

March 7, 1996

VIA UPS OVERNIGHT

J.C. Harrison
2676 Piper Lane
Springfield, IL 62707

Dennis Huss
RR #1, Box 168
New Berlin, IL 62670

Diane Hendricks
21 Elm Tree Court
Taylorville, IL 62568

E. Edw. Crabtree, Jr.
240 Hickorywood Drive
Decatur, IL 62526

Terry W. Meadows
3040 Turpin Road
Decatur, IL 62521

Restore the Pride '96 Slate
1211 W. Edwards
Springfield, IL 62704

Re: Election Office Case Nos. P-561-LU916-SCE
P-564-LU916-SCE
P-566-LU916-SCE
P-570-LU916-SCE

Gentlepersons:

Four protests were filed by members of Local Union 916 pursuant to Article XIV, Section 2(b) of the *Rules for the 1995-1996 IBT International Union Delegate and Officer Election ("Rules")* against Edward Crabtree, a candidate for delegate. J.C. Harrison filed a protest docketed as P-561-LU916-SCE, Diane M. Hendricks filed a protest docketed as P-564-LU916-SCE, Terry W. Meadows filed a protest docketed as P-566-LU916-SCE, and Dennis C. Huss filed a protest docketed as P-570-LU916-SCE. Each protester alleges that Mr. Crabtree obtained an unfair advantage because his campaign literature appeared on a union bulletin board at an ABF terminal.

Regional Coordinator Bruce Boyens investigated the protest.

J.C. Harrison, et al.
March 7, 1996
Page 2

On February 29, 1996, campaign literature on behalf of Edward Crabtree, candidate for delegate from Local Union 916 on the Restore the Pride slate, appeared inside a glass-enclosed, locked union bulletin board in the drivers' room at the ABF terminal in Springfield, Illinois. The literature promoted Mr. Crabtree and attacked opponents of the Restore the Pride slate.

The use of union and employer bulletin boards is governed by Article VIII, Section 11(d) of the *Rules*, which states, in pertinent part:

No restrictions shall be placed upon candidates' or members' preexisting rights to use employer or Union bulletin boards for campaign publicity . . . Such facilities and opportunities shall be made available to all candidates and members on a nondiscriminatory basis.

Previously, Local Union 916 has not allowed campaign literature to be posted on union bulletin boards. The local union has recently circulated a memorandum to its shop stewards advising them of the local union's policy. There is no evidence that Mr. Crabtree or the local union was responsible or had knowledge of the posting. When advised of the posting, Mr. Crabtree immediately asked a steward to remove the literature from the bulletin board. Mr. Harrison verifies that the posting was removed by March 2, 1996. At most, the posting was up on the bulletin board for two days.

Under these circumstances, the Election Officer does not find a violation of Article VIII, Section 11(d).

Accordingly, the protest is DENIED.

J.C. Harrison, et al.

March 7, 1996

Page 3

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

J.C. Harrison, et al.

March 7, 1996

Page 4

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
Bruce Boyens, Regional Coordinator