

IN RE:

MANUAL CICOZZI and ROBERT JOHNSON

01 - Elec. App. – 022 (KC)

This matter is an appeal from the Election Administrator’s decision 2001 EAD 100, issued January 24, 2001, in the Office of the Election Administrator’s Case Nos. E0109113WE, E0109114WE, E0109115 and E0109116WE. The appeal hearing was requested by Robert Johnson and by M. Richard Ciccozzi, both members of Teamsters Local Union 542 in San Diego, California and both subjects of this decision.

A hearing was held before me on January 31, 2001. The following persons were heard by way of teleconference: Jeffery J. Ellison, Esq. and Lisa Taylor for the Election Administrator’s Office; Mr. Johnson; Mr. Ciccozzi; Don Cruickshank, the protestor and a business representative of Local Union 542; and Phil Saal, Secretary-Treasurer of Local Union 542. No further submissions were received on this matter.

The appellants argue that their forced withdrawal because of illness should not disqualify them from candidacy. However, the eligibility requirements of 24 consecutive months of continuous good standing in Article VI, Section 1 of the Rules require the outcome ordered by the Election Administrator. I accept the illuminating and highly professional analysis given by Mr. Ellison of the Election Administrator’s office as to the distinction between “good standing” as it applies to local union membership and “24 consecutive months of continuous good standing” as it applies under the Rules to eligibility of members to run as alternates or delegates to the International Convention. I find that both appellants, despite their unfortunate circumstances due to illness, are ineligible to run as delegates to the convention and, accordingly, affirm the decision of the Election Administrator in this expedited matter.

____s/Kenneth Conboy _____
Kenneth Conboy
Election Appeals Master

Dated: February 2, 2001