

December 20, 1995

**VIA UPS OVERNIGHT**

Randy Olson  
1825 San Jose Street  
San Leandro, CA 94577

Coca Cola Company  
1551 Atlantic Avenue  
Union City, CA 94587

United Parcel Service  
8400 Pardee Drive  
Oakland, CA 94621

United Parcel Service  
Allen Shepherd Way  
Building M-106  
Oakland, CA 94621

Waste Management  
2615 Davis Street  
San Leandro, CA 94577

Waste Management  
172 98th Avenue  
Oakland, CA 94603

**Re: Election Office Case No. P-251-LU70-CSF**

Gentlemen:

A pre-election protest was filed November 27, 1995 pursuant to Article XIV, Section 2(b) of the *Rules for the IBT 1995-1996 International Union Delegate and Officer Election ("Rules")* by Randy Olson, a member of Local Union 70. The protester alleges that United Parcel Service ("UPS"), the Coca-Cola Company, and Waste Management have discriminated against him and his slate of candidates for local union office by denying them access to certain work sites for the purpose of campaigning, while permitting campaigning by an opposing slate of candidates for local union officer. The protester also alleges that UPS discharged him and another member of his slate of candidates for local union officer in retaliation for their campaign activities.

The protest was investigated by Regional Coordinator Matthew D. Ross.

Mr. Olson was a member of the "Working Teamsters," a slate of candidates for local union officer. Local Union 70 held its local union officer election on December 7, 1995. It will hold its International Union delegate election on March 12, 1996. The investigation confirmed that the allegations in this protest pertain entirely to campaign activity by the protester in support of his effort to become a local union officer. The protester claimed that he attempted

Randy Olson  
December 20, 1995  
Page 2

to distribute campaign literature that mentioned his intent to run for delegate as well as local union officer. However, despite repeated requests, the protester failed to provide any copies of such literature to the Regional Coordinator. Pursuant to Article I of the **Rules**, the authority of the Election Officer is to supervise all phases of the International Union delegate and officer elections. Her authority does not extend to elections for local union officer. Zero, Case No. P-078-LU337-EOH (August 4, 1995). The protester has failed to state any claim of violation of the **Rules**.

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 and Watkins  
885 Third Avenue  
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 North Capitol Street, Suite 855, Washington, D.C. 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  
Matthew D. Ross, Regional Coordinator