

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

Michael H. Holland  
Election Officer

(202) 624-8778  
1-800-828-6496  
Fax (202) 624-8792

September 17, 1991

**VIA UPS OVERNIGHT**

Norma Columbus  
11501 Lockwood Dr. Apt. 413  
Yukon, OK 73099

Charlie Thompson  
President  
IBT Local Union 886  
3528 W. Reno  
Oklahoma City, OK 73125

Steve Vann  
c/o IBT Local Union 886  
3528 W. Reno  
Oklahoma City, OK 73125

Re: Election Office Case No. P-886-LU886-SOU

Gentlemen and Ms. Columbus:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Norma Columbus, a member of IBT Local Union 886, employed at International Environmental Corporation ("*IEC*"). In her protest, Ms. Columbus contends that Steve Vann, a Business Agent for Local 886, removed campaign material posted by Ms. Columbus at IEC in violation of the *Rules* and Ms. Columbus' political rights under the *Rules*. The protest was investigated by Regional Coordinator Larry R. Daves.

IEC maintains a bulletin board in the break room of the facility where Ms. Columbus is employed; the bulletin board is and has been utilized for the posting of campaign materials. Pursuant to the terms of the collective bargaining arrangement between IEC and the IBT, supervisory employees of IEC must "OK" all material prior to its being posted. IEC has done so in the past and indeed Ms. Columbus admits that she has previously posted campaign material on the bulletin board in the break room with the "OK" of IEC supervisors.

On or about August 15, 1991, Ms. Columbus posted a note, handwritten by her, on the window at or near the break room in the IEC facility. She did not obtain a supervisory "OK" before posting. As indicated above, the note was not posted on the bulletin board, but rather on a window; Ms. Columbus states that the break room was being painted at the time and that the bulletin board was therefore inaccessible to her.

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Approximately a day later the note was removed from the window by IEC on the basis that the note had not been "OK'd" by a supervisor and was not posted on the bulletin board. IEC gave the note to Mr. Vann who then gave it to Ms. Columbus.

The note at issue read as follows:

"Effective July 1st, 1991 Strike fund is now \$200.00 per wk.  
when Union member's [sic] are on strike."

Under the circumstances of this case, the Election Officer does not find that the *Rules* have been violated. The note had not been properly "OK'd" prior to its being posted; the note was not posted on the bulletin board. Ms. Columbus herself admits that she has had no previous difficulty in posting campaign material on the bulletin board. There is no reason to believe that she will not continue to be able to accomplish such postings in the future.

Further, the note that Ms. Columbus posted was a message with respect to a policy matter voted on at the 1991 IBT International Union Convention, i.e. the proposal to increase the strike benefits paid by the IBT. The note Ms. Columbus posted did not refer to any candidate for International Union office nor did it even relate the issue of strike benefits to the positions take by the nominated candidates with respect to that matter.

The Election Officer's jurisdiction under the March 14, 1989 Consent Order and the *Rules* extends only to the nomination and election processes for International Union officers and delegates to the International Convention. Accordingly, he only has jurisdiction with respect to the posting of materials which relate to or impact upon those nomination and election processes. The material that Ms. Columbus posted and which was subsequently removed by IEC concerned however a policy issue. The notice by its terms did not relate to the International Union election campaign. Accordingly, the propriety of the posting and subsequent removal of this material is beyond the jurisdiction of the Election Officer.

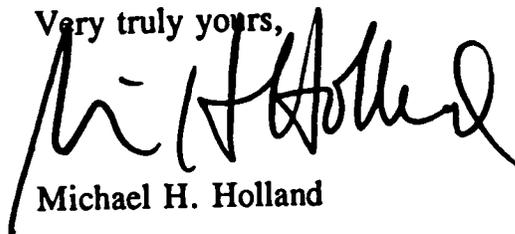
For the reasons outlined above, the Election Officer DENIES the instant protest.

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)

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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,

A handwritten signature in black ink, appearing to read "Michael H. Holland". The signature is written in a cursive style with a large initial "M".

Michael H. Holland

MHH/mjv

cc: Frederick B. Lacey, Independent Administrator

Larry R. Daves, Regional Coordinator