



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
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343 South Dearborn Street
Chicago, IL 60604
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Michael H. Holland
Election Officer

January 25, 1991

VIA UPS OVERNIGHT

Peter Reading
High Street
Bryantville, MA 02327

Gerald Gross
Secretary-Treasurer
IBT Local Union 653
471 Prospect Street
Brockton, MA 02403

Mary Bianchini
Ocean Spray, Inc.
Bridge Street
Middleboro, MA 02346

Re: Election Office Case No. P-186-LU653-ENG

Gentlemen:

A pre-election protest was timely filed pursuant to Article XI of *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules"). In this protest, Mary Bianchini and Peter Reading contend that Ocean Spray, Inc. has prohibited them from engaging in campaign activity in violation of the *Rules*.

Subsequent to the filing of the protest, the Regional Coordinator, Elizabeth Rogers, entered into discussions with Ocean Spray. As a result of these discussions, Ocean Spray agreed consistent with the Election Officer's position that IBT members employed by it could engage in campaign activity in non-work areas on non-work time, and further specifically agreed, again consistent with the Election Officer's position, that such IBT members would not be prohibited from campaigning in the parking lot and on the sidewalk outside employee entrances to Ocean Spray facilities.

Ocean Spray has also agreed consistent with the Election Officer's position that IBT members who are not employees of Ocean Spray or who work at other facilities have the right to engage in campaign activity on Ocean Spray premises at or outside the gates of Ocean Spray.

Peter Reading and Mary Bianchini
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Additionally, Ocean Spray will post the attached Notice on bulletin boards located at its Middleboro, Massachusetts facility. The Election Officer finds that this agreement is a complete resolution of the above referenced protest.

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/acm

cc: Frederick B. Lacey, Independent Administrator
Elizabeth Rodgers, Regional Coordinator

**NOTICE TO TEAMSTER MEMBERS
FROM MICHAEL A. HOLLAND
ELECTION OFFICER, IBT**

You have the right to participate in campaign activities on behalf of candidates for delegate and alternate delegate to the 1991 IBT International Convention.

You have the right to participate in campaign activities on behalf of candidates for International Office in the IBT.

Employees of Ocean Spray have the right to engage in such campaign activities, including the distribution of campaign materials, on the employer's premises in non-work areas during non-work time. This includes the right to distribute literature in the parking lot and on the sidewalk outside employee entrances to Ocean Spray facilities and to use bulletin boards for campaign postings, subject to the regulations previously applied to general purpose postings.

Your fellow members of the IBT, who work at other facilities or who are employed by other employers, have the right to engage in campaign activities on Ocean Spray premises at or outside the gates of Ocean Spray

For further details of your political rights, please contact the Regional Coordinator identified below to obtain a copy of my advisory regarding political rights dated December 28, 1990.

MICHAEL H HOLLAND
Election Officer, IBT

Washington, D C
January 14, 1991

Regional Coordinator:
Elizabeth A. Rodgers, Esq
Kehoe, Doyle, Playter & Novick
9 Hamilton Place
Boston, MA 02108
(617) 338-0070

This is an official notice and must remain posted for 30 consecutive days from the day of posting, and must not be altered, defaced, or covered by any other material.