

ELECTION APPEALS MASTER

IN RE:

DAN SCOTT

01 Elec. App. 092 (KC)

This matter is an appeal from the Election Administrator's decision 2001 EAD 455 issued September 18, 2001. The appeal hearing was requested by Daniel Scott, a member and trustee of Local 174.

A hearing was held before me on September 28, 2001. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq., for the Election Administrator's Office; John Nader, Esq. of Schnader, Harrison, Segal & Lewis on behalf of UPS; and Dan Scott.

This dispute arises out of an incident on the job in which, according to the protester, he was told by a supervisor to reverse his Leedham shirt, even though he was in a pre-load area where under company rules it was permissible to wear campaign paraphernalia. The supervisor denied having told the protester to reverse the shirt.

The Election Administrator immediately intervened to secure the protester's rights, with the full support of the company. He settled the protest as "Resolved". Not satisfied with the Election Administrator's ("EA's") vigorous and intelligent support of his cause, the protester appeals and insists that the EA and the Appeals Master pursue the "you did so" "I did not" aspect of this modest little matter to a swearing contest and beyond. I reject the appeal.

The EA has full discretion, even without consent of all the parties, to resolve matters without granting or denying protests.

The decision of the Election Administration is affirmed.

____s/Kenneth Conboy_____
Kenneth Conboy
Election Appeals Master

Dated: October 1, 2001