

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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August 9, 1991

VIA UPS OVERNIGHT

Charles F. Teas
Secretary-Treasurer
IBT Local Union 413
555 East Rich Street
Columbus, OH 43215

W. Pete Bilyeu
President
IBT Local Union 413
555 E. Rich St.
Columbus, OH 43215

Re: Election Office Case No. P-845-LU413-CLE

Gentlemen:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules") by Charles Teas, Secretary-Treasurer of Local Union 413. Mr. Teas alleges that on August 2, 1991, Mr. Bilyeu, President of Local 413, refused to sign Mr. Teas' weekly payroll check. Mr. Teas contends that the failure of Mr. Bilyeu to sign the payroll check was due to Mr. Teas' support of Ron Carey for International General President. According to Mr. Teas, Mr. Bilyeu supports R. V. Durham for International General President.

The Election Officer has conducted an investigation of this protest. In the course of said investigation, counsel for the Local, Mr. Jerry Riesling, stated that Mr. Bilyeu was willing to sign the paycheck of Mr. Teas and, indeed, had attempted to do so later on Friday, August 2, 1991. Mr. Bilyeu has personally confirmed that he would sign Mr. Teas' paycheck.

Mr. Teas has advised the Election Officer that he has already deposited the check, although it did not contain two signatures as required. Thus he has not yet presented the check to Mr. Bilyeu for signature. As noted above, however, Mr. Bilyeu is agreeable to signing Mr. Teas' check.

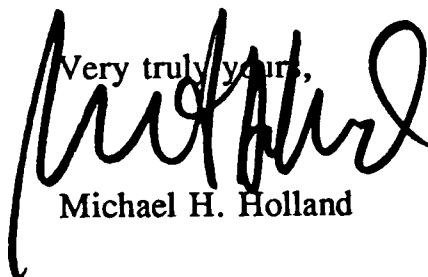
Based upon the representations of counsel for the Local and Mr. Bilyeu that Mr. Bilyeu stands ready to sign the August 2, 1991 paycheck of Mr. Teas or, if necessary, void and replace the check or advise Mr. Teas' bank that the check may be honored, the Election Officer considers this protest RESOLVED.¹

¹ Since this matter is considered RESOLVED by the Election Officer, no further inquiry is necessary into the motivation behind the incident or whether such motivation

Charles F. Teas
Page 2

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/mjv

cc: Frederick B. Lacey, Independent Administrator
Joyce Goldstein, Regional Coordinator

was election related. However, both parties are reminded that retaliation and/or harassment due to political views or participation in campaign activities violates the *Rules*.