

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

October 23, 1991

**VIA UPS OVERNIGHT**

Anthony Veltry  
88-41 62nd Drive  
Rego Park, NY 11374

Dennis M. Silverman  
President  
IBT Local Union 810  
10 E. 15th St.  
New York, NY 10003

**Re: Election Office Case No. P-975-LU810-NYC**

Gentlemen:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Anthony Veltry, a member of Local 810 and a supporter of the Ron Carey Slate. Mr. Veltry contends that resources of Local 810 were used to encourage Local Union members to attend a rally that was held in support of the Shea-Ligurotis Action Team on October 3, 1991 at the Ramada Hotel in New York City. Specifically, Mr. Veltry alleges that a bus was hired and paid for with Union funds to transport Local Union members to the rally.

The *Rules* prohibit the use of Union funds to support any International Union officer candidates. *Rules*, Article X, §§ 1(b) and (c). See also Article VIII, § 10(c) of the *Rules* which provides: "Union funds, facilities, equipment, stationery, etc. may not be used to assist in campaigning unless the candidate reimburses the Union for such costs and such goods and services are equally available to all candidates and all candidates are notified in advance of the availability of such goods and services."

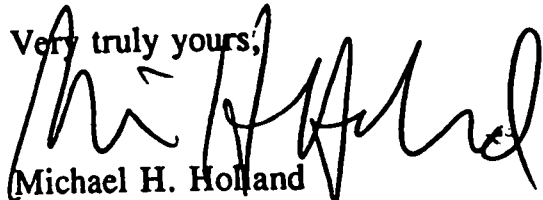
The Election Office investigation was conducted by Regional Coordinator Amy Gladstein and disclosed the following facts. Mr. Veltry's personal knowledge of the facts relating to the events giving rise to the complaint were at best sketchy and relied on conversations with persons whose names he did not know. However, the Election Officer's investigation did confirm that a rally did take place on October 3, 1991 and that a bus was utilized to transport Local Union members to the rally. Sandwiches and beverages were also provided for the members who attended. A dining or assembly area was made available and janitorial staff hired to clean the room. The investigation disclosed that the cost charged for the bus service and food was at the rate regularly charged by the providers to all customers and that the room and janitorial service were at market rate.

Sid Meyer, attorney for Local 810, has represented to the Election Officer that the cost of hiring the bus, providing the food and the dining or assembly facility was not paid with Union funds but was paid with monies in a special voluntary benefit fund established by Local 810 officers and staff, all of whom are IBT members. This benefit fund is maintained to provide campaign and similar contributions to candidates favored by the fund's contributors.

Upon request of the Election Officer, an invoice was produced by Mr. Meyer relating to the bus, food and room transactions. However, the bus service bill indicates that the cost for that service was billed to Local 810. Mr. Meyer represents, however, that Local 810 did not pay the bill and that the \$230.00 charge was paid by the fund described above. The Election Officer investigation substantiated that the fund in fact paid for the bus, food and dining or assembly facility. The fund, since it was established with voluntary contributions from IBT members, may be used for campaign purposes and thus payment for the rally related services and goods through the benefit fund does not violate the *Rules*.<sup>1</sup>

Accordingly, the protest is DENIED.

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

---

<sup>1</sup> The Election Officer would note that the fund may be an independent committee within the meaning of the *Rules* and the Advisory on Campaign Contributions and Disclosure, issued August 14, 1991. Accordingly, if the fund raises or expends more than \$1,000.00 in connection with the 1991 International Union election, Campaign Contribution and Expenditure Reports must be filed.

Anthony Veltry  
Page 3

MHH/mjv

cc: Frederick B. Lacey, Independent Administrator

Amy Gladstein, Regional Coordinator

Susan Jennik, Esq.  
Association for Union Democracy  
500 State St.  
Brooklyn, NY 11217

Ron Carey  
c/o Richard Gilberg, Esquire  
Cohen, Weiss & Simon  
330 West 42nd Street  
New York, NY 10036-6901

R. V. Durham  
c/o Hugh J. Beins, Esquire  
Beins, Axelrod, Osborne  
& Mooney  
2033 K St., NW  
Suite 300  
Washington, D.C. 20006-1002

Walter Shea  
c/o Robert Baptiste, Esquire  
Baptiste & Wilder  
1919 Pennsylvania Avenue, N.W.  
Suite 505  
Washington, D.C. 20006

MHH/cb