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January 22, 1991

**VIA UPS OVERNIGHT**

Benny L. Goodwin  
President  
IBT Local Union 568  
920 Grimmet Dr.  
Shreveport, LA 71137-7805

**Re: Election Office Case No. P-323-LU568-SOU**

Gentlemen

A pre-election protest was timely filed pursuant to Article XI, § 1 of the Rules for the IBT International Union Delegate and Officer Election. In his protest, Mr. Benny L. Goodwin contends that the Election Officer has improperly denied him and his political ally, the Secretary-Treasurer of Local 568, listing on the ballot as a slate.

The investigation shows the following: The nominations meeting for Local 568 was held December 8, 1990. The meeting was conducted by Benny L. Goodwin, President and Business Agent. The Election Office was represented by Adjunct Regional Coordinator Joe K. Crews. On the date of the meeting the Working Teamsters filed their Declaration of Affiliation with a Slate. The slate form was acknowledged as received on that date by Laird F. Evans, Secretary-Treasurer of Local 568. The slate form was also acknowledged as received by Joe Crews. This was the only slate form from this Local received by the Election Officer prior to January 9, 1991.

At the time of the nominations meeting, Mr. Goodwin did not present a Declaration of Affiliation with a Slate form, although he now states that such form had been filed with the Local Union. The Local Union, of which Mr. Goodwin is President and of which his running mate is Secretary-Treasurer, never submitted such Form to the Election Officer. The only Declaration of Affiliation with a Slate Form ever submitted to the Election Officer on the behalf of the Experience/not Experiments Slate was dated January 9, 1991 as described below.

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On January 9, 1991, Mr Goodwin submitted the Declaration of Affiliation with a Slate Form named "Experience/not Experiments" for the first time to Election Officer Regional Coordinator Larry Daves. Such Form was dated January 9, 1991. On January 11, 1991, Mr Daves wrote a letter to Mr. Laird Evans, Secretary-Treasurer of Local 568, informing him that the Declaration of Affiliation with a Slate filed by the "Experience/not Experiments Slate was untimely filed and would not be accepted by the Election Officer.

The Ballot was printed according to the Rules, that is, the slate Working Teamsters was listed in first position on the left side of the ballot and the Independent Candidates including Mr. Goodwin were listed on the right side of the ballot. Rules, Article II, § 8.

This protest was subsequently filed.

Article VII, § 1(b) and (c) of the Rules provides as follows:

b To form a slate, there shall be mutual consent between and among all candidates running on the slate. Such mutual consent shall be evidenced by the signing of the slate, giving the position that each candidate seeks and the name, if any, of the slate to be formed. Declaration forms shall be submitted to the Local Secretary-Treasurer for delegate nominations and elections and to the Election Officer for International Officer nominations and elections. Amended declarations may be submitted adding additional candidates, provided that the deadlines specified in Subsection "c" below are met. The Local Secretary-Treasurer shall immediately send copies of all declaration forms to the Election Officer.

c. In the case of delegate nominations and elections, such declaration shall be filed at the earliest possible date but in no case no later than one (1) day after the Local Union's final delegate nominations meeting, and in the case of International Officer nominations and elections, such declarations shall be filed at the earliest possible date but in no case later than September 30, 1991

Because the Experience/not Experiments Declaration of a Slate Form was not submitted within twenty-four hours of the Local 568 nominations meeting, it has not been timely submitted under the Rules. Therefore, Mr. Benny Goodwin and Mr. Laird

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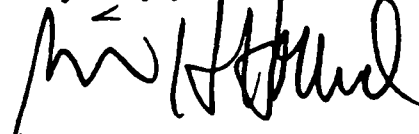
Evans can appear on the ballot as independent candidates but not as the Slate - Experience/not Experiments.

Mr Goodwin also contends in this protest that the order of appearance on the ballot should be determined by time of candidate filing with the Union. In other words, the candidate who files first with the Union goes on the ballot first. The Rules, however, specifically provide that order on the ballot is to be determined by lot drawing and that slates appear before independent candidates. Rules, Article II, §8. The ballot for this Local has been printed in accordance with the Rules.

For all the foregoing, the protest is DENIED.

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/mjv

cc Frederick B Lacey, Independent Administrator  
Larry R Daves, Regional Coordinator