

IN RE:

MIKE SCHAFFER

00 - Elec. App. – 009 (KC)

This matter is an appeal from the Election Administrator's decision, dated September 21, 2000, Office of the Election Administrator. The request for a hearing was filed by J. Douglas Korney, Esq. of Korney & Heldt, on behalf of the Hoffa 2001 Campaign on September 25, 2000.

A hearing was held before me on October 10, 2000. The following persons were heard by way of teleconference: Jeffrey Ellison, Esq. for the Election Administrator's Office; J. Douglas Korney of Korney and Heldt on behalf of the Hoffa 2001 Campaign and Bradley T. Raymond, Esq. of Finkel, Whitefield, Selik, Raymond, Ferrara & Feldman on behalf of the International Brotherhood of Teamsters.

We have before us the Election Administrator's supplemental decision following remand of this matter in 2000 EAD 8. At the appeals hearing, the only issue pursued was the necessity and/or adequacy of the revised notice required as remedy by the Election Administrator.

Having heard the arguments and reviewed the text of the required "Notice To All Unions" dated September 21, 2000 we conclude that a notice of violation to the membership at large is an entirely appropriate, routine and instructional device under the Rules, and should not be dispensed with here. However, the text of the first paragraph shall be modified by striking the phrase "virtually all" and inserting in its place the word "certain."

The remaining text shall be deleted, because it is confusing and misleading in light of my decision in 00 EAM 2 (August 17, 2000).

Kenneth Conboy
Election Appeals Master

Dated: October 23, 2000