



OFFICE OF THE ELECTION OFFICER  
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Michael H Holland  
Election Officer

January 18, 1991

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**VIA UPS OVERNIGHT**

Dale H. Kallenberger  
32820 20th Ave. So. #63  
Federal Way, WA 98003

Allen McNaughton  
Secretary-Treasurer  
IBT Local Union 174  
553 John St.  
Seattle, WA 98109

Arnie Weinmeister  
Director  
Western Conference of Teamsters  
101 Elliott Ave., W., Suite 500  
Seattle, WA 98119

Ronald C. Schick  
11422 - 26th S.W.  
Seattle, WA 98146

Re: Election Office Case No. P-296-LU174-PNW  
P-300-LU174-PNW

Gentlemen:

Two pre-election protests were filed pursuant to Article XI of the Rules for the IBT International Union Delegate and Officer Election, revised August 1, 1990. The Complainants, Ronald Schick and Dale Kallenberger protest the fact that literature concerning increased pension benefits was handed out at the Local 174 nominations meeting on January 10, 1991.

On January 9, 1991, the Western Conference of Teamsters Board of Trustees adopted several improvements to the Western Conference of Teamsters Pension Fund. The improvements included a reduction of the vesting period for benefits and a pension— occurred for 1992 and 1993. Both of these changes take effect in January 1992. Arnie Weinmeister is the Director of the Western Conference of Teamsters and a Trustee of the Fund

The investigation revealed that notices of these pension improvements was handed to members as they left the nominations meeting. The nominations meeting was well attended, two full slates of candidates were nominated as well as three independent delegate candidates.

The protests contend that it was a violation of the Election Rules for the Local to hand out material regarding pension improvements. The complainants point out that it has not been customary for the Pension Fund to disseminate notices of actions so quickly and that improvements do not take effect until nearly a year from the present date.

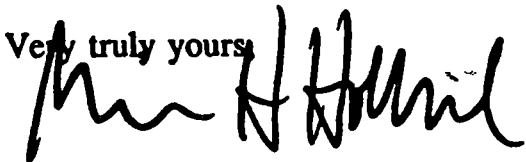
There is no evidence that the timing of the announcements of the pension benefits affected the nominations process. First and foremost, the evidence is that the literature on the actions of the Pension Fund was passed out after the conclusion of the meeting. Moreover, a large member of candidates, including a full slate of delegates for Ron Carey (a slate to which both complainants belong) means that any announcement of benefits had no impact on the nominations.

With respect to the effect of the announcements on the delegate election, nothing in the Rules prohibits incumbent union officers (even those who are also candidates for delegate) from continuing to procure improvements in wages and benefits, or publicize their successful efforts in so doing.

For these reasons 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. 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  
Christine Mrak, Regional Coordinator