



OFFICE OF THE ELECTION OFFICER
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Election Officer

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March 11, 1991

VIA UPS OVERNIGHT

Jerry Friehammer
2249 Valorie Street
Fremont, CA 94539

Al Costa
Secretary-Treasurer
IBT Local Union 853
8055 Collins Dr
Oakland, CA 94621

Rome Aloise
c/o Local Union 853
8055 Collins Dr
Oakland, CA 94621

Re: Election Office Case No. P-612-LU853-CSF

Gentlemen

A pre-election protest was filed pursuant to Article XI, § 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Jerry Friehammer, a member of Local 853. Mr Friehammer contends that Rome Aloise, Local 853 Vice President and Business Agent, arranged with an employer, employing Local 853 members, for that employer to permit access to its facilities for a "meeting" to be held for all delegate and alternate delegate candidates in order that they might campaign among the IBT members there employed. Mr Friehammer complains that the arrangements were made without participation or input from the Working Teamsters for Reform Slate. Complainant also contends that the meeting would only be open to members employed by such employer and not other members of Local 853, there was no provision for a moderator to insure that the meeting was conducted in an orderly fashion. Thus, Mr Friehammer alleges the *Rules* were violated.

After receiving a copy of the protest, the Local cancelled the meeting at the employer's facility. Based on the fact that the meeting has been cancelled and did not take place, the Election Officer determines that the protest is moot. Therefore, the protest is DISMISSED.

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

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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
Donald E. Twohey, Regional Coordinator