



OFFICE OF THE ELECTION OFFICER
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Michael H Holland
Election Officer

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December 17, 1990

VIA UPS OVERNIGHT

Gaylon R. Meals
36 Spring Creek Highway
Medina, TN 38355

Jeff Harden
P.O. Box 201
Selmer, TN 38375

David Climer, Sr.,
Secretary-Treasurer
Teamsters Local 217
Hamilton Hills Shopping Center
Jackson, TN 38305

John Weiher, III
102 Main
Cottage Grove, TN 38224

Gentlemen:

Re: Election Office Case No. P-120-LU217-SOU

A timely pre-election protest was filed under Article 11, §1 of the Rules for the IBT International Union Delegate and Officer Election, revised August 1, 1990 ("Rules"), a copy of which protest is enclosed.

The protest challenges the eligibility of nominated 1991 IBT International Union Convention delegate candidate, John Weiher, III on the grounds that Mr. Weiher's seconder, Jeff Harden, who seconded the nomination in writing, did not include his social security number on the written second.

The protester, Mr. Meals, points out that the Rules state that a written nomination "shall be signed by the member submitting the nomination and second with his/her Social Security number and the reason(s) the member is unable to attend the meeting." Rules, Article II, §4(f). The purpose of this rule is to permit identification of the nominator or seconder, nominating or seconding in writing, to insure that nominator or seconder is indeed a member of the Local Union, and to facilitate checking his/her eligibility to so second, should this question arise.

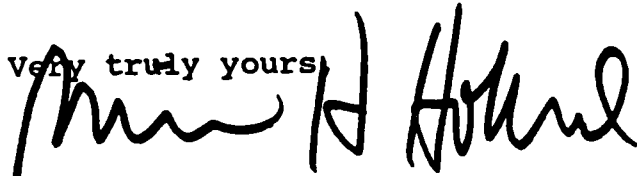
In this case, however, no question of identification arises, nor is the instant protest one that raises a question of eligibility to second. In a telephone conversation with the

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Election Office, Mr. Meals stated that he knew that Mr. Weiher's seconder, Jeff Harden, was a member of Local Union 217. Under these circumstances, the Election Officer will not invalidate Mr. Weiher's nomination on the basis of Mr. Harden's technical violation of the Rules. Accordingly, the protest is DENIED.

If any person is not satisfied with this determination, he may request a hearing before the Administrator within twenty-four (24) hours of his receipt of this letter. Such request shall be made in writing and shall be served on Administrator Frederick B. Lacey at LeBoeuf, Lamb, Leiby & MacRae, One Gateway Center, Newark, N.J. 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. 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.

Very truly yours,



Michael H. Holland

MHH/ /sst

cc: Mr. Frederick B. Lacey
Larry Daves, Regional Coordinator