



OFFICE OF THE ELECTION OFFICER
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Michael H Holland
Election Officer

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January 10, 1991

VIA UPS OVERNIGHT

David Dunning
7788 Trinklein
Saginaw, MI 48603

James Bohlen
Secretary-Treasurer
IBT Local Union 486
1245 E Genesee
Saginaw, MI 48607

Re: Election Office Case No. P-225-LU486-MGN

Gentlemen

A pre-election protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). The protest concerns campaign literature distributed in support of a slate of candidates seeking election to the positions of delegates and alternate delegates to the 1991 IBT International Convention and particularly the last sentence of that campaign material which states:

"If you need assistance with your ballot, bring it to work and we will help you "

The election for Local Union 486 is being conducted through a mail ballot. The *Rules* with respect to mail balloting provide in Article XII, § 3 (d) that

"It shall constitute a violation of these *Rules* for any Union member, officer, business agent, steward, etc to require or request that any member give him/her such member's mail ballot "

The last sentence of the campaign literature in question suggests, if not requests, that members needing assistance with voting should consult one of the signators to such literature for assistance. Regardless of the intent of the signators, that sentence of the literature could certainly and easily be construed as an invitation for Local Union members to provide such members' mail ballot to someone other than the voting member. If a member has difficulty or needs assistance in voting, it is the Election Officer or his representative who should be consulted, not a Union steward, business agent, or even a fellow member.

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In accordance with the foregoing, the Election Officer determines that the *Rules* have been violated. To remedy this violation, the Election Officer orders that the Bohlen Slate, the slate of candidates on whose behalf the literature here in question was distributed, post at all bulletin boards at Thompson Boat, the employer among whose members the literature here in question was distributed, the letter attached to this decision. Such letter shall be signed by Mr. Bohlen or Harvey Northrop, Chief Steward, who was the principal signator of the literature being protested in this case.

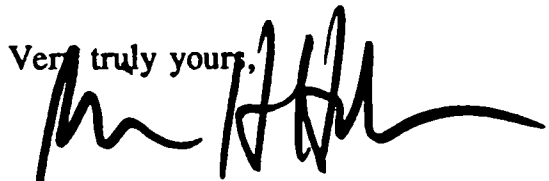
Further, the Election Officer orders that said slate also provide an additional three-hundred copies of said letter and distribute such additional copies to IBT members employed by Thompson Boat either by personal distribution or by placing copies of such letter in non-work areas of the Thompson Boat facility such as break, lunch, or locker rooms.

The duplication, posting, and distribution of the letter shall be at the expense of the Bohlen Slate. Local Union 486 shall not pay for such duplication, posting, or distribution.

Such duplication, posting, and distribution shall be accomplished within five days of the receipt of this order. Within five days thereafter, appropriate affidavits shall be filed with the Election Officer attesting that such duplication, posting, and distribution has been accomplished.

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 Frederick B. Lacey, Independent Administrator
James De Haan, Regional Coordinator

Dear Thompson Boat Fellow Employees and Union Members

We recently distributed literature to you with respect to the election occurring in Local Union 486 for the election of delegates and alternate delegates to the 1991 IBT International Convention. That literature contained certain misinformation which we would now like to correct.

If you need assistance with marking your ballot for this election, DO NOT bring it to work or to any Union officer, business agent, steward, or even your fellow Union members. If you need assistance with your ballot, consult the Election Officer at (800) 828-6496 or Regional Coordinator James De Haan at (313) 626-4240.

On behalf of the Bohlen Slate