bolton, a member of Local Union 174 and a candidate for delegate on the Dan Scott Membership Power Slate (“Scott slate”), filed a post-election protest pursuant to Article XIII, Section 3(a) of the Rules for the 2005-2006 IBT International Union Delegate and Officer Election (“*Rules*”). Bolton protested Local Union 174’s delegate and alternate delegate election based on unresolved protests filed in Case Nos. P-06-145-021406-FW and P-06-154-021706-FW.

We denied these protests in *Misich*, 2006 ESD 175 (April 10, 2006), and *Bolton*, 2006 ESD 249 (May 16, 2006).

Pursuant to Article XIII, Section 3(b) of the *Rules*, post-election protests “shall only be considered and remedied if the alleged violation may have affected the outcome of the election,” except that protests alleging threats, coercion, intimidation, violence or retaliation may be considered without regard to the outcome of the election.

The matters referenced in the instant protest do not allege threats, coercion, intimidation, violence, or retaliation. Because we found no *Rules* violations in the underlying protests, we find that Local Union 174’s delegate and alternate delegate election was not affected by improper conduct.

Accordingly, we DENY this protest.

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 Supervisor 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
885 Third Avenue, Suite 1000
New York, New York 10022
Fax: (212) 751-4864

Copies of the request for hearing must be served upon the parties, as well as upon the Election Supervisor for the International Brotherhood of Teamsters, 1725 K Street, N.W., Suite 1400, Washington, D.C. 20007-5135, all within the time prescribed above. A copy of the protest must accompany the request for hearing.

Bolton, 2006 ESD 251
May 17, 2006

Richard W. Mark
Election Supervisor

cc: Kenneth Conboy
2006 ESD 251

Bolton, 2006 ESD 251
May 17, 2006

DISTRIBUTION LIST (BY EMAIL UNLESS OTHERWISE SPECIFIED):

Bradley T. Raymond, General Counsel
International Brotherhood of Teamsters
25 Louisiana Avenue, NW
Washington, DC 20001-2198
braymond@teamster.org

David J. Hoffa, Esq.
Hoffa 2006
30300 Northwestern Highway, Suite 324
Farmington Hills, MI 48834
David@hoffapllc.com

Barbara Harvey
645 Griswold Street
Suite 3060
Detroit, MI 48226
blmharvey@sbcglobal.net

Ken Paff
Teamsters for a Democratic Union
P.O. Box 10128
Detroit, MI 48210
ken@tdu.org

Judith Brown Chomsky
P.O. Box 29726
Elkins Park, PA 19027
jchomsky@igc.org

Stephen Ostrach
1863 Pioneer Parkway East, #217
Springfield, OR 97477-3907
saostrach@gmail.com

Dianne Bolton
44400 SE 159th Street
North Bend, WA 98045
Dianne_bolton@centurytel.net

Rick Hicks
13623 SE 267th Pl.
Kent, WA 98042

Dan Scott, Secretary-Treasurer
Teamsters Local 174
14675 Interurban Avenue S.
Suite 303
Tukwila, WA 98168-4652

Christine M. Mrak, Esq.
2357 Hobart Avenue, SW
Seattle, WA 98116
cmm@wmblaw.net

Jeffrey Ellison
510 Highland Avenue, #325
Milford, MI 48381
EllisonEsq@aol.com