



OFFICE OF THE ELECTION OFFICER
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Michael H Holland
Election Officer

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December 5, 1990

VIA UPS OVERNIGHT

Mike Brannan
1319 N. 63rd Street
Wauwatosa, WI 53213

Ronald Strzelecki
Secretary-Treasurer
IBT Local Union 344
10020 West Greenfield Avenue
Milwaukee, WI 53214

Re: Election Office Case No. P-039-LU344-NCE

Gentlemen:

A pre-election protest has been filed pursuant to Article XI of the Rules for the IBT International Union Delegate and Officer Election, revised August 1, 1990 ("Election Rules"). In his protest the complainant, Mike Brannan, alleges that the Election Rules were violated by Local Union 344 as a result of the union's failure to provide the New Day Slate with a list of all craft meetings held through the election period. The Election Officer's investigation of the protest revealed the following facts:

Mr. Brannan is a member of Local Union 344 and an announced candidate for delegate to the 1991 IBT International Union Convention. Brannan is running for delegate as part of the "New Day Slate". The New Day Slate made a request to Local Union 344 for a list of all meetings of the membership of the Local Union through the election period. In response to that request the Local Union stated that all membership meetings are announced in notices placed in the Wisconsin Teamster newspaper. Brannan alleges that this information is inadequate because it does not include a listing of craft meetings of the Local Union's membership. Craft meetings are held among groups of the Local Union's members employed by particular employers, particular job classifications or work locations. These meetings are held on an on call basis and are publicized among the groups of affected members. There has been no past practice of advertizing these meetings on a wider basis.

The Election Officer concludes that in the absence of a past practice, there is no requirement under the Election Rules to provide a candidate with a particular form of notice of craft

Mike Brannan
December 5, 1990
Page 2

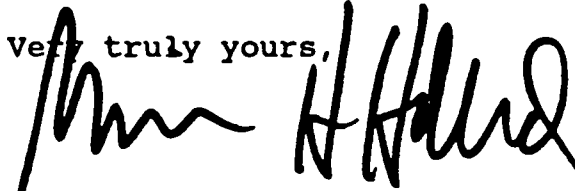
meetings, i.e. a list of all craft meetings within the Local Union throughout the election period. Because craft meetings are held on an on call basis, unlike general membership meetings which are held on a regular basis, it may be impossible to give any member notice of a meeting for the entire election period.

The IBT constitution recognizes that IBT members have the right to attend all of the meetings of their craft. See, IBT Constitution, Article XIV, Section 2 (a)(3). Moreover, all members of the Local Union have a right to attend and participate in any craft meeting which is not expressly limited to the discussion or consideration of craft issues. The right to attend and participate in craft meetings implies a right of reasonable notice of those meetings.

In order to provide members with reasonable notice of craft meetings, the Local Union shall direct its Business agents, stewards and commiteepersons, to send a copy of all announcements of craft meetings to the union for posting at the Local Union hall. Such notices of craft meetings should include the time, place and topics to be discussed at the meeting.

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
Barbara Zack Quindel, Regional Coordinator