



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
25 Louisiana Avenue, NW
Washington, DC 20001

Michael H Holland
Election Officer

(202) 624-8778
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December 23, 1991

VIA UPS OVERNIGHT

Douglas Frechin
7515 - 181 Place, S W.
Edmonds, WA 98026

Allen McNaughton
Secretary-Treasurer
IBT Local Union 174
553 John St
Seattle, WA 98109

Yellow Freight
2150 48th Ave , Court E
Tacoma, WA 98424

Re: Election Office Case Nos. P-706-LU174-PNW
P-743-LU174-PNW

Gentlemen

Protests were filed pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Douglas Frechin, a member of Local Union 174, concerning the propriety under the *Rules* of his discharge from employment with Yellow Freight. By letters dated April 18, 1991 and April 24, 1991, the Election Officer deferred his decisions on these protests pending the completion of Mr Frechin's grievance concerning the propriety of his discharge then being processed pursuant to the terms of the IBT-Yellow Freight collective bargaining agreement.

The processing of the grievance has now been completed and Mr Frechin reinstated to his former position with Yellow Freight with full back pay, seniority and all other benefits. Since Mr Frechin has been afforded the full measure of the relief to which he would have been entitled under the *Rules*, the Election Officer determines that his protests are now moot. Accordingly, the protests are DISMISSED on that basis.

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

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& 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/mjv

cc Frederick B Lacey, Independent Administrator

Christine M Mrak, Regional Coordinator

Yellow Freight Systems, Inc
Attention Frank J Zitnik
6203 215th Street, S W
Mt Lake, WA 98043

Ronald Sandhaus, Esq
Yellow Freight Systems, Inc of Delaware
10990 Roe Avenue
Overland Park, KS 66207