



OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
25 Louisiana Avenue, NW  
Washington, DC 20001

Michael H. Holland  
Election Officer

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November 20, 1991

**VIA UPS OVERNIGHT**

Homer Mann  
3712 N. Berkeley Cir.  
Cincinnati, OH 45236

Steve Blair  
Vice President  
IBT Local Union 1199  
2995 Windsong Dr.  
Cincinnati, OH 45239

Steven C. Saunders  
President  
IBT Local Union 1199  
1600 Central Parkway  
Cincinnati, OH 45210

Jan Ryan  
Labor Relations Dept.  
Coca Cola Bottling Co.  
5100 Duck Creek Rd.  
Cincinnati, OH 45227

**Re: Election Office Case No. P-1099-LU1199-SCE**

Gentlemen and Ms. Ryan:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules") by Steven Blair, Vice-President of IBT Local Union 1199, and by Homer Mann, a member of IBT Local Union 100, both Local 1199 and Local 100 are located in Cincinnati, Ohio. The protest alleges that Mr. Blair and Mr. Mann were denied access to the Coca Cola Bottling Co. facility in Cincinnati where they were attempting to post campaign literature on the general purpose bulletin board on Saturday, November 16, 1991. Neither of them is employed at Coca Cola. This protest was investigated by Regional Coordinator Peggy A. Hillman.

Investigation discloses that Coca Cola Bottling Company, which has a collective bargaining relationship with IBT Local Union 1199, uniformly requires Union officials and other non-employees who wish to have access to the property to call Coca Cola prior to coming to the plant and to state the reason for their visit. Mr. Steven Saunders, President of Local Union 1199, confirms that he is required to contact Ms. Jan Ryan, in charge of labor relations for Coca Cola, prior to being given access to the property even for official Union business.

Ms. Ryan states that the only reason she declined to allow Mr. Blair and Mr. Mann onto the property was their failure to contact her prior to their visit. Ms. Ryan

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has stated that Mr. Blair and Mr. Mann would have been given access to the facility in order to post their literature had they called prior to their arrival to state the reason for their visit; further, should Mr. Blair or Mr. Mann contact Ms. Ryan at any time during the normal work day, she will permit them onto the property in order to post campaign literature.

The reason for this prior notification policy is Coca Cola's desire to police strangers' access to the facility. The Election Officer finds such policy to be reasonable --absent a past practice to the contrary or discriminatory enforcement--and not violative of the Rules. There is no evidence that Coca Cola's requirement that non-employees request permission prior to arrival was enforced non-uniformly or in a discriminatory manner against only these two individuals and/or against other IBT members based on their partisan political positions.

On Tuesday, November 19, 1991, after requesting access from Ms. Ryan, Mr. Blair was permitted to post campaign literature on the bulletin board at the Coca Cola facility and did so post. In view of the foregoing and particularly the fact that the protestors were permitted to post the campaign literature two days after their initial attempt, the Election Officer determines that this matter has been RESOLVED.

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

MHH/mjv

cc: Frederick B. Lacey, Independent Administrator

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**Peggy A. Hillman, Regional Coordinator**

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