



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

Michael H. Holland  
Election Officer

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April 10, 1991

**VIA UPS OVERNIGHT**

Pete Camarata  
19139 Kenosha  
Harper Woods, MI 48225

Rondal C. Owens  
President  
IBT Local Union 299  
2741 Trumbull Ave.  
Detroit, MI 48216

Preston Truck Lines  
Detroit Terminal  
6801 Stratton Rd  
Detroit, MI 48209

Re: Election Office Case No. P-709-LU299-MGN

Gentlemen.

A pre-election protest was filed in accordance with Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") The protest was filed by Pete Camarata Mr Camarata is a member of Local 299 and was a candidate in Local 299's recent delegate election.<sup>1</sup> In his protest, Mr Camarata alleges that Marcus Giles, a Union steward from Local 299, prohibited him from posting campaign literature on a general purpose bulletin board at the Preston Truck Lines terminal in Detroit, Michigan

Mr Camarata was interviewed by Regional Coordinator Jim De Haan in reference to this protest During the interview, Mr Camarata stated that on March 12, 1991, he posted campaign literature on a general purpose bulletin board at the Preston terminal and that a Union steward, Marcus Giles, came up to him and told him that he was not allowed to post campaign literature on the bulletin board Mr De Haan also interviewed Mr Giles in reference to this protest Mr Giles stated that Mr Camarata was not attempting to post literature on the bulletin board but was instead placing "Ron Carey

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<sup>1</sup>Local 299's delegate election has already occurred This protest, however, concerns campaigning for the International Officer election and this protest is not moot because all IBT members retain the political rights guaranteed by Article VIII, § 10 in the upcoming election of IBT International Officers

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for President" stickers on the walls, doors and members' lockers Mr Giles states that he informed Mr Camarata that he was not permitted to post stickers in those places. Mr De Haan also interviewed Mr Goble, the general manager at the Preston facility. Mr Goble corroborated Mr Giles' account of the events and stated that he personally observed Mr Camarata posting stickers on doors, lockers and walls in the facility and that he informed Mr Camarata that such conduct violated company policy. Both deny that they, or either of them, informed Mr Camarata that he could not post campaign material on the bulletin board.

The investigation further disclosed that there is an employee bulletin board at the Preston terminal IBT members have historically posted general material on the employee bulletin board The *Rules* provide that

Neither the Union nor the employer can change or limit bulletin board usage Thus, where a bulletin board on the employer's premises has been used to post materials other, or in addition to, official Union or employer notices, and even though such postings have never included campaign postings, IBT members have a right to use the bulletin board for campaign postings, subject to the regulations previously applied to general purpose postings, such as length of time the material may remain posted, the dimensions of the posting, and the like Helton v. NLRB, 656 F 2d 883 (D C. Cir 1981); ABF Freight System v. NLRB, 673 F 2d 299 (8th Cir. 1982), (Advisory on Political Rights, Michael H Holland, Election Officer, December 28, 1990).

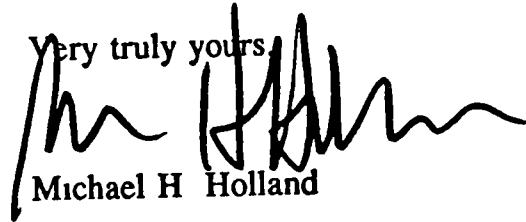
Mr Giles and Mr Goble have both advised Regional Coordinator Jim De Haan that members and employees are permitted to post general purpose information, including campaign literature, on the employee bulletin board at the Preston terminal They have also further stated that they have not interfered and have no intention of interfering with Mr Camarata's or any other member's right to post campaign literature on the employee bulletin board at the Preston terminal Finally, it is clear that Mr. Camarata has no pre-existing right to place campaign stickers on company walls, doors, or lockers Thus, the company may properly prohibit him from affixing the stickers to areas other than the employee bulletin board Accordingly, 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,

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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 with a large initial "M" and "H".

Michael H Holland

MHH/mca

cc Frederick B Lacey, Independent Administrator  
James De Haan, Regional Coordinator