

July 19, 1996

**VIA UPS OVERNIGHT**

Lucy Koszyk  
Teamsters Local Union 743  
300 S. Ashland Avenue  
Chicago, IL 60607

John Sullivan, Associate General Counsel  
International Brotherhood of Teamsters  
25 Louisiana Avenue, N.W.  
Washington, DC 20001

Ron Carey, General President  
International Brotherhood of Teamsters  
25 Louisiana Avenue, N.W.  
Washington, DC 20001

**Re: Election Office Case No. CONV-40-IBT**

Gentlepersons:

Lucy Koszyk, a member of Local Union 743, filed a protest pursuant to the *Rules for the 1995-1996 IBT International Union Delegate and Officer Election ("Rules")* against Ron Carey, in his capacity as International general president. The protester objects to her exclusion from the Convention floor on Monday afternoon, July, 15, 1996.

Ms. Koszyk stated that she was invited to attend the 25th Teamsters International Convention as a guest and appeared only at great personal financial sacrifice. She further expressed the view that, as a member of the IBT, she has a right to observe the Convention proceedings and now seeks reimbursement for her expenses.

The issue of the propriety of excluding retirees and guests from the Convention floor was reviewed in Branch, CONV-22-IBT, et seq. (July 18, 1996). In that case, the Election Officer stated:

The Election Officer has exclusive authority over the election and credentialing of elected Convention delegates and alternate delegates. During Convention proceedings, she has exclusive authority over the processes for nominating International officer candidates and for voting on those nominations. The *Rules* protect the rights of elected delegates to participate in those

processes. Halberg, CONV-21-IBT (July 17, 1996).

The Election Officer does not credential guests or retirees at this Convention. Such persons may not participate in the electoral processes protected by the **Rules**. Thus, the decisions of the IBT or Mr. Carey with respect to admitting or excluding such persons from the Convention floor during non-electoral proceedings generally fall outside the scope of the Election Officer's jurisdiction and the protection of the **Rules**.

The protester was excluded from the Convention floor under the same circumstances as those described in Branch. Ms. Koszyk has presented no position or submitted any evidence to justify a reconsideration of the decision issued in Branch.

Accordingly, the protest is DENIED.

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within one day of 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:

Kenneth Conboy, Esq.  
Latham & Watkins  
885 Third Avenue, Suite 1000  
New York, NY 10022  
Fax (212) 751-4864

Copies of the request for hearing must be served on the parties listed above as well as upon the Election Officer, 400 N. Capitol Street, Suite 855, Washington, DC 20001, Facsimile (202) 624-3525. A copy of the protest must accompany the request for a hearing.

Sincerely,

Barbara Zack Quindel  
Election Officer

cc: Kenneth Conboy, Election Appeals Master