



OFFICE OF THE ELECTION OFFICER  
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February 18, 1991

**VIA UPS OVERNIGHT**

Anthony Rutledge  
President  
Teamsters Local 996  
615 Pukoi Street  
18th Floor  
Honolulu, HI 96814

Bert Warashina  
645 Kuana Street  
Honolulu, HI 96816

Harold Decosta  
904 Kohou Street  
Suite 102  
Honolulu, HI 96819

Julio Quicho  
904 Kohou Street  
Suite 102  
Honolulu, HI 96819

**Re: Election Office Case Nos. P-488-LU996-RMT  
and P-505-LU996-RMT**

Gentlemen

A pre-election protest was filed pursuant to Article XI, Section 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Anthony Rutledge, a member and President of Local 996 (P-488-LU996-RMT). The protest alleges that Harold Decosta and Julio Quicho should be declared ineligible to seek election as delegates to the 1991 IBT International Convention in that they are not members in good standing.

In order to be eligible to run for convention delegate, a member must be a member in continuous good standing of the Local Union with his dues paid to the Local Union for a period of twenty-four (24) months prior to the month of nomination for said position, with no interruptions in active membership, due to suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. *Rules*, Articles VI, Section 1(a)(1)

The protest alleges that Mr Decosta and Mr Quicho had been suspended from membership and fined \$1,000.00 each by a Hearing Board of the Local. Pursuant to the provisions of the IBT International Constitution, Mr Decosta and Mr Quicho had appealed the findings of the Hearing Board. The General President stayed their payment of their penalties until their appeal had been determined. IBT Constitution, Article XIX,

Anthony Rutledge  
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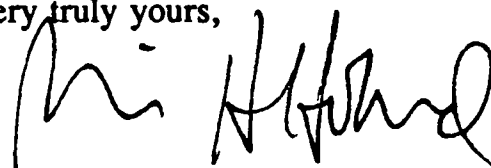
§ 9(a) Pursuant to the action of the General President, neither member paid the fine prior to the filing of their appeals

The appeals of Mr Decosta and Mr Quicho were heard and granted by the International General Executive Board at the October, 1990 General Executive Board meeting They have been found not guilty of the charges brought against them Thus, no fine is due and owing, and neither member has been suspended For the foregoing reasons, the protest as to the eligibility of Mr Decosta and Mr Quicho to run as candidates for delegate is **DENIED**

Bert Warashina also filed a pre-election protest, Election Office Case No P-505-LU996-RMT, complaining that the protest of Mr Rutledge was not filed with the Local Union as required by the *Rules* Mr Warashina admits, however, that he in fact received a copy of the protest, albeit from the Election Officer Mr Warashina does not allege, nor did the Election Officer's investigation disclose, any harm that befell any party by the alleged failure of the protestor to file his protest with the Local Union Thus, any failure to file the protest with the Local did not prejudice any interested party This protest is therefore **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

MHH/mca

cc Mr Frederick B Lacey, Independent Administrator  
Bruce Boyens, Regional Coordinator