

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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December 30, 1991

VIA UPS OVERNIGHT

Archie J. Cook
4508 Balmoral Drive
Richton Park, Illinois 60471

Leroy Ellis
18807 Oakwood Avenue
Country Club Hills, IL 60478

Ron Carey
c/o Richard Gilberg, Esquire
Cohen, Weiss & Simon
330 West 42nd Street
New York, NY 10036-6901

Vince Crnkovic
President
IBT Local Union 179
1000 N.E. I-55 Frontage Road
Joliet, Illinois 60435

Re: Election Office Case No. P-1132-LU179-CHI

Gentlemen:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Archie J. Cook, a member of Local Union 705. Mr. Cook complains about an advertisement published in the Will County Labor Record urging IBT members to vote for candidates on the Shea-Ligurotis Action Team in the 1991 IBT International Union officer election.

The advertisement was published in the November 21, 1991 edition of the Will County Labor Record. The advertisement is signed by eight (8) members of IBT Local Union 179; the advertisement also notes the offices held by each of these members in Local 179, but states that these titles are used for identification purposes only. The Election Officer's investigation determined that the advertisement -- as is stated in the advertisement itself -- was paid for by the eight Local 179 members individually; no Local Union 179 funds were utilized in the preparation or publication of the advertisement.

Article VIII, §10(b) of the *Rules* specifically permits IBT members who are Local Union officers or employees to participate in the 1991 IBT International Union officer election process, including the right of such officers or employees to support or oppose any International Union officer candidates, to aid or campaign for any such candidates and to make campaign contributions on behalf of any such candidates. Accordingly, the endorsement of the candidates on the Shea-Ligurotis Action Team -- and the publication of such endorsement -- by officers and employees of Local 179 does not violate the

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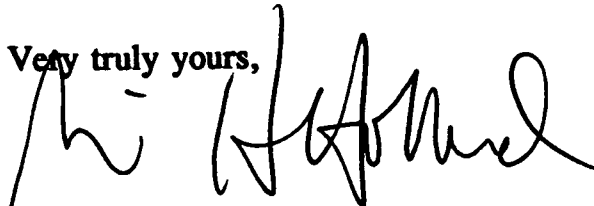
Rules where, as occurred here, the activity is financed by the members personal campaign contributions not by Local Union funds. That the advertisement noted the offices held by these Local 179 members also does not violate the rules since the advertisement stated that the titles were used for identification purposes only. See Advisory on Campaign Contributions and Disclosure issued August 14, 1991, at page 5.

Further, the 1991 IBT International Union officer election has now been concluded. None of the candidates on the Shea-Ligurotis Action Team seeking election in the Central Conference of the IBT -- the conference in which Local 179 is located and in which the endorsement of the Shea-Ligurotis Action Team was publicized -- were successful candidates. Accordingly, neither the endorsement by the officers and business agents of Local Union 179 nor the publication of that endorsement in the Will County Labor Record impacted upon the International Union officer election. See *Rules*, Article XI, §1(b)(2).

For all of the foregoing reasons, the protest is DENIED.

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/ca

cc: Frederick B. Lacey, Independent Administrator
Julie E. Hamos, Regional Coordinator

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R. V. Durham
c/o Hugh J. Beins, Esquire

Walter Shea
c/o Robert Baptiste, Esquire