



OFFICE OF THE ELECTION OFFICER  
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Michael H Holland  
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January 9, 1991

**VIA UPS OVERNIGHT**

Darrell R. Walker  
1913 Shooting Park Rd.  
Peru, IL 61354

Gerald F. Reilly  
President  
IBT Local Union 722  
344 N. 30th Road  
LaSalle, IL 61301

**Re: Election Office Case No. P-162-LU722-SCE**

Gentlemen

A pre-election protest was timely filed pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). In his protest Darrell R. Walker contends that the *Rules* have been violated in that he has been denied equal access to the Local Union Hall for the purpose of campaigning for delegate to the 1991 IBT International Convention.

The investigation of this protest shows the following: on December 16, 1990, Local 722 sponsored a Christmas party at the Union Hall in Dixon, Illinois. Mr. Gerald Reilly, President of Local 722, announced at the party that election campaigning would not be permitted inside Union Hall building.

Subsequent to the party, the Local held a smaller meeting with approximately 20 IBT members. The meeting was conducted by Local 722 Secretary-Treasurer Kenneth Bishop. Mr. Walker was not invited to this meeting, but believed that election campaigning occurred during that time. The evidence shows, however, this meeting was organized solely for highway maintainers who work for the State of Illinois. The meeting was called to discuss a new rule imposed by the State requiring equalization of overtime. There is no evidence of any campaigning at this meeting.

Local Union President Reilly has informed The Election Officer that the Local has a long standing policy prohibiting campaigning in the Local Union Hall. There is no evidence of any past practice that contravenes the policy.

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The *Rules* provide that no restrictions shall be placed on IBT members' pre-existing rights to utilize and have access to employer or Union premises for campaign purposes and campaign activities. *Rules*, Article VII, § 10(d).

In this protest, there is no evidence to support the contention that members had pre-existing rights to campaign in the Union Hall. Nor are there facts to show that the policy prohibiting campaigning inside the Hall has been enforced discriminatorily against Mr. Walker.

The Election Officer concludes in this case that the policy of the Local Union prohibiting campaigning is long standing, that the policy was not enforced discriminatorily at the Christmas Party on December 16, 1990, and that the policy was not waived when the Union held a separate meeting with State employed members to discuss work rules specific to that group of members

For all of these reasons, the *Rules* have not been violated and 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/mca  
cc: Peggy A. Hillman, Regional Coordinator