

IN RE:

IN RE: WAYMON STROUD

01 - Elec. App. – 042 (KC)

This matter is an appeal from the Election Administrator’s (the “EA”) decision 2001 EAD 199, issued February 27, 2001. The hearing was requested by Donald Scott, president of Teamsters Local Union 728 in Atlanta, Georgia.

A hearing was held before me on March 7, 2001. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq. for the Election Administrator’s Office; Mr. Scott; and Waymon Stroud, the protestor and member of Local Union 728. An additional submission was received from Mr. Stroud on March 6, 2001.

Mr. Stroud alleged that Mr. Scott violated Article VII, Section 11(c) of the Rules when Mr. Scott, in his capacity as president and a principle officer of Local Union 728, directed that campaign related bumper stickers be removed from all union-owned cars. Mr. Scott argues that the display of bumper stickers on these vehicles is contrary to the Local Union’s long standing practice in prior elections.

Article VII, Section 11(c) of the Rules states “Union officers and employees provided with Union-owned or leased cars, if otherwise afforded the right to utilize those cars for personal activities, may use the cars for campaign activities, provided no costs, or expenses incurred as consequence of such use are paid out of Union funds or other prohibited resources.” In further support, the EA cites Blake, P712, (April 29, 1996), aff’d 96 EAM 185 (May 10, 1996) and its progeny which permits the display of a partisan bumper sticker on a car used for both union business and personal use.

Practicality demands that members use union-owned cars for both union business and personal use. The Rules and cases cited present a pragmatic and sensible solution which does not disenfranchise members from campaigning or campaign-related activities.

Accordingly, I affirm the EA's decision in this matter.

____s/Kenneth Conboy_____
Kenneth Conboy
Election Appeals Master

Dated: March 9, 2001