

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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July 15, 1991

VIA UPS OVERNIGHT

Daniel Dominguez
P.O. Box 142023
Austin, TX 78714

Preston D. Ketchum
President
IBT Local Union 657
8214 Roughrider
San Antonio, TX 78239

David Tondre
IBT Local Union 657
8214 Roughrider
San Antonio, TX 78239

UPS
Terminal Manager
6400 Seven State
San Antonio, TX 78244

Re: Election Office Case No. P-794-LU657-SOU

Gentlemen:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Local Union 657 member Daniel Dominguez. In his protest Mr. Dominguez states that he was discharged by his employer, United Parcel Service. He states that both his Local and employer were aware at the time of such discharge of his announced candidacy for President of the Local in Local Union officer elections to be conducted in the Fall of 1991. Mr. Dominguez apparently contends that the discharge was retaliatory and resulted from his announced candidacy for Local Union President.

The jurisdiction of the Election Officer extends solely to the nomination and election process of delegates to the IBT International Union Convention and the nomination and election process for International Union Officers. The Election Officer has no jurisdiction with respect to exclusively Local Union officer elections. The Election Rules promulgated by the Election Officer, including those portion of the Rules relating to the exercise by members of political rights, "are thus not applicable, nor intended to apply, to the elections of IBT subordinate body officers." *Rules*, Preamble,

Mr. Daniel Dominguez
Page 2

The matters about which Mr. Dominguez protests relate to the forthcoming Local Union officer elections for Local Union 657. Mr. Dominguez does not contend that the actions taken against him by either Local 657 or his employer were based on anything but the Fall, 1991 Local Union officer election. Therefore the Election Officer has no jurisdiction of this matter and the protest is **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 & 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
Donald H. Williams, Regional Coordinator