



OFFICE OF THE ELECTION OFFICER
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Michael H Holland
Election Officer

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January 17, 1991

VIA UPS OVERNIGHT

Pete Camarata
19139 Kenosha
Harper Woods, MI 48225

Mike Hewer
11656 Brownell
Plymouth, MI 48170

Rondal C. Owens
President
IBT Local Union 299
2741 Trumbull Avenue
Detroit, MI 48216

Re: Election Office Case No. P-260-LU 299-MGN

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 this protest Mr. Camarata alleges that the *Rules* have been violated because ballots have not been mailed to Local Union 299 members employed at Dollar Rent A Car at Detroit Metro Airport.

The investigation shows that Dollar Rent A Car is a successor employer. The previous employer had a dues check-off arrangement with Local Union 299. There was no successorship clause in the Labor Agreement, and the dues check-off arrangement has not been continued although Dollar is in collective bargaining negotiations with Local Union 299. None of the employees have elected to tender cash dues during the pending negotiations.

Since none of these employees are currently dues paying members of the Local, none are members in good standing with Local 299 and none are eligible to cast a ballot in the IBT election. The *Rules* have not been violated and the protest is DENIED

If any person is not satisfied with this determination, he may request a hearing before the Administrator within twenty-four (24) hours of his receipt of this letter. Such request shall be made in writing and shall be served on Administrator Frederick B.

Pete Camarata
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Lacey at LeBoeuf, Lamb, Leiby & MacRae, One Gateway Center, Newark, N.J. 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. 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.

Very truly yours,



Michael H. Holland

cc: Mr. Frederick B. Lacey
James De Haan, Regional Coordinator