

November 27, 1996

VIA UPS OVERNIGHT

Sandra Vaughan
1603 Choctaw
Robertsville, MO 63072

John Metz, Secretary-Treasurer
Teamsters Local Union 610
1401 Hampton Avenue
St. Louis, MO 63139

Re: Election Office Case No. P-1259-LU610-MOI

Gentlepersons:

A pre-election protest was filed pursuant to Article XIV, Section 2(b) of the ***Rules for the 1995-1996 IBT International Union Delegate and Officer Election ("Rules")*** by Sandra Vaughan, a member of Local Union 610. Ms. Vaughan alleges that campaign flyers in support of James P. Hoffa, a candidate for general president, have repeatedly been removed from a bulletin board located on employer property. Specifically, Ms. Vaughan alleges that while campaign material in favor of Ron Carey, a candidate for reelection as general president, has remained posted on the bulletin board, pro-Hoffa material has been removed.

This protest was investigated by Regional Coordinator Michael D. Gordon.

Ms. Vaughan is employed as a driver for the Special School District. The company maintains a bulletin board on the premises for use by both the union and the employer. Carey and/or anti-Hoffa campaign material has been continually posted on the bulletin board for the last three to four weeks.

On or about November 4, 1996, Ms. Vaughan began posting Hoffa campaign material on the bulletin board. The material remained posted on the bulletin board for approximately two to three hours, and was then removed by an unknown person. The next day, Ms. Vaughan posted other Hoffa campaign material on the bulletin board, which also was removed. This pattern

continued for several days. In reaction to the removal of the pro-Hoffa literature, Ms. Vaughan began removing Carey campaign literature from the bulletin board. She also posted a note on the bulletin board, challenging the unknown person who had removed her campaign material to reveal his or her name. She received a return note from Kathy Sporich, a Local Union 610 steward, which stated that only stewards could post campaign material on the bulletin board.

Ms. Vaughan subsequently contacted Local Union 610 Secretary-Treasurer John Metz, who told the protester that she had a right to post campaign material on the bulletin board. Ms. Sporich also spoke to Mr. Metz, and was advised that Ms. Vaughan had a right to post campaign literature on the bulletin board.

Article VIII, Section 11(d) of the *Rules* states:

No restrictions shall be placed upon candidates' or members' preexisting rights to use employer or Union bulletin boards for campaign publicity. Similarly, no restrictions shall be placed upon candidates' or members' preexisting rights to solicit support, distribute leaflets or literature, conduct campaign rallies, hold fund-raising events or engage in similar activities on employer or Union premises. Such facilities and opportunities shall be made available to all candidates and members on a nondiscriminatory basis.

Mr. Gordon contacted Mr. Metz regarding the protested incident. Mr. Metz has agreed to post the attached "Notice to Local Union 610 Members" on the bulletin board at the Special School District. In addition, Ms. Vaughan acknowledges that campaign material posted on the bulletin board has not been removed since Ms. Sporich spoke with Mr. Metz.

In consideration of the foregoing, this protest is RESOLVED.

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

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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
Michael D. Gordon, Regional Coordinator