

OFFICE OF THE ELECTION OFFICER
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Michael H. Holland
Election Officer

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November 8, 1990

Norman C. Hug
President
IBT Local Union 89
3813 Taylor Boulevard
Louisville, Kentucky 40215-2695

Vincent L. Meredith
203 Elk River Drive
Louisville, Kentucky 40214

Re: Election Office Case No. P-024-LU89-SCE

Gentlemen

A pre-election protest was filed pursuant to Article XI, Section 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990. The complainant, Norman C. Hug, alleges that the respondent, Vincent L. Meredith, violated the *Rules* in a letter to "Union Steward, Alternate Steward or concerned Teamster", dated October 15, 1990. Based upon the investigation of the protest, the Election Officer finds that the *Rules* have not been violated.

The complainant alleges that the October 15, 1990 letter violated the *Rules* because it stated that "all expenses will be paid, transportation, meals and lodging" for delegates attending the 1991 IBT International Convention. The complainant contends that the letter violated the *Rules* because it did not state that only "reasonable" expenses will be paid.

The Election Officer found that the letter was sent to 18 stewards at work sites listed in Local Union 89's worksite list. The respondent states that he did not intend to mislead the recipients regarding the types of expenses that will be paid and does not believe that the letter is misleading. However, the respondent stated that he will use the term "reasonable" in future solicitations.

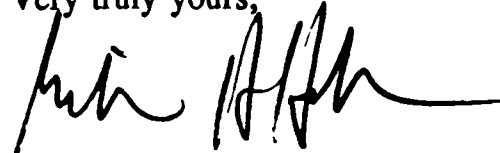
The Election Officer finds that the letter is not misleading with respect to the kinds and amounts of expenses that will be paid for delegates to the 1991 IBT International Convention. Moreover, the *Rules* themselves state that "each Local Union shall pay the expenses of its delegates or shall make arrangements for such

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payment by agreement with other subordinate bodies" Article IV, Section 1(b)(4). While the *Rules* do not use the modifier "reasonable" when referring expenses for delegates, I assume that only reasonable expenses will be paid

If any interested party is not satisfied with this determination, they may request a hearing before the Independent Administrator within twenty-four (24) hours of their receipt of this letter. The parties are reminded that, absent extraordinary circumstances, no party may rely upon evidence that was not presented to the Office of the Election Officer in any such appeal. Requests for a hearing shall be made in writing, and shall be served on Independent Administrator Frederick B. Lacey at LeBoeuf, Lamb, Leiby & MacRae, One Gateway Center, Newark, New Jersey 07102-5311, Facsimile (201) 622-6693. Copies of the request for hearing must be served on the parties listed above, as well as upon the Election Officer, IBT, 25 Louisiana Avenue, N W , Washington, D C 20001, Facsimile (202) 624-8792. A copy of the protest must accompany the request for a hearing

Very truly yours,



Michael H Holland
Election Officer

cc Frederick B Lacey, Independent Administrator, IBT
Peggy A Hillman, Regional Coordinator