



OFFICE OF THE ELECTION OFFICER  
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Michael H Holland  
Election Officer

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January 21, 1991

**VIA UPS OVERNIGHT**

Edward J. Brennan  
900 Lower River Rd.  
Lincoln, RI 02865

Gerald Blinkhorn  
Secretary-Treasurer  
IBT Local Union 251  
121 Brightridge Ave.  
East Providence, RI 02914

Re: Election Office Case No. P-261-LU251-ENG

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. Edward J. Brennan, a candidate for delegate from Local 251, contends that his employer was contacted and questioned about his employment history, and that such contact was initiated in order to intimidate him from running for delegate.

The investigation shows that Mr. Brennan requested that the Election Officer verify his eligibility to run for the position of delegate. When the Election Officer verifies or investigates an eligibility issue, it is frequently necessary to contact the IBT member's employer in order to determine whether the member has been employed from the twenty-four month period preceding nomination and had earnings from which dues could be deducted. This inquiry with the Employer is confined to only those issues necessary to verify eligibility. Election Officer representatives make every effort to inform the employer clearly the reason for the inquiry. There are also times when the Election Officer requests that the Local Union verify information with the employer concerning employment history, dates of leaves of absence, or other relevant information.

The investigation in this case shows that the contact made with Mr. Brennan's employer was one as described above that was properly motivated by legitimate need to verify his eligibility to run for the position of delegate. For this reason, there has been no violation of the *Rules*, and the protest is DENIED.

Edward J. Brennan  
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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  
Elizabeth A. Rodgers, Regional Coordinator