

IN RE:

LINDA WILCHER

01 - Elec. App. – 031 (KC)

This matter is an appeal from the Election Administrator's (the "EA") decision 2001 EAD 132, issued February 5, 2001. The hearing was requested by Linda Wilcher, candidate for delegate and a member of Teamsters Local Union 572 in Carson, California.

A hearing was held before me on February 9, 2001. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq. and Lois Tuttle, Esq. for the Election Administrator's Office; Ms. Wilcher; Fern Steiner, esq., on behalf of Local Union 572; Mr. Lou Ippolito, the protestor and a member of Local Union 572; and Ms. Caraleena Roth, Titan operator for Local Union 572. No additional submissions were received.

The EA determined Ms. Wilcher, a dues checkoff member, to be ineligible because she had not paid any dues while she was on workers' compensation between March and June 1999, which caused her to have a break in the twenty four consecutive months of continuous good standing required by Article VI, Section 1 of the Rules. Ms. Wilcher did not deny that her dues were not paid, but claims that no one ever told her that she had to pay her union dues while she was out of work if she wished to be a candidate for union office. She assumed, she says, that her employer checkoff arrangement caused her dues to be paid for the time she was out of work.

Ms. Wilcher has presented no evidence to refute the fact that her dues were not paid during the months in question. Accordingly, I affirm the EA's decision finding that Mary Wilcher is ineligible to run for delegate.

____s/Kenneth Conboy_____
Kenneth Conboy
Election Appeals Master

Dated: February 21, 2001