

March 12, 1996

VIA UPS OVERNIGHT

The Equality Slate
c/o Bruno Franco
60 Topland Road
White Plains, NY 10605

Re: Election Office Case No. P-594-LU810-NYC

Gentlepersons:

A protest was filed under Article XIV, Section 2(b) of the *Rules for the 1995-1996 IBT International Union Delegate and Officer Election ("Rules")* by the Equality slate, a slate of candidates for delegate and alternate delegate in Local Union 810. The protesters allege that the decision by the Election Office to find the filing of slate-declaration for the Equality slate untimely was incorrect under Article IX, Section 1(c) of the *Rules*.

This protest was supervised by Protest Chief Benetta Mansfield.

On Thursday, February 29, 1996, a nomination meeting was held for Local Union 810. With the exception of Henrietta Rivera, all of the candidates for delegate and alternate delegate on the Equality slate were nominated and accepted their nominations at the meeting. Ms. Rivera was not at the meeting and accepted her nomination in writing. The Equality slate prepared a slate declaration form at the end of the meeting, but could not be submitted due to the lack of Ms. Rivera's signature. On Friday, March 1, 1996, Ms. Rivera's signature was obtained and the Equality slate forwarded the declaration to the Election Office by facsimile and U.S. mail.

The Election Office received the slate declaration via U.S. mail on Monday, March 4, 1996. Since the form was not filed within three days of the nomination meeting pursuant to Article IX,

Section 1(c), the Election Office advised Bruno Franco, the slate representative, that the candidates would be ineligible to run as a slate.

Subsequently, the Election Office located the facsimile of the slate declaration form which was received by the Election Office on March 1, 1996, and was, thus, timely filed. The Election Office has advised the Equality slate that the slate declaration form was properly filed and that the Equality slate is permitted to appear as a slate on the ballot.

Accordingly, the 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 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

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cc: Kenneth Conboy, Election Appeals Master
Benetta Mansfield, Protest Chief