



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMS, URS
25 Louisiana Avenue, NW
Washington, DC 20001
(202) 624-8778
1 800 828 6496
Fax (202) 624-8792

Michael H. Holland
Election Officer

Chicago Office:
% Cornfield and Feldman
343 South Dearborn Street
Chicago, IL 60604
(312) 922 2800

VIA UPS OVERNIGHT

November 27, 1990

James S. Powell Jr
200 St. Benedict
Florissant, Mo 63033

Ron F. Gamache
Secretary-Treasurer
IBT Local Union 688
300 S. Grand
St. Louis, Missouri 63103

Re: Election Office Case No. P-037-LU688-MOI

Gentlemen

A pre-election protest was filed by James S. Powell Jr pursuant to Article XI of the Rule for the IBT International Union Delegate and Officer Election, revised August 1, 1990 ("Election Rules"). In his protest the complainant alleges that Local Union 688 violated the Article VIII, Section 1 of the Election Rules by failing to respond to his request to inspect and take notes from the collective bargaining agreements covering the members of Local Union 688. The Election Officer's investigation of the protest revealed the following facts:

The complainant made a request of the Local Union Secretary-Treasurer to review and make notes from all collective bargaining agreements covering members of the Local Union by letter dated October 31, 1990. The letter was faxed to the Local Union's office. Having received no response to his request, the complainant filed his protest on November 7, 1990. By letter dated November 8, 1990 the Local Union, through its counsel, acknowledged the request and stated that the agreements were available for review. The complainant was informed that there was a considerable number of agreements and that he should call the Secretary-Treasurer of the Local Union to make arrangements to review the agreements.

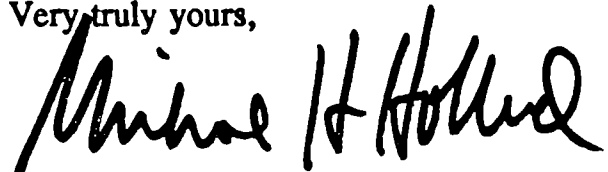
Article VIII, Section 1 of the Election Rules requires Local Unions to make collective bargaining agreements available for inspection and note taking by candidates and their representatives upon request. Moreover, implicit in the Election Rules is the requirement that the agreements be made available on a reasonable basis. It appears that the Local Union is prepared to make the agreements available for inspection and therefore the instant protest is moot. However, the complainant is free to file a new

Page 2

protest if the Local Union fails to make such agreements available for inspection and note taking on a reasonable basis.

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

Michael D Gordon, Regional Coordinator
801 Greenway Terr
Kansas City, MO 64113
Tel 816-523-7861
Fax 816-822-1561