

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

IN RE: SANDY POPE,)	Protest Decision 2011 ESD 319
)	Issued: September 1, 2011
Protestor.)	OES Case No. P-311-081611-FW
_____)	

The Sandy Pope campaign filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2010-2011 IBT International Union Delegate and Officer Election (“Rules”). The protest alleged that UPS impermissibly interfered with the Pope campaign’s solicitation of campaign donations of in non-work areas of the Redmond, Washington facility

Election Supervisor representatives Chris Mrak and Maureen Geraghty investigated this protest.

Findings of Fact and Analysis

Article VII, Section 12(d) declares that “[n]o restrictions shall be placed upon candidates’ or members’ preexisting rights to solicit support, distribute leaflets or literature, conduct campaign rallies, hold fund-raising events or engage in similar activities on employer or Union premises.” The protest alleged that UPS violated this provision by halting the effort of Pope supporters to sell raffle tickets for the Pope campaign in non-work areas of the Redmond, Washington facility to employees before or after their shifts or on break from their employment duties.

In exchange for withdrawal of the protest, UPS has promised to permit IBT members to solicit campaign funds from and sell campaign raffle tickets and T-shirts to employees on non-work time in the parking lot patio area of the Redmond facility (using a table if they wish), for the duration of this election cycle. On this basis, we deem this protest WITHDRAWN.

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, NY 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, 1801 K Street, N.W., Suite 421 L, Washington, D.C. 20006, all within the time prescribed above. A copy of the protest must accompany the request for hearing.

Pope, 2011 ESD 319
September 1, 2011

Richard W. Mark
Election Supervisor

cc: Kenneth Conboy
2011 ESD 319

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