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Michael H Holland
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December 28, 1990

VIA UPS OVERNIGHT

Gerald F. Gross
Secretary-Treasurer
and Business Representative
IBT Local 653
471 Prospect Street
Brockton, Massachusetts 02403

Dear Mr. Gross:

I write in response to your letter of December 11, 1990 wherein you inquire as to the appropriateness of campaign literature bearing the International Union's insignia. Article X, §1(3) of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules"), a portion of one sentence which you quoted in your letter, states only that the Union's official stationery with the insignia is not to be utilized for campaigning purposes.

"The use of the Union's official stationery with the Union's name, insignia, or other mark identifying the Union is prohibited irrespective of compensation or access."

Thus, other than on the Union's stationery, the *Rules* do not prohibit utilization of the Union's insignia on campaign materials. Except when the use of the Union's insignia is misleading, that is where a member could be led to believe that the materials were official Union documents, I have not prevented the use of the insignia on campaign literature.

The campaign material enclosed with your December 11, 1990 letter is not in my opinion misleading. While the material bears the official Union insignia, nothing indicates that the document has been sanctioned or approved by the International Union or any subordinate body of the IBT. Indeed, the text of the document

Gerald F. Gross
December 20, 1990
Page 2

indicates to the contrary. Thus, I do not believe that the use of the Union's insignia on the campaign material here at question constitutes a violation of the Rules.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael H. Holland", with a long horizontal flourish extending to the right.

Michael H. Holland
Election Officer

MHH/BJH/sst