

ELECTION APPEALS MASTER

IN RE:

TRES PEEL,

Protestor.

06 Elec. App. 051 (KC)

ORDER

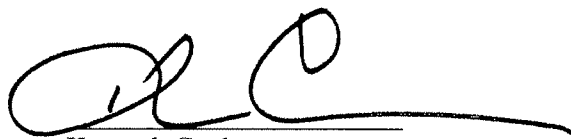
This matter is an appeal from the Election Supervisor's decision 2006 ESD 277 issued May 28, 2006.

A hearing was held before me on June 14, 2006. The following persons were heard by way of teleconference: Jeffrey J. Ellison, Esq. and Deborah Schaaf on behalf of the Election Supervisor, Jim Green, Esq. on behalf of Local 726, and Tres Peel the protester.

This case represents an extraordinary record of repeated flaunting of the Election Rules' crystal clear requirement that protests be promptly filed within two working days of learning of the facts supporting the protest. Here the protester filed seven discrete complaints, but did so in all cases a month or more after he learned of the events or incidents complained about. At the appeals hearing, Mr. Peel could give no satisfactory explanation that would justify or excuse the foot-dragging here, which in extent and duration is greater than any I have witnessed in twelve years of participation in IBT elections. A prudential waiver is under these circumstances, out of the question.

The appeal is, accordingly, dismissed on the ground that the underlying protests were not filed in accordance with the time constraints contained in the Rules.

SO ORDERED:

A handwritten signature in black ink, appearing to be 'KC' followed by a long horizontal stroke.

Kenneth Conboy
Election Appeals Master

Dated: June 22, 2006