



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

Chicago Office
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343 South Dearborn Street
Chicago, IL 60604
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February 25, 1991

VIA UPS OVERNIGHT

Neal Henderson
36 Waverly Street
Brockton, MA 02401-3408

William J. McCarthy
President
IBT Local Union 25
544 Main Street
Boston, MA 02129

Jordan Marsh Distribution Center
500 Commander Shea Blvd
North Quincy, MA 02171

Re: Election Officer Case No. P-549-LU25-ENG

Gentlemen

A pre-election protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") The protestor, Neal Henderson, alleges that he was denied access to the Jordan Marsh Distribution Center in Squantum, Massachusetts Mr Henderson is a member of Local 25 but is not employed by Jordan Marsh Mr Henderson is a candidate for delegate to the 1991 IBT International Convention

After the filing of this protest, representatives of the Election Officer were in communication with managerial employees of Jordan Marsh As a result of such discussion, Jordan Marsh has agreed, consistent with the Election Officer's position, to permit access to the premises here at issue for campaigning in connection the 1991 IBT International Union delegate and International Officer election Jordan Marsh's agreement to permit access is based upon the unique circumstances of this election, that upon is the fact that the election is being conducted pursuant to a Consent Order issued as a result of RICO litigation The Election Officer agrees that the access being permitted by Jordan Marsh in this case is only with respect to the 1991 IBT International Union delegate and Officer election, and does not establish a precedent with respect to any other election or Union organization campaign

Jordan Marsh has agreed to permit, consistent with the Election Officer's position, IBT members employed by it to engage in campaign activities in non-work areas during

non-work time Further, such IBT members may use general purpose bulletin boards, that is bulletin boards historically used for posting of materials other than or in addition to official company and Union notices, for posting of campaign materials.

Jordan Marsh has also agreed to permit IBT members not employed by it to utilize such general purpose bulletin boards for the posting of campaign materials Such members should contact Ronald Sykes, Senior Vice President for Human Resources, at 275 Grove, Newton, Massachusetts, (telephone 617-357-3008) and he will inform such members of the name of the Jordan Marsh supervisor to whom they should give their campaign literature for posting

Jordan Marsh has also agreed to permit IBT members not employed by it to engage in campaign activities, that is talking to their fellow members, passing out leaflets and the like in the Jordan Marsh parking lot located at the Jordan Marsh Distribution Center here at question All IBT members who engage in such campaign activities in the Jordan Marsh parking lot are specifically prohibited from blocking or attempting to block access or egress to and from that lot

To ensure that all IBT Members are informed of their campaigning rights as set forth above, Jordan Marsh has agreed to post the attached Notice on its bulletin boards at this Distribution Center

On the foregoing basis, the protest is 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/mca

cc Frederick B Lacey, Independent Administrator
Elizabeth A Rodgers, Regional Coordinator
Ronald Sykes, Jordan Marsh, 275 Grove, Newton, Massachusetts

NOTICE TO TEAMSTER MEMBERS

You have the right to participate in campaign activities on behalf of candidates for delegate and alternate delegate to the 1991 IBT International Convention

You have the right to participate in campaign activities on behalf of candidates for election in 1991 to International Office in the IBT

You have the right to post campaign materials about the 1991 IBT International Union delegate and Officer election on general purpose bulletin boards, that is bulletin boards that have historically been used for posting of materials other than or in addition to official company and Union notices

Your fellow IBT members not employed by Jordan Marsh have a right to have campaign material regarding the 1991 IBT International Union delegate and Officer election posted on general bulletin boards by providing such materials to appropriate Jordan Marsh supervisory employees for posting

Your fellow IBT members not employed by Jordan Marsh can engage in campaign activities with respect to the 1991 IBT International Union delegate and Officer election in the Jordan Marsh parking lot

MICHAEL H HOLLAND

This is an official notice and must remain posted for thirty consecutive days from the day of the posting, and must not be altered, defaced, or covered by any other material