

June 27, 1996

VIA UPS OVERNIGHT

John Thomas
2601 Guilford
Oklahoma City, OK 73120

Richard Nelson, President
Teamsters Local Union 886
3528 W. Reno
Oklahoma City, OK 73107

Re: Election Office Case No. P-811-LU886-SOU

Gentlemen:

John Thomas, a member of Local Union 886, filed a pre-election protest pursuant to Article XIV, Section 2(b) of the *Rules for the IBT International Union Delegate and Officer Election ("Rules")* alleging that the May 1996 issue of Local Union 886's newsletter, "Teamster Pride," improperly supported the International candidacies of IBT General President Ron Carey and Local Union 886 President Richard Nelson, in violation of Article VIII, Sections 8 and 9 of the *Rules*. He states that the newsletter refers to Mr. Carey by name or title four times and to Mr. Nelson by name twice. He further states that International candidate James P. Hoffa is not mentioned.

This protest was investigated by Regional Coordinator Dolores C. Hall.

The investigation revealed that the "Teamster Pride" issue in question was mailed on May 20, 1996. Mr. Thomas admits receiving it sometime in May. He faxed his protest to the Election Officer on June 13.

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Article XIV, Section 2(b) of the **Rules** requires protesters to file “within two (2) working days of the day when the protestor becomes aware or reasonably should have become aware of the action protested.” The short time limits are important to ensuring that alleged violations of the **Rules** are quickly brought to the attention of the Election Officer in order to afford the greatest opportunity for applying an effective remedy if a violation is found. In this matter, Mr. Thomas waited at least nine working days after receiving the newsletter before filing this protest.

For the reason stated above, 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
Dolores C. Hall, Regional Coordinator