



OFFICE OF THE ELECTION OFFICER
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Michael H Holland
Election Officer

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February 15, 1991

VIA UPS OVERNIGHT

Don Villa
405 Wawucus Hill Road
Norwich, CT 06360

John Sarantopoulos
R F D #1
Foster Street
Danielson, CT 06239

Kenneth J. Morrill, Jr.
Secretary-Treasurer
Teamsters Local 493
18 Crescent Street
Uncasville, CT 06382

Frito Lay Corp.
Maple Ave
Dayville, CT 06241

Re: Election Office Case No. P-462-LU493-ENG

Gentlemen

A pre-election protest was filed by Don Villa, a member of Local Union 493, pursuant to Article XI, Section 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") Mr Villa alleges in his protest that he and John Sarantopoulos, another member of Local 493, were advised by management at Frito Lay, an employer of Local 493 IBT members, that they could not distribute campaign materials inside the facility or in the parking lot of the facility.

After being contacted by the Election Officer, Frito Lay agreed that non-employee members of Local Union 493 may have access to IBT members working for Frito Lay for purposes of distribution of campaign material by the following method.

Any member who wishes to have campaign literature distributed to IBT members employed by Frito Lay at its facility located in Dayville, CT will bring the literature to Jarvis Jefferson, personnel manager. The literature will then be distributed by the Company by placing all materials so tendered in individual employee mailboxes maintained by Frito Lay for all IBT members employed by it at this location.

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The Election Officer concludes that such distribution system permits appropriate access for IBT members, not employed by Frito Lay, to the IBT members employed at the Frito Lay facility. Based upon the above agreement, the Election Officer considers this protest **RESOLVED**.

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/ads

cc Frederick B. Lacey, Independent Administrator
Elizabeth A. Rodgers, Regional Coordinator