

OFFICE OF THE ELECTION SUPERVISOR
for the INTERNATIONAL BROTHERHOOD OF TEAMSTERS
1990 M STREET, N.W., SUITE 650
WASHINGTON, D.C. 20036
844-428-8683 TOLL FREE
202-925-8922 FACSIMILE
electionsupervisor@ibtvote.org
www.ibtvote.org

Richard W. Mark
Election Supervisor

November 6, 2020

Spencer Hogue
Secretary-Treasurer
IBT Local 222
s.hogue@teamsterlocal222.org

Re: IBT Local 222 Amended Local Union Delegate Election Plan

Mr. Whiter:

I am in receipt of your November 6, 2020 email requesting an amendment to the Local Union Election Plan filed by IBT Local 222. The change is listed below.

1. IBT Local 222 will mail the Nomination Notice via first class mail. The Notice will be mailed on the same day as stated in the plan, December 10, 2020.

The requested amendment is hereby approved. If you have any other questions, please contact OES Regional Director Jim Devine, who is copied on this letter.

Very truly yours,



Richard W. Mark
Election Supervisor

cc: Jim Devine, Regional Director

RE: Nomination Notices

[Spencer Hogue <s.hogue@teamsterslocal222.org>](mailto:s.hogue@teamsterslocal222.org)

Fri 11/6/2020 1:40 PM

To: Jim Devine <jdevine@ibtvote.org>;

Cc: Election Supervisor <electionsupervisor@ibtvote.org>;

Hello,

I have been informed by Teamsters Joint Council #3, that because the Rocky Mountain Teamster magazine is not sent out 1st class postage, we will not be able to send our delegate nomination meeting notice in the magazine on December 10th, 2020, as indicated in our approved election plan.

With your approval, we wish to send the nomination meeting notice to our members through the US Mail, 1st class postage, on December 10, 2020.

Regards,

Spencer Hogue

Secretary Treasurer

Teamsters Local 222

801-972-1898 Ext. #28

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c/o 4423 Lehigh Road, #439
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www.ibtvote.org

Richard W. Mark
Election Supervisor

VIA EMAIL: s.hogue@teamsterslocal222.org
Mr. Spencer Lewis Hogue
Secretary Treasurer
IBT Local Union 222
2641 S. 3270 W.
Salt Lake City UT 84119

Dear Mr. Hogue:

The Office of the Election Supervisor (OES) has approved the Local Union Election Plan for:

IBT Local Union 222

This letter provides you with the approved Plan and a Local Union Plan Summary that contains all the relevant information on the nomination and election of delegate(s) and alternate delegate(s) in your Local. The Plan and Summary were prepared from the information your local submitted to OES, and state the procedures the Local committed to follow to conduct the election. Please check the Plan Summary to ensure that all the information is accurate and that the Local is prepared to implement it as stated.

The *Rules* require the Local to post the Plan Summary on all Local Union bulletin boards as soon as possible, but in no event later than seven (7) days from the date that you receive this letter. *See* Article II, Section 4(b). The Plan Summary must be posted on Office of the Election Supervisor letterhead just as it is being transmitted to you. The posting must be maintained throughout the entire nomination and election period.

That subsection of the *Rules* also requires that within three (3) days of the posting, you must provide a declaration to the Election Supervisor attesting to the fact that the Plan Summary was posted as required and identifying every bulletin board site, by employer and location, where the Plan Summary was posted and the individual(s) responsible for posting and maintaining the Plan Summary at each site. ES Form 3, available on the Election Supervisor's website, www.ibtvote.org, under "Official Forms" may be used for the declaration.

Please do not hesitate to call me, or your Regional Director, if you have any questions or need assistance.

Very truly yours,



Richard W. Mark
Election Supervisor
September 18, 2020

cc: Jim Devine
jdevine@ibtvote.org

Attachments

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Richard W. Mark
Election Supervisor

IBT LOCAL UNION 222

Plan Summary for Election of Delegates and Alternate Delegates to the IBT Convention

IBT LU 222 is entitled to elect 5 delegates and has chosen to elect 4 alternate delegates to the June 2021 IBT International Convention. The expenses of the 5 delegates and 4 alternate delegates will be paid by the IBT LU 222. The Election Supervisor has approved the IBT LU 222's plan for conducting nominations and elections. The important details of the plan are summarized below. This summary must remain posted until 30 days after the date of posting of the names of the elected delegates and alternates, whether chosen by white ballot or as a result of a contested election.

NOMINATION

- When & Where:** See separate page with nomination-meeting schedule.
- Who Can Attend:** Any active member may attend any meeting.
- Who Can Run:** A member must be in continuous good standing for a period of twenty-four months prior to the month of January 2021.
- Who Can Nominate:** Members in good standing (full dues paid through December 2020) may nominate or second the nomination of a candidate or slate of candidates.
- Nominations:** Nominations may be made or seconded orally at the nomination meeting or submitted in writing to the Secretary-Treasurer not later than 5:00 p.m. of the day immediately prior to the relevant meeting. It shall be signed by the member submitting the nomination or second and shall provide his/her complete mailing address. The submitting individual may also choose to provide the last four digits of his/her SSN/SIN.
- Candidate Acceptance:** A member may accept nomination in person, or if absent from the meeting, by furnishing a written acceptance to the presiding officer not later than the time the member is nominated. It shall be signed by the member submitting the acceptance and shall provide his/her complete mailing address. The submitting individual may also choose to provide the last four digits of his/her SSN/SIN.
- Eligibility Deadline:** See separate page with nomination-meeting schedule.
- Additional Info:** The IBT LU 222 will send a Nominations Notice to all members with additional instructions for participating in the nominations process.

ELECTION

- Mail Balloting:** All members should receive a ballot at their home address before Monday, February 22, 2021. Any member not receiving a ballot by that date should request a ballot by calling the IBT LU 222.
- Voting Deadline:** VOTED BALLOT MUST BE RETURNED BY MAIL IN TIME FOR RECEIPT NO LATER THAN 9:00 A.M. ON TUESDAY, MARCH 16, 2021.
- Eligibility Deadline:** Dues must be paid at Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119, before 5:00 PM on Monday, March 15, 2021.

For more details contact IBT LU 222—or your OES Regional Director, Jim Devine:
4110 E. Cortez St., Phoenix AZ 85028, US
Telephone: 703-599-0645 • E-mail: jdevine@ibtvote.org

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Richard W. Mark
Election Supervisor

**IBT LOCAL UNION 222
Plan Summary for Election of Delegates and Alternate Delegates to the IBT Convention**

NOMINATION MEETINGS

Date	Time	Location	Eligibility Deadline
1. Mon, Jan 11, 2021	6:00 PM	Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119	Dues must be paid at Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119, by 5:00 PM on Monday, January 11, 2021.

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www.ibtvote.org

Richard W. Mark
Election Supervisor

IBT LOCAL UNION 222

Resumen del Plan del Sindicato Local para la Elección de Delegados y de Delegados Suplentes a la Convención de la IBT

IBT LU 222 tiene derecho a elegir 5 su delegado o delegados y ha escogido elegir 4 el delegado suplente o los delegados suplentes para la Convención Internacional de IBT a llevarse a cabo en junio de 2021. IBT LU 222 pagará todos los gastos del 5 delegado o delegados y del 4 delegado suplente o delegados suplentes. El Supervisor de la Elección ha aprobado el Plan del IBT LU 222 para llevar a cabo la presentación de candidaturas y la realización de elecciones. A continuación se resumen los detalles importantes del plan. Este resumen debe continuar publicado hasta 30 días después de haberse publicado los nombres de los delegados y suplentes electos, ya sea que fueran electos por medio del voto en blanco o como resultado de una elección impugnada.

NOMINACIÓN

- Cuándo y Dónde:** Ver pagina separada con calendario de reuniones de nominacion.
- Quiénes pueden asistir:** Cualquier miembro activo puede asistir a cualquier asamblea.
- Quiénes pueden ser candidatos:** Un miembro que tenga una buena reputación durante un período continuo de veinticuatro (24) meses previo al mes de enero de 2021.
- Quiénes pueden nominar:** Los miembros con buena reputación(que tengan la totalidad de las cuotas pagadas al diciembre de 2020) pueden nominar o pueden secundar la nominación de un candidato o de una lista de candidatosmay nominate.
- Nominaciones:** Las Nominaciones pueden hacerse o secundados oralmente en la reunion de nominaciones o enviarse por escrito al Secretario-Tesorero no mas tarde las 5:00 p.m. del día inmediatamente anterior a la reunion relevante. Debera estar firmado por el miembro que presente la nominacion o el segundo y debera proporcionar su direccion postal completa. La persona que envia tambien puede optar por proporcionar los ultimos cuatro dígitos de su SSN/SIN.
- Aceptación del candidato:** Un miembro puede aceptar la nominacion en persona, o si esta ausente de la reunion, presentando una aceptacion por escrito al persona a cargo de la reunion no mas tarde en el momento en que se nomina al miembro. Debera estar firmado por el miembro que presente al aceptacion y debera proporcionar su direccion postal completa. La persona que envia tambien puede optar por proporcionar los ultimos digitos de su SSN/SIN.
- Elegibilidad del plazo:** Ver pagina separada con calendario de reuniones de nominacion.
- Información adicional:** IBT LU 222 enviará una Notificación de Nominaciones a todos los miembros con instrucciones adicionales para que participen en el proceso de nominaciones.

ELECCIÓN

- Votación por correo:** Todos los miembros deberían recibir la boleta electoral en su domicilio particular antes del lunes, 22 de febrero de 2021. Cualquier miembro que no reciba una boleta de votación en la fecha indicada, deberá solicitar una boleta de votación llamando al IBT LU 222.
- Plazo de votación:** LA BOLETA DE VOTACIÓN DEBERÁ SER DEVUELTA POR CORREO CON EL TIEMPO SUFICIENTE PARA SER RECIBIDA A MÁS TARDAR A LAS 9:00 A.M. DEL MARTES, 16 DE MARZO DE 2021.
- Elegibilidad del plazo:** Las cuotas deberán pagarse en Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119, antes de las 5:00 PM del lunes, 15 de marzo de 2021.

Para más información contacte a IBT LU 222—o su director regional, Jim Devine:
4110 E. Cortez St., Phoenix AZ 85028, US
Teléfono: 703-599-0645 • E-mail: jdevine@ibtvote.org

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Election Supervisor

IBT LOCAL UNION 222
Resumen del Plan del Sindicato Local para la Elección de Delegados y de Delegados
Suplentes a la Convención de la IBT

REUNIONES DE NOMINACION

Fecha	Hora	Ubicación	Elegibilidad del plazo
1. lu., 11 ene. 2021	6:00 PM	Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119	Las cuotas deben ser pagadas en Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119, a más tardar antes de las 5:00 PM del lunes, 11 de enero de 2021.

2020-2021 LOCAL UNION ELECTION PLAN

Local Union IBT 222

Principal Officer: Mr. Spencer Lewis Hogue
Secretary Treasurer
Address: 2641 S. 3270 W.
Salt Lake City, UT 84119
USA
Phone / Email: (801) 972-1898
s.hogue@teamsterslocal222.org

GENERAL INSTRUCTIONS

The Rules for the 2020–2021 IBT International Union Delegate and Officer Election ("Rules") require every local union to submit a Local Union Plan for the election of delegates and alternates to the IBT International Convention. The Local Union must prepare and submit its plan using the Office of the Election Supervisor's web-based system (the "LUEP System").

The LUEP System requires detailed information from each Local Union about how it will perform the specific tasks and procedures that must be followed to nominate and elect IBT convention delegates and alternate delegates. Once the Local Union Plan is reviewed and approved in writing by the Election Supervisor, the local must conduct its delegate elections in the exact manner described in the approved Plan.

Any local may seek modification of, or exemption from, any provision of the Rules by written application to the Election Supervisor. A request for modification or exemption must explain the reason or need for the requested change and shall clearly state any alternative means that the local proposes for guaranteeing the fair and honest conduct of the nomination and election process. Modifications and exemptions will only be granted for extraordinary circumstances.

IMPORTANT NOTE: Is your local seeking a modification of, or exemption from, the Rules, that you have not previously requested and been granted?

No

Has your local requested and received approval for any modifications of the Rules, or any version of the Rules, that governed any previous IBT delegate election?

No

If you have any questions about the information to be entered into the LUEP System, or how to enter it, contact your Regional Director, Jim Devine, via email at jdevine@ibtvote.org or telephone at 703-599-0645.

THE ELECTION SUPERVISOR'S ADDRESS IS:

Office of the Election Supervisor
for the International Brotherhood of Teamsters
1990 M Street, NW, Suite 650
Washington, DC 20036

Toll Free Phone Number: 1-844-428-8683

Electionsupervisor@ibtvote.org
www.ibtvote.org

DEADLINE FOR SUBMITTING THE LOCAL UNION PLAN**Seasonal Election – June 1, 2020****Fall Election - June 30, 2020****Winter/Spring Election - September 30, 2020**

Seasonal Elections: Any local union in which ten percent (10%) or more the membership is employed by a seasonal food industry. These Local Unions will be notified by the Election Supervisor of their seasonal status.

Fall Elections: Any local with a regularly scheduled local union officer election in the fall of 2020 may choose to hold a fall delegate and alternate delegate election. If the Local Union chooses to elect delegates in the fall, the Local Union Plan must be submitted on or before June 30, 2020. Any local that does not submit its plan by this date shall be required to conduct delegate nominations and elections during the winter and spring of 2021.

If the Local Union chooses to hold delegate and alternate elections in the fall of 2020, the delegate and alternate delegate nominations and elections must be conducted entirely separate from the Local Union's officer elections. Contact the Election Supervisor or the Regional Director at the address listed above with any questions regarding how to conduct separate delegate and officer nominations and elections.

Winter/Spring Election: All other local unions shall submit a Local Union Plan on or before September 30, 2020. A local union that does not submit a plan by this date will have to conduct its delegate election according to a plan imposed by the Election Supervisor. The cost of planning and conducting the election will be the responsibility of the local union.

Please follow the instructions of the on-line LUEP form and provide the information that the LUEP system will use to generate the Local Union election plan.

Section 1. Responsibility to Conduct the Election

All elections must be conducted by mail ballot in accordance with the Rules. Ballots can be counted by hand or by mechanical device. Each local union has the option of either conducting its own delegate nomination and election, or hiring an outside agency to conduct the election.

A local union that chooses to conduct the nomination and election process without an outside agency has two options:

- **Appoint an election committee** (check local by-laws to see if this is required). Each candidate for office may designate one member of the local for service on the local union election committee, who shall be appointed by the President or Secretary-Treasurer.
- **Permit the local executive board to conduct the election.** If this option is chosen, any local union officer or member who intends to seek nomination for delegate or alternate delegate, or who is a candidate for either position may not serve on the local union election committee and may not conduct the nomination or election of delegates or alternate delegates.

INSTRUCTIONS

Select from the drop-down choice whether the local union will conduct the nominations itself (either by election committee or the executive board), or will engage an outside agency. If the Local Union will use an outside agency, fill in the additional information regarding the name and address of the agency, the functions to be performed, and whether the local union has used that agency before. If the local union proposes to use an election committee, provide the names of committee members.

QUESTIONS

1(a). Who will conduct the local union nomination meeting?

Outside Agency

Details:

TrueBallot
3 Bethesda Metro Ctr #700 Bethesda MD 20814
john@trueballot.com
301 656 9500

1(b). Who will conduct the local union election?

Outside Agency

Details:

TrueBallot
3 Bethesda Metro Ctr #700 Bethesda MD 20814
john@trueballot.com
301 656 9500

Section 2: Number of Delegates and Payment of Expenses

The local union must pay the convention expenses of all its elected delegates. A local union may only propose to send less than a full complement of delegates because of financial inability. To request an exemption, the local union must first demonstrate actual financial inability to the International General Secretary-Treasurer and then submit the request and any determination of the International General Secretary-Treasurer to the Election Supervisor for approval. If a local union receives approval to send less than the full complement of delegates, the candidate(s) receiving the highest number of votes in the delegate election or, in the case of uncontested elections, the candidate(s) ranked highest in the lottery shall be sent to the Convention.

INSTRUCTIONS

Question 2(a) – Fill in the number of delegates to be elected to the IBT Convention.

Question 2(b) – Fill in the number of alternate delegates to be elected to the IBT Convention.

Question 2(c) – Indicate whether the local union will pay expenses for all of its delegates elected to the IBT Convention. If the local union seeks not to pay for some or all of the elected delegates, a "financial inability" exemption must be requested from the International General Secretary-Treasurer.

A local union need not pay expenses of any or all of its alternate delegates to the IBT Convention, but must make the decision on whether to do so as part of the Local Union Plan.

Question 2(d) – Indicate whether the local union will pay expenses of all alternate delegates to attend the IBT convention. If not, indicate the number, if any, of alternate delegates for whom the local union will pay expenses.

A Local Union may not pay IBT Convention expenses of any non-delegate or non-alternate delegate officer, member, or guest, unless it sends all of its delegates and alternate delegates to the Convention and pays their Convention Expenses.

2(a). How many delegates are to be elected to the IBT Convention?	5
2(b). How many alternate delegates are to be elected to the IBT Convention?	4
2(c). Will the local union pay expenses for all of its delegates elected to the IBT Convention?	Yes
2(d). Will the local union pay expenses for all of its alternate delegates elected to the IBT Convention?	Yes

Section 3: Nomination Meeting Dates

The *Rules* provide that a candidate can be nominated and seconded and can accept a nomination in writing. Each local may choose to only have one nomination meeting. If a local union is having a regularly scheduled officer election in the fall of 2020, it may decide to conduct the IBT Convention delegate and alternate nomination and election in the fall. The local union's election schedule must provide at least twenty-one (21) days from the mailing of the nomination notice to the date of the first nomination meeting, and provide for at least thirty (30) days between the date of the Local Union's last nomination meeting and the date the ballots are mailed.

The nomination period for fall delegate and alternate delegate nominations is September 1, 2020 – November 7, 2020

Local unions that do not have a regularly scheduled local union officer election in the fall of 2020 must hold the Convention delegate and alternate delegate nomination(s) meeting between January 4, 2021 and March 7, 2021.

INSTRUCTIONS

Question 3(a) — Indicate the number of nomination meetings the local union will hold.

Question 3(b) — For each nomination meeting, provide the date, time, and location of the meeting; indicate whether the location has changed from the last set of delegate nomination meetings [Y/N]; indicate whether the nomination meeting is scheduled for a date other than a regularly scheduled general membership meeting [Y/N] and, if it is not on the date of a regularly scheduled general membership meeting, provide an explanation. Also provide the date and location of the office where written nominations and seconds may be delivered up to 5:00 pm of the day preceding the nomination meeting. Also provide the location, deadline date and time for payment of dues for nomination meeting eligibility. (Or, if zero meetings are scheduled, provide the general written-nomination and eligibility-dues deadline details.)

A written nomination or second must be received by the Local Union Secretary-Treasurer no later than 5:00 PM of the day immediately prior to the day of the nomination meeting. Thus, if a nomination meeting is held on a Sunday or Monday (or a day after a holiday) the union office must be open until 5:00 PM on the preceding day, that is, the Saturday, Sunday or holiday, to receive written nominations.

Notice of the nomination meeting must be mailed to each member of the local union at least twenty-one (21) days before the first nomination meeting.

Question 3(c) — Provide the mailing address for the receipt of written nominations, seconds and acceptances via US mail, UPS or other delivery service.

Question 3(d) — Provide an email address for the receipt of written nominations, seconds and acceptances.

The IBT Constitution provides that members of the local union who are in arrears in the payment of their dues can pay their arrearage in order to be eligible to participate in the election. A member that pays all arrearages at any time before the regular close of business on the last business day before the nomination meeting must be allowed to participate in the meeting.

Question 3(e) — Due to the COVID-19 pandemic, local governments have issued orders or recommendations to close businesses or your union may have decided to close for public health reasons. If your union office is closed during any part of the nomination and/or election period, please provide a procedure for cash dues payers to pay their dues in a timely manner.

If the nomination meeting results in a contested election for delegate or alternate delegate, the Notice of Election (OES Form 11) must be posted on all local union bulletin boards not later than seven (7) days after the last nomination meeting. The Notice of Election should be posted on the local union's website, and printed in the local union's newsletter/newspaper or other official publication. Use OES Form 12 to prepare the Notice of Election.

QUESTIONS

3(a). How many nomination meetings will the local union hold? 1

3(b). Nomination Meetings

MEETING 1

1/11/2021, 6:00 PM

Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119, (same location)

Not regular meeting. Explanation: General membership does not work with the timeline provided. We need the additional time to make sure the notice is 21 days later than the mailed notice. Also, we will have the election service running the meeting and had to take their schedule into consideration.

Written nomination deadline/location: 1/11/2021 at 5:00 PM; Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119

Eligibility dues deadline/location: 1/11/2021 at 5:00 PM; Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119

3(c). What is the mailing address members should use to send written nominations, seconds and acceptances?

Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119

3(d). What is the email address members should use to send written nominations, seconds and acceptances?
s.hogue@teamsterslocal222.org

3(e). If the regular union office is closed due to government "Stay at Home" restrictions or another basis for closure, what steps has the local taken to ensure cash dues payers can still pay their dues in a timely manner?

We have all staff working either from home or in the office. Notice will be posted if the office is closed to the public with directions on how to make contact with the appropriate person.

Section 4: Mailing the Nomination Notice

The local union must use the official OES Nomination Notice form to provide members with notice of the nomination meeting. Get a copy of the Nomination Notice (Form 7) under the "Official Forms" tab at the OES web site, www.ibtvote.org, or by contacting OES directly or contacting the local union's OES Regional Director.

The Nomination Notice may be distributed in one of two ways:

- Mail the notice in a separate, first class mailing to each member. If the local union is conducting an officer election at the same time as the IBT Convention delegate and alternate delegate election, the nomination notices for IBT Convention delegate and local officer elections may be mailed in one envelope, but the notices must be printed on separate sheets of paper and the two notices must be on different colored paper.
- Include the notice in the local union or joint council newsletter/newspaper, which is then mailed by first class mail to each member. Note: The newsletter/newspaper may not be mailed more than 90 days before the nomination meeting.

INSTRUCTIONS

Question 4(a) — Choose from the dropdown menu whether the Nomination Notice will be mailed separately to each member, or be published in the local union or joint council newsletter/newspaper. Indicate the format chosen for mailing the notice of nomination meeting; provide the date for mailing the Nomination Notice.

It is essential the local union have, and maintain, an accurate mailing list with the correct, current home addresses for all of its members to insure that all members receive the Nomination Notice. The Election Supervisor recommends that the local union update the local union's member address list before mailing Nomination Notices to members.

Question 4(b) — Indicate whether the local union will update the local union mailing list before sending the Nomination Notice.

Question 4(c) — Provide the date that the local union will mail the Nomination Notice to members.

QUESTIONS

4(a). How will the local union distribute notice of the nomination meeting to the Publication of

members?

notice in local union or joint council newsletter

4(b). Will the local union update the local union mailing list before sending nomination notice?

Yes

4(c). What is the date the local union will mail the nomination notice?

12/10/2020

Section 5A: Election Dates and Election Procedures

Election Dates

The *Rules* require local unions to conduct the election of delegates and alternate delegates using a printed ballot distributed to all eligible members by mail and returned by mail.

Ballot Mailing Date: Ballots cannot be mailed until at least thirty (30) days *after* the last nomination meeting.

Again, it is essential the local union have, and maintain, an accurate mailing list with the correct, current home addresses for all of its members to insure that all members receive a ballot package. The Election Supervisor recommends that the local union use the returned Nomination Notices to update the local union's member address list before mailing ballot packages.

Election Date: The date for the ballot count (Election Day), which is also the deadline for the return of ballots to be counted must be at least 24 days *after* the ballot is mailed. To determine the 24 day period do not count the day the ballots are mailed but do include Election Day.

Election Day must be scheduled on a date that the post office is open for business and the local union is able to pick up the voted ballots returned for counting. Ballots should be picked up from the post office after 9:00 a.m. on Election Day. The ballot count should start at or after 10:00 a.m.

Fall Election Time Period: The election time period for fall delegate and alternate delegate elections is October 24, 2020–December 31, 2020.

Winter/Spring Election Time Period: The election period for winter/spring delegate and alternate delegate elections is February 27, 2021–April 30, 2021.

INSTRUCTIONS

Question 5A(a) — Provide the ballot mailing date.

Question 5A(b) — Indicate whether the local union will update the local union mailing list before sending ballot packages.

Question 5A(c) — Provide the ballot count (Election Day) date and the time the ballot count will start.

Question 5A(d) — Provide the full address of the location of the ballot count.

QUESTIONS

5A(a). What is the date the local union will mail ballots to each ballot-eligible member?	2/12/2021
5A(b). Will the local union update the local union mailing list before mailing ballot packages?	Yes
5A(c). What is the date and time the local union will conduct the ballot count?	3/16/2021 10:00 AM
5A(d). What is full address of the location of the ballot count?	
Union Hall, 2641 South 3270 West West Valley City, Ut. 84119	

Section 5B: Printing and Mailing Ballots and Storing Election Materials

The ballot package mailed to each eligible member must include:

- Instructions on how to fill out the ballot and return the ballot by mail.
- A ballot.
- A ballot secrecy sleeve or envelope to hold the voted ballot.
- A postage-paid envelope for returning the voted ballot by mail.

Use OES Form 12, available under the "Official Forms" tab at www.ibtvote.org, for the instructions and ballot form.

Ballots should be printed and mailed at a location in the same geographic area as the local union so that candidates and their observers may easily observe the printing and mailing of the ballots. The local union may contract with one entity to print the ballots, prepare the ballot packages, and mail out the packages. The printer should provide the local union with a count of the exact number of ballots printed; the printer or mailer should provide the local union with the number of ballot packages mailed out, and the number of ballots remaining as printed stock.

If the local union chooses to contract with a union printer or mailing service that is not locally situated, provide an explanation for making that choice. The local may use printing or mailing shops which employ members of the Graphic Communications Conference of the IBT. The local may not enter into a contract with any printer or mailer that employs any members of the local, without obtaining a waiver from OES. If the local wants to use a union printer and mailer and can only locate union shops employing members of your local, the local must request a written waiver from this prohibition.

INSTRUCTIONS

Question 5B(a) — Indicate whether the local union requesting a waiver to use a printer or mailer that employs members of the local.

Question 5B(b) — Provide the name and address of the ballot printer, and provide the mileage from the local union's principal office to the address of the printer.

Question 5B(c) — Provide the name and address of the ballot mailer, and provide the mileage from the local union's principal office to the address of the mailer.

Renting Mail Boxes for Returned Ballots and Undeliverable Ballots

The mail ballot procedure requires the local union to rent two post-office boxes:

- One box to hold voted ballots returned by members. The ballots will collect in that post-office box and be held there until Election Day.
- One box to receive ballots that the post office is unable to deliver because the member's address is incorrect.

The local union cannot use an existing post office box where it receives mail for regular business; the boxes to be rented are for use only with the election. The local union should not rent the two post office boxes at the same post office where the local union has a regular business post office box because the U.S. Postal Service might mix up the local's business mail with the ballots.

Question 5B(d) — Provide the post office box address the local union will use to receive voted ballots returned by mail, and to hold the ballots until Election Day.

Question 5B(e) — Provide the post office box address the local union will use to receive ballot packages returned as undeliverable.

QUESTIONS

5B(a). Is the local union requesting a waiver to use a printer or mailer that employs members of the local?

No

5B(b). What is the name and address of the ballot printer?

Metro Print and Mail Solutions
4251 Gateway Park Blvd. Sacramento, CA 95834

What is the mileage from the local union's principal office to the address of the printer?

645

5B(c). What is the name and address of the ballot mailer?

Metro Print and Mail Solutions
4251 Gateway Park Blvd. Sacramento, CA 95834

What is the mileage from the local union's principal office to the address of the mailer?

645

5B(d). What is the post office box address the local union will use to receive voted ballots returned by mail, and to hold the ballots until Election Day?

1760 W. 2100 S.
Salt Lake City, Ut. 84199

5B(e). What is the post office box address the local union will use to receive ballot packages returned as undeliverable?

TrueBallot
3 Bethesda Metro Ctr. #700
Bethesda MD 20814

Section 6: Ballot Security and Remailing Ballot Packages Returned as Undeliverable

The local union must identify a person responsible for: a) keeping the unused ballot stock in a secure location; b) retrieving ballot packages returned to the post office box as undeliverable and seeking to update member addresses to re-mail ballot packages; c) providing a duplicate ballot to a member that makes such a request; and d) maintaining detailed records of the returned and remailed ballot packages.

- **Ballot security.** The local union must safeguard the ballots after printing and mailing, including through the end of the ballot count. At a minimum: (i) Ballots must be secured in a secure and tamper proof location such as a locked filing cabinet or similar container; (ii) if ballot stock is stored in a corrugated box or similar vessel, the vessel must be taped shut with signatures of observers over the tape; and (iii) no candidate can have access to any ballot stock.
- **Remailing.** After ballot packages are mailed, the local union must make frequent visits to the post office and retrieve ballot packages returned as undeliverable. The local must search promptly for information to update the member's mailing address, and re-mail the ballot. Sources to be consulted for updated address information include: (i) the member; (ii) the member's employer; (iii) shop stewards; (iv) health and welfare funds.
- **Responding to member requests for duplicate ballots.** If a member contacts the local union to request a duplicate ballot, the local union must mail out the requested ballot within two days. The local must keep a record of mailing any duplicate ballot so the election officials at the count will know which, if any members were sent duplicate ballots.

INSTRUCTIONS

Question 6(a) — Identify the person responsible for ballot security, and processing re-mail and duplicate ballot requests.

Question 6(b) — State the secure location where the local union will keep its unused ballot stock, and how the location is secured.

Question 6(c) — State how often, after the ballot packages are mailed, the local union will visit the post office to retrieve ballot packages returned as undeliverable.

QUESTIONS

6(a). Identify the person (name, address, phone, email) responsible for ballot security, re-mail, and processing duplicate ballot requests.

John Seibel
TrueBallot
3 Bethesda Metro Ctr.#700
Bethesda MD, 20814
301-656-9500
john@trueballot.com

6(b). Where will the local union keep its unused ballot stock, and how will the stock be secured?

TrueBallot
Bethesda Metro Ctr.#700
Bethesda MD, 20814

The unused ballot stock will be maintained exclusively by the independent agency, TrueBallot, Inc. and will be secured in its office in Bethesda, MD.

6(c). After the ballot packages are mailed, how often will the local union visit the post office box to pick up ballot packages returned as undeliverable.

The Union is hiring an outside agency that will be responsible for handling undeliverable ballots. TrueBallot receives and processes and makes undeliverable ballot information available to the Local Union of all undelivered ballots, every day. The Local Union will check undeliverable envelopes due to bad addresses, and convey updated address information as available.

Section 7: Election Day Procedures

On Election Day, voted ballots should be retrieved from the post office box where they have accumulated and brought back, unopened, to the count site. The general procedure recommended for the ballot count uses these steps:

- The Election Committee puts all the envelopes in alphabetical order, according to the return address label bearing the voter's name.
- For each returned envelope, compare the voter's name to the voter eligibility list.
- If the voter is eligible, place the unopened envelope in a container marked "Eligible." If the voter's eligibility is in doubt, mark the outside of the envelope with the letter "C" for "Challenged" and place it in a separate container labeled "Challenged."
- Continue until all the return envelopes have been compared to the voter eligibility list.
- Open all the outer return envelopes in the "Eligible" grouping. Extract the Secret Ballot Sleeve or Envelope, and separate them from the outer return envelopes. Do not remove the ballots or open the Secret Ballot Envelopes at this step.
- After separating the outer return envelopes from the Secret Ballot Sleeve or Envelope, and otherwise preserving the secrecy of each voter, remove the ballots from the Secret Ballot Sleeves or Envelopes.
- The Election Supervisor recommends, but does not require, using a mechanical device to count ballots, and the local union may determine to count ballots manually.
- If ballots are counted manually, the ballots must be tallied at least two times. The procedure recommended for a manual count uses these steps:
- Separate the ballots into three stacks for counting as follows:
 1. The voter chose a full slate of candidates.
 2. The voter chose a partial slate of candidates.
 3. The voter chose only individual candidates.

After sorting, count each stack of ballots in groups of fifty (50) ballots.

When the tally of ballots initially determined to be Eligible is complete, count the number of envelopes in the "Challenged" container. If the number of challenged ballots could affect the outcome of any contest, the Election Committee should immediately recess the count and contact the Election Supervisor's Regional Director without attempting to resolve eligibility challenges. The Office of the Election Supervisor is solely responsible for resolving the eligibility of voters who cast challenged ballots.

INSTRUCTIONS

Question 7(a) — Indicate whether the local union will follow OES procedure for organizing and opening ballots on Election Day. If not, provide an explanation of the procedure to be followed.

Question 7(b) — Indicate whether local union will use mechanical device to count ballots.

Question 7(c) — If the answer to Question 7(a) is "No," indicate whether the local union will follow OES procedure for the manual count of ballots. If not, provide an explanation of the procedure to be used.

QUESTIONS

7(a). Will the local union follow OES procedure for organizing and opening ballots on Election Day?

No

Explanation:

We are using an election service. They do not alphabetize the ballots but rather use a barcode to tabulate.

7(b). Will the local union use a mechanical device to count ballots?

Yes

Section 8: Payment of Dues Arrearages to Be Eligible to Vote

The IBT Constitution provides that members of the local union who are in arrears in the payment of their dues can pay their arrearage in order to be eligible to participate in the election. A member that pays all arrearages at any time before the regular close of business on the last business day before Election Day will be classified as eligible to vote.

INSTRUCTIONS

Question 8(a) — Provide the location, deadline date and time for payment of dues to be eligible to vote as of Election Day.

Question 8(b) — Due to the COVID-19 pandemic, local governments have issued orders or recommendations to close businesses or your union may have decided to close for public health reasons. If your union office is closed during any part of the nomination and/or election period, please provide a procedure for cash dues payers to pay their dues in a timely manner.

QUESTIONS

8(a). What is the location, deadline date and time for payment of dues to be eligible to vote as of Election Day?

Monday, March 15, 2021, 5:00 PM, Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119

8(b). If the regular union office is closed due to government "Stay at Home" restrictions or another basis for closure, what steps has the local taken to ensure cash dues payers can still pay their dues in a timely manner?

All staff member's phone numbers would be posted and accommodations made for appointments.

Section 9: Maintaining Election Records

The local union must store the ballots and all other election materials for one year after certification of the election results. At the end of the year, all election materials must be destroyed unless there is a protest or investigation regarding the election.

INSTRUCTIONS

The Election Supervisor recommends that all election records—including voted ballots, unused ballots, challenged ballots, voted ballots, spoiled ballots, ballot envelopes, tally sheets and voter eligibility lists—be collected at the conclusion of Election Day and packaged, taped and signed with signatures by the election authority and any observers that choose to sign.

QUESTIONS

9(a). Will the local union follow OES procedures to preserve records of the election as required by law?

Yes

Section 10: Language Questions

Local unions with members whose first language is not English must make election materials available in the language of those members. OES materials are available in English, French, and Spanish. OES will provide materials in additional languages as needed.

INSTRUCTIONS

Question 10(a) — Fill in the percentage of the membership whose primary language is not English.

Question 10(b) — Indicate whether the local union prints or publishes a newsletter/newspaper in a language other than English and, if "Yes," specify the languages.

Question 10(c) — Indicate whether the local union has ever printed a delegate election ballot in a language other than English and, if "Yes," specify the languages.

Question 10(d) — State whether there is any reason why election materials should (or should not) be printed in a language other than English.

Question 10(e) — Indicate whether the local union requests a local union plan summary translated into Spanish.

Question 10(f) — Indicate whether the local union requests a local union plan summary translated into French.

QUESTIONS

- 10(a). What percentage of the local union membership does not use English as a primary language? 5
- 10(b). Does the local union print or publish its newsletter/newspaper in a language other than English? No
- 10(c). In any previous delegate election, did the local union print a delegate election ballot in a language other than English? No
- 10(d). Is there any reason why election materials should, or should not, be published in a language other than English?
NO
- 10(e). Does the local union request a local union plan summary translated into Spanish? Yes
- 10(f). Does the local union request a local union plan summary translated into French? No

Section 11: Literature Table

The *Rules* require each local union to establish a literature table and/or bulletin board in a public area of each Local Union facility which is open to members for the nondiscriminatory distribution/display of campaign literature for the 2021 IBT International Union Officer Election.

INSTRUCTIONS

State the location and dimensions of the literature table and / or bulletin board for distribution of candidate literature.

QUESTIONS

11. Location and dimensions of literature table:

Union Hall, 2641 S. 3270 W. West Valley City, Ut. 84119
 Front Lobby inside double doors
 3 ft x 5 ft

Section 12: Attachments

INSTRUCTIONS

The Election Supervisor requires the local union plan to include an accurate and complete list of current and accurate worksite addresses for the local union. A worksite list must contain all places, with addresses, where any and all of the local union members work. The worksite list must be arranged alphabetically by employer name. A model worksite list is available under the "Official Forms" tab at www.ibtvote.org.

Union Bulletin Boards

Certain sections of the *Rules* require the local union Secretary-Treasurer to post nomination and election related materials on union bulletin boards. A "Union Bulletin Board" means any bulletin board to which the international union or local union has access for the purpose of posting information concerning the business and/or activities of the union and includes bulletin boards at the office of the Union as well as bulletin boards located on employer premises. A list of bulletin board locations is required for oversight of the posting requirements.

Local Union By-Laws and Constitution

If your local union has By-Laws or a Constitution separate from the IBT International Constitution, provide a copy to the OES.

Court Orders, Consent Decrees, Other Agreements

If your local union is covered by a court, administrative decision, legal settlement, or other agreement which governs or affects your local union's elections, provide a copy to OES.

E-Mail Lists

If your local union has used email to distribute official communications to members, and maintains lists of email addresses, those lists may be made available to candidates for campaign-related communications.

QUESTIONS

12(a). Indicate whether the worksite list is being submitted as an attachment, or is being emailed or mailed separately. Upload files here

Attachments:

- 20709_Worksite Board Steward list 2015.doc
- 22933_Worksite Board Steward list August 2020.doc

12(b). Does the local union have bulletin boards covered by the Rules? Yes

Indicate whether the union bulletin board list is being submitted as an attachment, or is being emailed or mailed separately. Upload files here

Attachments:

- 24549_Worksite Board Steward list August 2020.doc

12(c). Does your local union have current Local Union By-laws or a Constitution separate from the International Constitution? Yes

Indicate whether local union Constitution and By-Laws are being submitted as an attachment, or are being emailed or mailed separately. Upload files here

Attachments:

20710_222 Bylaws as of 1 01 2019.pdf

12(d). Is the local union covered by a court, administrative decision, legal settlement, or other agreement which governs or affects elections? No

12(e). Does the local union, or any officer, business agent, or shop steward maintain a list of member email addresses used to communicate union business? No

Section 13: Publications

Local Union Publications: If your local union publishes its own newspaper, newsletter, magazine, or periodical, whether in printed or electronic form, add the OES and your Regional Director to the distribution lists of your publications. The Rules require that the Election Supervisor review and approve the content of all IBT newsletters/newspapers, including local union publications, in the event of a contested general election. Be advised that the copy to be included in any newsletter/newspaper which you propose to distribute after the close of the 2021 IBT Convention must be transmitted to the OES for review and approval before publication.

Websites and Social Media: If your local union maintains a website and/or social medial accounts (for example, Facebook, Twitter, Pinterest) OES requires a list of all urls for such sites and accounts

QUESTIONS

13(a). Does the local union produce its own publications? No

13(b). Does the local union maintain a website and/or social media accounts for official communications with members? Yes

List URLs (Web addresses) for all websites and social media accounts:

teamsterslocal222.org
facebook.com/Teamsters222/

OFFICE OF THE ELECTION SUPERVISOR
for the **INTERNATIONAL BROTHERHOOD OF TEAMSTERS**
1990 M STREET, N.W., SUITE 650
WASHINGTON, D.C. 20036
844-428-8683 TOLL FREE
electionsupervisor@ibtvote.org
www.ibtvote.org

Richard W. Mark
Election Supervisor

**Election Supervisor's Memorandum Regarding Comments on
IBT Local Union 222 Election Plan**

The *2021 Election Rules* require each IBT local union to conduct an election for International Convention delegates at the local's expense, and to propose a Local Union Election Plan ("LUEP") for the election. Article II Sections 1 and 4(a). The Election Supervisor is authorized to "supervise," but not directly conduct, the delegate elections. Article II, Section 1. The *2021 Election Rules* require the Election Supervisor to review and approve LUEPs making modifications as appropriate. Article II, Section 4(a). Members are notified by posting when a local union submits a LUEP, and "[a]ny interested Union member" may submit comments within fifteen days of a plan's submission to the Office of the Election Supervisor ("OES").

On August 20, 2020, IBT Local Union 222 submitted an LUEP for conducting its 2020-2021 election for International Union Delegates and Alternate Delegates. On September 1, 2020, Dale Varney, a member of Local Union 222, submitted comments on the LUEP to the OES Regional Director. The five specific comments may be summarized as follows:

- 1) Varney objects to the date selected for conducting the nomination meeting; and
- 2) Varney objects to the local union's engagement of a third-party service to conduct the election.

We have considered Varney's comments, Local Union 222's response to the comments, relevant portions of the local union bylaws, the *2021 Election Rules*, and evidence of the local union's past practices. Based on that material and for the reasons that follow, we conclude that the local union's proposals with respect to the nominations meeting date and the use of a third-party election vendor comply with the *2021 Election Rules* and are reasonable.

Local Union 222, headquartered in Salt Lake City, Utah, had a 24-month rolling average of 3,676 members as of November 30, 2019, and the preliminary delegate strength for the local union is set at 5 delegates. The local's LUEP proposes to conduct the nominations meeting in the early evening on Monday, January 11, 2021. Notice of the meeting is to be printed in the "Rocky Mountain Teamster Newsletter" mailed to members the preceding month.

The LUEP proposes to use a third-party vendor, TrueBallot, of Bethesda, Maryland, to conduct the nominations meeting and the election. Local Union 222's 2015 and 2010 LUEPs also proposed to use a third-party vendor (a vendor other than TrueBallot) to conduct the election. In the 2015-2016 IBT International officer election cycle, eleven different local unions identified TrueBallot as the vendor to conduct their delegate elections.

We address Varney's comments in the order he stated them.

- 1) If this Local is to be held to its own rules set forth to govern it, under Section 16(A) of these Local Union Bylaws, then the nominations meeting would be held on a Saturday mid-afternoon. The majority of the members in this local work Monday-Friday; the mid-afternoon part accommodates those members who are working the graveyard shift Friday night.

Section 16(A) of the Local Union 222 bylaws provides that nominations for local union officers shall be at "such time and place" as "shall be convenient to the greatest attendance by all the members." This provision by its terms applies only to the local union's officers nominations and not to the delegates election. But even if this provision were applied to delegate nominations, the bylaw does not prescribe a particular date or time on which the nominations meeting must be held.

As noted, the LUEP proposes to hold the nominations meeting on Monday, January 11, 2021 at 6:00 pm. Responding to Varney's comment, Local Union 222 observed that the time set in the LUEP is convenient for large segments of the membership (composed of freight drivers, UPS workers, and bakery/dairy workers), and that the last officer nominations meeting (also held on a Monday at 6:00 p.m.) produced "more participation than at any of our General Membership meeting in over the last two years." The date selected for the nominations meeting complies with the *2021 Election Rules* and appears reasonably calculated to allow those who choose to participate in person an opportunity to do so.

The *2021 Election Rules* allow candidates for delegate and alternate delegate to be nominated in writing and to accept nomination in writing without attending the meeting in person. Article II, Sections 5(f) and 5(i). In light of the ongoing coronavirus pandemic, written nominations and acceptances are strongly encouraged in the current election cycle, and Local Union 222's LUEP facilitates the submission of such writings by email. Thus, even a member unable to attend the January 11, 2021 meeting in person will be able to participate fully in the nomination process.

- 2) If it's a matter of timeliness, with regards to the notice, then pushing the meeting back 2 days to that Saturday, January 9th, 2021 should also be well within the time needed, as set forth in Article 2 Section 5(a).

Varney notes that the nominations meeting would be timely under the *2021 Election Rules* if were held two days earlier than in the LUEP. The *2021 Election Rules* do not require the meeting to be held at the earliest possible date after the nominations notice, and we have already concluded that the January 11th date is reasonable. That the nominations meeting could be held earlier does not require a change.

- 3) Currently there is a petition in this local to change the date and time of our General Membership Meetings to Saturdays at 10am that Brother Hogue is well aware of. www.change.org/222changethedate

As of September 15, the petition website reflected 28 electronic "signatures," constituting less than 1% of the Local Union 222 membership (assuming the signers are all members). This petition does not provide a basis to question the reasonableness of the Monday evening nominations meeting.

- 4) The use of an "Election Service" and cost associated with it, I believe, will be used to coerce members running for Delegates and Alternates Delegates for the opposing side to fall in line, so as to not "cost the local this unneeded expense." This is not just my belief, this has actually played out with Brother Hogue, and members of his slate, with the opposing slate running against them in this local's last election. See attached statement from Tony Winters, dated Wednesday, September 2nd, 2020. In accordance with Article 5(h) of these Election Rules we feel that this is likely to happen again. This Local has been successful in holding mail-in ballot elections for Shop Stewards in accordance with its own Bylaws, Section 12, and I see no reason the same can't be done for the election of Delegates and Alternate Delegates for this IBT Convention.

Local Union 222's LUEPs for 2011 and 2016 designated a third-party vendor to conduct the delegates elections and has used a third-party vendor to conduct its officers election in 2019. The local notes that if the delegates election is contested, conducting the election across the entire membership is a different proposition from shop steward elections among much smaller subsets of employees. Many local unions engage vendors to conduct their delegates elections as opposed to re-directing local union staff to perform the function, and this particular vendor is among those selected by other local unions. The decision to use a third-party vendor, which the local represents is well within its current finances, is within the local's discretion.

- 5) There has been a very large, and not at all subtle, movement for the OZ Slate in this Local, Brother Hogue is backing the Power Slate; the opportunity for Brother Hogue to reach out to any lead members behind the organizing effort of the OZ Slate to coordinate a time the we could go over an election plan before it was submitted was absolutely a possibility. In accordance with Article 2 Section 3(c) Spencer Hogue was notified "on or about June 1st, 2020" with the number of Delegates to be elected by the members of this local, which would have given him more than enough time to set a meeting to discuss dates and times, and the use of an election service. Which would have avoided this exact situation from playing out.

This comment reflects that Varney would have preferred an opportunity to discuss aspects of the LUEP before Local Union 222 submitted it. He received an opportunity to comment on the LUEP, however, as the *2021 Election Rules* provide, and exercised his right to do so. Secretary-Treasurer Hogue disputes Varney's description of political alignments on the local union board. Any such dispute, however, is beyond the scope of the specifics of the Local Union 222 LUEP or the *2021 Election Rules*. Members remain free to organize and campaign for candidates of their choice and may elect to protest improper interference with those rights.

**Regarding Comments to IBT Local Union 222
Local Union Election Plan
September 16, 2020
Page 4**

In conclusion, we have considered Varney's comments and have concluded that Local Union 222's LUEP will be approved as proposed by the local union.

**Dated: September 16, 2020
Washington, D.C.**


Richard W. Mark
Election Supervisor

**Comment on IBT Local Union 222 Election Plan
Submitted to the Office of the Election Supervisor
by Member Dale Varney**

Dale Varney
10604 S. Kastrol Rise Rd.
South Jordan, UT. 84009
dvarney3860@gmail.com
208.308.6593

1st September, 2020

Jim Devine
Great Plains Region Director
4110 E. Cortez St.
Phoenix, AZ. 85028
jdevine@ibtvote.org
703.599.0604

On August 20th 2020 a Local Union Election Plan was submitted to the office of the IBT Election Supervisor by our Local Unions Principale Officer/Secretary Treasurer/UPS Feeder Business Agent Spencer Hogue for approval. In the Election Plan submitted under Section 3(a) Spencer Hogue has indicated that Local 222 will only be having 1 Nomination Meeting, and in Section 3(b) that meeting will be held on Monday, January 11th, 2021. Brother Hogue gives the reasoning behind this decision as a result of our General Membership Meeting not falling in line with the 21 days needed to mail the notice, along with having to take the outside election services schedule into consideration.

The reason for these comments about to be stated in accordance with the 2020-2021 IBT Election Rules Article 2 Section 4(d) is for the purpose of ensuring that this Local is allowing the opportunity for the majority of its membership to be able to be present, and participate in the function of their union, as per its own Bylaws regarding Elections. See Section 16(A) of these Local Unions Bylaws, "The Executive Board shall set the time and place of nominations and elections and such time and place and other relevant shall be convenient to the greatest attendance by all the members." In addition to the meeting date and time, the use of an "Election Service" is a costly service for a local in a Right-to-Work state. This gesture of goodwill, efficiency, and security in protecting the sanctity of the members vote has in the past given the opposing side the opportunity to use coercion tactics in getting the other side to forfeit do to the cost to the local.

-
- 1) If this Local is to be held to its own rules set forth to govern it, under Section 16(A) of these Local Union Bylaws, then the nominations meeting would be held on a Saturday mid-afternoon. The majority of the members in this local work Monday-Friday; the mid-afternoon part accommodates those members who are working the graveyard shift Friday night.
 - 2) If it's a matter of timeliness, with regards to the notice, then pushing the meeting back 2 days to that Saturday, January 9th, 2021 should also be well within the time needed, as set forth in Article 2 Section 8(a).
 - 3) Currently there is a petition in this local to change the date and time of our General Membership Meetings to Saturdays at 10am that Brother Hogue is well aware of. www.change.org/222changeothedate
 - 4) The use of an "Election Service" and cost associated with it, I believe, will be used to coerce members running for Delegates and Alternates Delegates for the opposing side to fall in line, so as to not "cost the local this unneeded expense." This is not just my belief, this has actually played out with Brother Hogue, and members of his slate, with the opposing slate running against them in this local's last election. See attached statement from Tony Winters, dated Wednesday, September 2nd, 2020. In accordance with Article 5(h) of these Election Rules we feel that this is likely to happen again. This Local has been successful in holding mail-in ballot elections for Shop Stewards in accordance with its own Bylaws, Section 12, and I see no reason the same can't be done for the election of Delegates and Alternate Delegates for this IBT Convention.
 - 5) There has been a very large, and not at all subtle, movement for the OZ Slate in this Local, Brother Hogue is backing the Power Slate; the opportunity for Brother Hogue to reach out to any lead members behind the organizing effort of the OZ Slate to coordinate a time the we could go over an election plan before it was submitted was absolutely a possibility. In accordance with Article 2 Section 3(c) Spencer Hogue was notified "on or about June 1st, 2020" with the number of Delegates to be elected by the members of this local, which would have given him more than enough time to set a meeting to discuss dates and times, and the use of an election service. Which would have avoided this exact situation from playing out.

In conclusion, We are requesting that the Office of Elections reject this Local Unions Election Plan. We request that the Office of Elections require for this Delegates Nominations Meeting to be held on Saturday, January 9th, 2021 in the mid-afternoon, or on a Saturday in accordance with Article 2 Section 5(a). Also, we are requesting that the Office of Election approve and accept Local 222's ability to conduct its own mail-in ballot election for the Delegates and Alternate Delegates to the 2021 IBT Convention.

Tony Winters' Statement 9/2/2020

Re: Election Coercion

A meeting was held on November 6th, 2019 that included myself, James McDonald, Spencer Hogue, Corey Haslam and Jeff Kendall. Myself and James were provided documentation of what the cost of the election would be through the third party ballot company. I'm not certain why we would have been provided this information aside from them attempting to discourage the slate from running against them and costing the local the funds required to provide the election.

Tony Winters

tonytheupsguy@gmail.com

1 (801) 835-6412

**Response to Varney Comments from IBT Local
Union 222 Secretary Treasurer Spencer Hogue to
Election Office Regional Director Jim Devine**

Hello Jim,

My responses are in **red** and in *italics*.

1. If this Local is to be held to its own rules set forth to govern it, under Section 16(A) of these Local Union Bylaws, then the nominations meeting would be held on a Saturday mid-afternoon. The majority of the members in this local work Monday-Friday; the mid-afternoon part accommodates those members who are working the graveyard shift Friday night. *We represent many members, in many different industries, in a 24/7 economy. We currently have our General Membership schedule alternate each month between the first Tuesday of the month and first Saturday of the month. This enables different groups of members to participate. Participation is not substantially different between the two dates/times. For example: ABF and YRCW (freight) approximately 70% of the bid local and dock workers can make a meeting at 6:00 PM on a Monday. Approximately 70% of our UPS Members can make a meeting at the same time. Almost all of our construction industry can make the meeting as well. These are the three largest groups in our Local. Also, we have large segments (bakery/dairy) that do not have traditional Monday-Friday workweeks. Convenience also carries weight. There will likely be greater participation on a Monday than a Saturday because the membership can plan the meeting into a normally scheduled workday i.e. before/after work instead of committing a day of their weekend. There is no perfect date and time due to the wide-ranging schedules/industries involved. At the nomination meeting for officers that was held on Monday November 4th, 2019 at 6:00 PM we had more member participation than at any of our General Membership meetings over the last two years. Written nominations, seconds and acceptances will be accepted for those that cannot participate.*
2. If it's a matter of timeliness, with regards to the notice, then pushing the meeting back 2 days to that Saturday, January 9th, 2021 should also be well within the time needed, as set forth in Article 2 Section 8(a). *The Local Union will be publishing its nomination/election notices in the Rocky Mountain Teamster Newsletter. This saves the Local the additional cost of a mailed notice. The absolute latest that the paper will be mailed is December 10, 2020. With the Holidays that fall within the window I worry that an earlier date, although still timely, may affect timely delivery of the notice. The extra days address that concern.*
3. Currently there is a petition in this local to change the date and time of our General Membership Meetings to Saturdays at 10am that Brother Hogue is well aware of. www.change.org/222changethedate *I am aware that the charging party has circulated a petition asking that the meeting dates/times be changed. That petition has garnered the support of 28 unidentified persons (in over a month's time) who may or may not be members of the Union. In weighing the needs and schedules of the all membership I am*

hesitant to even acknowledge a petition that, at best has garnered less than one half of one percent of the membership's support. The petition has been posted and reposted many times with solicitations for signatures. We already have every other General Membership meeting on Saturday at 9:00 AM as described above.

4. **The use of an "Election Service" and cost associated with it, I believe, will be used to coerce members running for Delegates and Alternates Delegates for the opposing side to fall in line, so as to not "cost the local this unneeded expense."** This is not just my belief, this has actually played out with Brother Hogue, and members of his slate, with the opposing slate running against them in this local's last election. See attached statement from Tony Winters, dated Wednesday, September 2nd, 2020. In accordance with Article 5(h) of these Election Rules we feel that this is likely to happen again. This Local has been successful in holding mail-in ballot elections for Shop Stewards in accordance with its own Bylaws, Section 12, and I see no reason the same can't be done for the election of Delegates and Alternate Delegates for this IBT Convention. *Having an election regardless of how it is conducted is an expensive and time-consuming endeavor. Many of the expenses such as postage/printing are a fixed cost regardless of who conducts the election. Also, the impact to the membership by the Local Union conducting the entire election would be far greater than an outside agency's fees, because of the need to divert resources that are currently used to service the membership to conducting all facets of an election. Also, the finances of this Local are rock solid. In my six plus years in office we have tripled the Union's assets. The cost of an election is not a financial concern or burden on this Local in any way. Mr. Varney transferred from Local 483 in Idaho in 2019. His experiences with a small financially destitute Local may be the reason for his concern. In fact, he coerced the leadership of that Local to allow him to run unopposed for delegate in the last election to avoid the cost of an election. We do currently conduct elections for stewards by mail. These elections involve small groups of employees from specific bargaining units. The delegates election is a statewide election where every member can vote. Mr. Varney raised no objections in the officer election in 2019 regarding the use of an outside agency. As far as the allegations of coercion go. I am deeply offended that Mr. Winters has made these allegations. Tony was in my office with several others present the week before the nomination meeting when I specifically told him that I didn't care if he ran and that it was his right as a member of the Union and we even verified his eligibility. The information given to Mr. Winters on November 6th, 2019 was simply informational and was done to be fully transparent of the process because he was so disorganized and unprepared for the nomination meeting that it nearly derailed the meeting. He failed to get himself nominated because of his incompetence. I gave him the full set of rules, instructions on how to file protests, copies of the By-Laws and Constitution and TrueBallot's processes that would be used to hold a clean election. Even when specific timelines were laid out on protests, he failed to protest timely, even after I reminded him on November 7th, 2019.*
5. **There has been a very large, and not at all subtle, movement for the OZ Slate in this Local, Brother Hogue is backing the Power Slate; the opportunity for Brother Hogue to reach out to any lead members behind the organizing effort of the OZ Slate to coordinate a time the we could go over an election plan before it was submitted was absolutely a possibility. In accordance with Article 2 Section 3(c) Spencer Hogue was notified "on or about June 1st, 2020" with the number of Delegates to be elected by the members of this local, which would have given him more than enough time to set a meeting to discuss dates and times, and the use of an election service. Which would have avoided**

this exact situation from playing out. It is presumptive of Mr. Varney to declare who I am supporting when I have made my position clear to everyone that has asked me (Mr. Varney has not) that I will be voting a split ticket in this election. I support candidates on both sides and there are candidates that I could not in good conscience support on both slates as well. When asked by staff and members about the petition campaign to get candidates accredited, I informed them of the rules and encouraged them to get signatures for whomever they support. In fact, several OZ supporters also gathered signatures for the Power Slate. The two most recent appointments to the Local Union Executive Board are supporting the OZ Slate and this was known to me prior to their appointment. As far as reaching out to an unidentified group's lead members, this would be presumptive on my part. No one has declared to me that they intend to run for delegate or alternate. Mr. Varney has not communicated his intentions to me.