



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
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Michael H Holland
Election Officer

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Chicago, IL 60604
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February 25, 1991

VIA UPS OVERNIGHT

Karen A Keys
TDU
Suite 612
2000 P Street, N W
Washington, DC 20036

Bruce Blevins
Secretary-Treasurer
Teamsters Local 391
3100 Sandy Ridge Road
Colfax, NC 27235

Re: Election Officer Case No. P-546-LU391-MID

Gentlemen

A pre-election protest was filed pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") The protest was filed on behalf of a member of Local 391 who is a candidate for delegate to the 1991 IBT International Convention from that Local The protest alleges that officers of Local 391 violated Article XIII, §6(a)(3) of the Election Rules by refusing Mr Burke access to Local 391's bulk mail permit for the distribution of his delegate slate's campaign literature

Article XIII, §6(a)(3) of the *Rules* provides as follows

The Union shall honor a request for distribution of literature by any lawful class or type of mail or postage, including to the extent permitted by Postal Regulations, utilization of any non-profit organization bulk rate permit of the International or Local Union or any other subordinate body of the Union utilized by the Local Union ***

The investigation reveals that the only bulk rate permit held by the Local Union is a bulk rate permit for the mailing of its monthly newsletter The permit by its terms is limited to usage for the distribution of the Local's publication to its members, both with respect to the material which may be mailed as well as the number of mailings that may occur within any particular time period The terms of the postal permit which the Local Union has prohibit its usage for anything other than the Local Union's monthly newsletter

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The *Rules* do not require any Local Union to obtain a special mailing permit for campaign mailings. The *Rules* only require that the Local allow usage of mailing permits the Union already owns or otherwise uses. Local 391 has no permit available for utilization for campaign mailings. Accordingly, 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,

A handwritten signature in black ink, appearing to read "Michael H. Holland". The signature is stylized and cursive.

Michael H Holland

MHH/mca

cc Frederick B Lacey, Independent Administrator
Grant C Crandall, Regional Coordinator