

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

<b>IN RE: LEEDHAM SLATE,</b>	)	Protest Decision 2006 ESD 387
	)	Issued: October 31, 2006
<b>Protestor.</b>	)	OESCase No. P-06-353-101306-HQ
_____	)	

The Tom Leedham Strong Contracts Good Pensions slate filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2005-2006 IBT International Union Delegate and Officer Election (“*Rules*”). The protest alleged that Local Union 97 unlawfully endorsed the Hoffa 2006 slate in a local union shop steward letter issued to members employed by the New Jersey Turnpike Authority and the Garden State Parkway Commission, in violation of Article VII, Section 12 (b) of the *Rules*.

In *Leedham Slate*, 2006 ESD 380 (October 26, 2006), we found a violation, *viz.*

Local Union 97 admitted that it violated the *Rules* by endorsing the Hoffa 2006 slate for IBT International office in the October 2006 *Turnpike Newsletter*. The local union immediately agreed to send campaign literature to all members employed by the Turnpike Authority and Parkway Commission, via email. The local union also agreed to email the attached letter to all members. Both the email and the campaign literature were issued on October 19, 2006. Based on the foregoing facts, the protest is RESOLVED.

The campaign literature distributed pursuant to this agreed remedy was that of the Leedham slate. On October 27, 2006, the Virtue-DiLeo slate requested that the remedy include its literature as well:

By endorsing the “entire slate” for Hoffa in their newsletter, which obviously includes Hoffa’s Eastern Region Vice President candidates, Local 97 placed the Virtue-DiLeo Slate at a disadvantage. When the OES became aware of the violation the Virtue-DiLeo Slate should have been included in the remedy.

Accordingly, the Virtue-DiLeo Slate seeks to have the same remedy applied in this protest. Local 97 should send the attached campaign literature provided by the Virtue-DiLeo Slate to all members employed by the Turnpike Authority and Parkway Commission, via email. Local 97 should also email an edited letter from the OES that reflects the violation’s impact on the Virtue-DiLeo Slate, as was done in the Leedham protest.

Local Union 97 has agreed to email Virtue-DiLeo literature to the same list of members who received the improper endorsement and the remedial Leedham slate literature. The local union agreed to complete the supplemental remedial emailing by October 30, 2006. Based on this commitment, we deem this supplementary matter RESOLVED.

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

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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. 20006-1416, all within the time prescribed above. A copy of the protest must accompany the request for hearing.

Richard W. Mark  
Election Supervisor

cc: Kenneth Conboy  
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