

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 5, 1991

VIA UPS OVERNIGHT

John R. Griffiths
13511 Empire Way S. #E304
Seattle, WA 98178

James M. Paulson
1251 170th Avenue, N.E.
Bellevue, WA 98008

Gordon D. Taylor
11217 S.W. 146th Street
Seattle, WA 98166

Allen McNaughton
Secretary-Treasurer
IBT Local Union 174
553 John Street
Seattle, WA 98109

Associated Grocers, Inc.
Attn: Angelo Bruscas
3301 South Norfolk Street
Seattle, WA 98124

Re: Election Office Case No P-1133-LU174-PNW

Gentlemen:

A protest was filed with the Election Office pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). In their protest John R. Griffiths, Gordon D. Taylor and James M. Paulson allege that their employer Associated Grocers, Inc. ("Associated") violated the *Rules* by removing Ron Carey campaign literature from the drivers room of its Seattle, Washington facility. The Election Officer's investigation of this protest revealed the following.

John R. Griffiths, James M. Paulson and Gordon D. Taylor ("protestors") are employed by Associated as drivers and are based at its Seattle, Washington facility. Each of the protesters are members of Local Union 174 and are shop stewards. There is a drivers room at the facility which is a recognized non-work area. In the drivers room are three bulletin boards; a board for company notices, a glass enclosed union bulletin board and a general purpose bulletin board for employee posting. Under the general

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purpose bulletin board is a small table which has been used for the distribution of campaign literature in the recently completed Local Union officer campaign and in the International Union officer election campaign. Campaign materials have been placed on the table by supporters of the Ron Carey Slate, the R.V. Durham Unity Team and the Shea-Ligurotis Action Team.

The protestors allege that Ron Carey campaign materials have been removed from the table by supervisory and management employees of Associated. The Election Officer's investigation discovered no direct evidence that either the campaign material was wrongfully removed or that Associated's supervisors or managers were responsible for removing the literature.

Associated has informed the Election Officer that it has no objection to the posting of campaign material on the general purpose bulletin board in the drivers room. Similarly, the employer has no objection to the placement of quantities of campaign materials on the table in front of the General Purpose bulletin board. Associated has informed its managers and its custodial staff of the right of IBT members to post campaign material on the general purpose bulletin board and to place campaign literature on the table.

The Election Officer contacted two of the protestors by phone on the afternoon of December 3, 1991¹ and informed them that they, and other IBT members employed by Associated, had the right to place campaign materials on the general purpose bulletin board and to leave campaign literature on the table near that board for distribution to IBT members and that supervisory and management employees of Associated would not interfere with that right.

On the basis of the foregoing, the Election Officer considers this matter resolved.

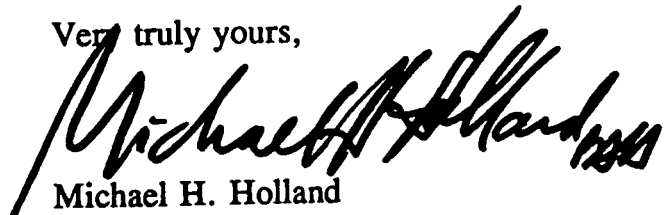
If any interested party is not satisfied with this determination, they may request a hearing before the Independent Administrator within twenty-four (24) hours of their receipt of this letter. The parties are reminded that, absent extraordinary circumstances no party may rely upon evidence that was not presented to the Office of the Election Officer in any such appeal. Requests for a hearing shall be made in writing, and shall

¹ The third protestor was at work when called by the Election Officer.

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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,

A handwritten signature in black ink, appearing to read "Michael H. Holland", written over the typed name below it.

Michael H. Holland

MHH/mjv

cc: Frederick B. Lacey, Independent Administrator
Christine M. Mrak, Regional Coordinator