

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

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June 5, 1991

VIA UPS OVERNIGHT

Daniel Hanners
6641 Pershing Ave.
Rockford, IL 61109

Gerald F. Reilly
President
IBT Local 723
344 N. 30th Road
LaSalle, IL 61301

Re: Election Office Case No. P-788-LU722-SCE

Gentlemen:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). The protest, filed by Daniel Hanners, an elected and certified delegate from Local Union 722 to the 1991 IBT International Convention, concerns the refusal of Local 722 to advance, or pay directly, the hotel costs which will be incurred by Mr. Hanners in Orlando, Florida at the Convention site.

The *Rules* require a Local Union to send and pay the expenses of its delegates and, if so provided in its approved Local Union Election Plan, its alternate delegates to attend the 1991 IBT International Convention. *Rules* Article II, §2 (b)(9), and (10)(d). The obligations of Local Unions with respect to such expense payments are set forth in detail in the Advisory Regarding Political Expenses, issued April 19, 1991 ("*Advisory*").

Among the expenses for which Local Unions are responsible are lodging or hotel expenses associated with delegate participation in the Convention. The Advisory envisions that the Local Union will make advance arrangements for the lodging of its delegates. Among the arrangements so envisioned is the payment for such lodging. Such payment is the obligation of the Local and therefore the Local Union is responsible for making the appropriate payments to the hotel or motel.

Mr. Daniel Hanners
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In the instant case however, Mr. Hanners made his own arrangements for hotel or motel accommodations. That the Local did not make such arrangements does not however relieve it of its obligation to pay for the hotel accommodations.

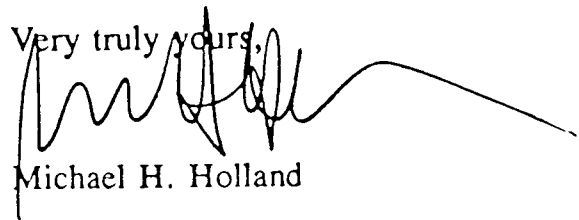
To require the delegate to pay for the hotel out of the per diem advances would be unreasonable. The daily expense allowance advances are to be utilized by the delegate for Convention-related expenses other than transportation and lodging, e.g., meals, local transportation, and the like. If Mr. Hanners were required to pay his lodging expenses from his per diem advances, he would have little, if any, advances to use for daily Convention-related expenses.

The Local Union is obligated under the *Rules* to pay for its delegates hotel expenses. It is unreasonable to require the delegate to pay the hotel costs from per diem expense advances. The Local Union is therefore obligated either to make arrangements directly with the hotel or motel for payment of lodging costs or provide its delegates in advance with the monies necessary to cover the costs of lodging accommodations.

In accordance with the foregoing, the instant protest is **GRANTED**. Local Union 722 shall either make arrangements with the hotel where its delegate Daniel Hanners is staying for direct payment by the Local to the hotel of the cost of Mr. Hanners' lodging or provide to Mr. Hanners in advance the monies necessary to cover his lodging expenses.

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/pjm

cc: Frederick B. Lacey, Independent Administrator
Peggy A. Hillman, Regional Coordinator