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Rules for the 2025-2026 IBT International Union Delegate and Officer Election: Notice of Changes from Previous Election Rules

The Final Order in *United States v. International Brotherhood of Teamsters*, entered February 11, 2015, provides that after a five-year transition period, responsibility for adoption of Election Rules shifts from the U.S. District Court to the International Brotherhood of Teamsters ("IBT") General Executive Board ("GEB"), subject to limitations set forth in the Final Order. The Election Rules for the 2025-2026 election cycle and those that follow are generally required to be "substantially the same as those that governed previous IBT elections."

The Final Order permits *non-material changes* to the Election Rules as necessary to tailor the rules to a new election cycle. The bulk of the changes in the proposed 2025-2026 Election Rules update years, and in some cases particular dates, to apply to the 2025-2026 election cycle.

The Final Order also permits *material changes* to the Election Rules, provided that "the changes are fully consistent with federal law, the IBT Constitution, and this Final Order, and provided that the Government is notified in writing of the changes prior to their implementation and provided that they are approved by the Independent Election Supervisor." There are several material changes proposed for adoption in the 2025-2026 Election Rules, each of which is consistent with federal law, the IBT Constitution, and the Final Order. A summary of the proposed material changes to the Election Rules are set forth below:

• The Honorable Timothy S. Hillman (Ret.) has been appointed to serve as Election Supervisor. The new address for the Office of the Election Supervisor is:

Office of the Election Supervisor for the International Brotherhood of Teamsters 1750 K Street, NW, Suite 200 Washington, D.C. 20006

- <u>Definitions</u>, <u>Section 1</u>, <u>Art. X</u>, <u>Section 1</u>, <u>3</u>, <u>4(b) Proposed Change</u>: The next proposed change seeks to clarify that all signatures required for accreditation of a candidate must be *written*. It appears that this addition to the Rules seeks to clarify that electronic signatures on not permitted where written signatures are required.
- <u>Definitions, Section 5, "Campaign Contribution"</u>: The proposed rules add one additional example to the definition of "campaign contribution" for clarity. Under the existing rule, "campaign contribution" is defined as "any direct or indirect contribution of money or other thing of value where the purpose, object, or foreseeable effect of that contribution is to influence, positively or negatively, the election of a candidate for Convention delegate or

alternate delegate or International Officer position." The definition goes on to provide a *non-exhaustive* list of examples of campaign contributions. In recent years the use of digital advertisement including, but not limited to, social media has increased substantially. To address this, and provide clarify to members, the proposed rules add: "The payment for digital advertising, information or any expenditure for social media intended to support or oppose a candidate, slate or group of candidates" as another example of a campaign contribution.

- Art. VII, Section 12(e), Article XVI Proposed Changes: The next proposed changes provide the Election Supervisor with the express authority to seek injunctive relief in the Southern District of New York to enforce the rights guaranteed by the Election Rules. In addition to providing the Election Supervisor with the general authority to seek injunctive relief (under proposed change Article XVI) to enforce any rights under the Election Rules, the proposed rules also specifically permit the Election Supervisor to seek injunctive relief if he determines that an employer's denial of access to a parking lot undermines the meaningful exercise of democratic rights in the course of the 2025-2026 election. (Art. VII, Section 12(e)). This change does not amend or take away the presumptive right to campaign in an employee parking lot as set forth in Section 12 or the ability to rebut that presumption upon demonstrating to the Election Supervisor that such access to Union members is neither necessary nor appropriate to meaningful exercise of democratic rights in the course of the 2025-2026 election. Instead, upon determination that an employer's denial of access undermines the meaningful exercise of democratic rights, the proposed change adds language to expressly permit the Election Supervisor to seek injunctive relief whereby the existing rules are silent on the Election Supervisor's relief to enforce the rights set forth in this Section.
- Art. VII, Section 12(f) Proposed Change: This change also concerns the freedom to exercise political rights and certain campaign activities. Specifically, this change seeks to clarify that a candidate, group of candidates or "credentialed representatives" of an International Officer candidate are not prohibited from temporarily posting campaign literature or signs on employer fences while campaigning on an employer's premises, including its parking lots, so long as it does not cover the employer's insignia/sign, and is not placed in a manner to cause an employee to reasonably conclude that the employer is endorsing or opposing a candidate.
- Art. VIII, Section 1(c) Proposed Change: The proposed change seeks to push the deadline to submit slate declarations for International Officer nominations and elections from August 31, 2026 to August 15, 2026. This change is proposed to provide the OES with sufficient time to print the ballots.
- Art. XIII, Section 2(f)(2) Proposed Change: The proposed change would add a requirement that if the Election Supervisor or his representative defers making a determination of a preelection protest until after the election, that the Election Supervisor or his representative will timely communicate that the protest is being deferred to all interested parties.

• Art. XVII: Adds a placeholder pending the adoption of the Election Rules.

Dated: April 8, 2025

Hon. Timothy S. Hillman (Ret.)

Election Supervisor