



OFFICE OF THE ELECTION OFFICER
INTERNATIONAL BROTHERHOOD OF TEAMSTERS
25 Louisiana Avenue, NW
Washington, DC 20001
(202) 624-8778
1-800-828-6496
Fax (202) 624-8792

Michael H Holland
Election Officer

Chicago Office:
% Cornfield and Feldman
343 South Dearborn Street
Chicago, IL 60604
(312) 922-2800

January 17, 1991

VIA UPS OVERNIGHT

Jack Barmon
11760 S.W. 83rd Court
Miami, FL 33156

Tony Cannestro
President
IBT Local Union 769
8350 N.W. 7th Ave.
Miami, FL 33150

Ted Trentler
Director, Reservations
Pan American World Airways
2152 N.W. 42nd Ave.
4th Floor
Miami, FL 33122

Re: Election Office Case No. P-257-LU769-SEC

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, Mr. Jack Barmon contends that the *Rules* have been violated by Employer Pan Am Airways, because Pan Am Supervisor, Ted Trentler, improperly denied him campaign access to non-work areas.

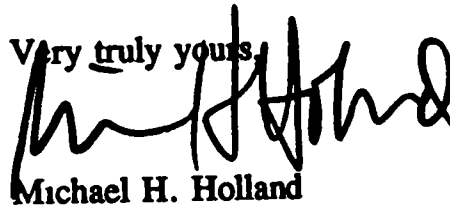
The *Rules* do provide that no restrictions shall be placed on IBT members' pre-existing rights to have access to non-work areas of the employer's premises in order to engage in campaign activity. *Rules*, Article VII, § 10 (d).

In this case, the evidence does show that the employer representative has improperly denied Mr. Barmon campaign access to employee lounges. However, Pan American Airways' Director of Labor Relations has reversed the initial decision of the supervisor, and has confirmed with the Election Officer that IBT members will have campaign access to employee lounges. Additionally, Mr. Barmon has informed the Election Officer that subsequent to his protest filed on January 11, 1991, the Employer has permitted him to campaign in the employee lounges. For all of the foregoing reasons this protest is now moot.

Jack Barmon
Page 2

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
Donald H Williams, Regional Coordinator