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NOTICE TO EMPLOYERS OF MEMBERS OF THE INTERNATIONAL BROTHERHOOD TEAMSTERS CONCERNING THE ELECTION OF IBT CONVENTION DELEGATES AND INTERNATIONAL OFFICERS

The IBT is conducting its election of International Union Delegates and International Officers. The election is conducted under *Rules* adopted May 4, 2020. Elections for convention delegate will occur at IBT local unions from now through the end of April 2021; the balloting for the International Officer Election is scheduled to be completed in November 2021. Election information, including the *Rules* and the Federal Court order approving the *Rules*, is available at www.ibtvote.org.

Under Article VII, §12(e) of the *Rules* Teamsters members have the right to distribute campaign literature and solicit support for delegate candidates and International Officer candidates in any parking lot IBT members use to park their vehicles in connection with their employment. The Federal Court has approved and ordered the parking lot rule in this and in each of the supervised IBT International Officer Elections since 1991. The Court found that the opportunity to campaign in parking lots was necessary to have a fair, free and democratic election and to promote the objectives of the court-ordered Consent Decree and Final Order in *United States v. IBT*, 88 Civ. 4486 (S.D.N.Y.). The Federal Court has ruled that employers must comply with the parking lot rule.

Objectives of the independently supervised International Union Delegate and Officer Election include the development and maintenance of a free, open, and democratic election process, and the elimination of corruption from the IBT. See *United States v. IBT*, 88 Civ. 4486 Final Order (D.I. 4414) (S.D.N.Y. Feb. 17 2020).

We ask employers to cooperate in complying with the parking lot rule. Many employers will know the rule from past IBT International Officer Elections, and the rule's scope is the same as before. The rule is very limited in scope. It allows access only in connection with 2020-2021 campaign for International Union Delegates and International Officers. Employers can ask for identification from individuals who seek to campaign in a parking lot. The rule does not give access to any part of the premises other than the employee parking lot. An employer that believes it has a substantial reason to deny access may apply to the Election Supervisor for relief. **Contact the Election Supervisor's Office for help in promptly resolving any issues of parking lot access.**

The text of the parking lot access rule is attached. Contact the Office of the Election Supervisor if you have any questions about the rule.

Dated: Washington, D.C.
June 25, 2020


Richard W. Mark
Election Supervisor

RULES, ART. VII, §12(e) PARKING LOT ACCESS
(APPROVED FEBRUARY 14, 2020 BY COURT ORDER IN 88 CIV. 4628,
DOCKET ITEM 4628 (S.D.N.Y))

(e) Subject to the limitations in this Subsection, (i) a candidate for delegate or alternate delegate and any member of the candidate's Local Union may distribute literature and/or otherwise solicit support in connection with such candidacy in any parking lot used by that Local Union's members to park their vehicles in connection with their employment; (ii) each member of a candidate's Local Union has the reciprocal right to receive such literature and/or solicitation of support from such candidate or candidate's advocate; (iii) a candidate for International office and any Union member within the regional area(s) in which said candidate is seeking office may distribute literature and/or otherwise solicit support in connection with such candidacy in any parking lot used by Union members to park their vehicles in connection with their employment in said regional area(s); (iv) each member of the International Union who is employed within the regional area(s) in which said candidate is seeking office has the reciprocal right to receive such literature and/or solicitation of support from such candidate for International office or candidate's advocate.

The foregoing rights are available only in connection with campaigning during the 2020-2021 IBT International Union Delegate and Officer Election conducted pursuant to the Final Order and only during hours when the parking lot is normally open to employees. The rights guaranteed in this Subsection are not available to an employee on working time, may not be exercised among employees who are on working time and do not extend to campaigning which would materially interfere with the normal business activities of the employer. An employer may require reasonable identification to assure that a person seeking access to an employee parking lot pursuant to this rule is a candidate or other member entitled to such access. Nothing in this Subsection shall entitle any candidate or other Union member to access to any other part of premises owned, leased, operated, or used by an employer or to access to a parking lot for purposes or under circumstances other than as set forth herein.

The foregoing rights are presumptively available, notwithstanding any employer rule or policy to the contrary, based upon the Election Supervisor's finding that an absence of such rights would subvert the Final Order's objectives of ensuring free, honest, fair, and informed elections and opening the Union and its membership to democratic processes. Such presumption may be rebutted, however, by demonstrating to the Election Supervisor that access to Union members in an employee parking lot is neither necessary nor appropriate to meaningful exercise of democratic rights in the course of the 2020-2021 election. An employer seeking to deny access to Union members in an employee parking lot may seek relief from the Election Supervisor at any time.