



OFFICE OF THE ELECTION OFFICER  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
25 Louisiana Avenue, NW  
Washington, DC 20001

Michael H. Holland  
Election Officer

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June 28, 1991

**VIA HAND DELIVERY**

Mr. Wayne A. Bik  
Walt Disney World  
Dolphin Hotel  
Room 8200  
Orlando, Florida

R. V. Durham Unity Team  
Walt Disney World  
Dolphin Hotel  
Room 9093  
Orlando, Florida

Mr. Sam Stintsman  
Mr. Charles M. Byrnes  
Co-Chair  
Sergeant-at-Arms Committee  
Walt Disney World  
Dolphin Hotel  
Europe 1  
Orlando, Florida

**Re: Election Office Case No. Conv-16-IBT**

Gentlemen

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"), by Wayne A. Bik, a member of IBT Local Union 705. In this protest, Mr. Bik alleges that a person, not a certified delegate to the 1991 IBT International Convention, was permitted on the Convention floor in the area reserved for Convention delegates. Mr. Bik alleges that the person so allowed access was not a member of the IBT, but was, in fact, an employee of the R. V. Durham Unity Team, who had guest credentials issued to another Durham Unity Team staff member.

June 28, 1991

Page 2

The jurisdiction of the Election Officer, pursuant to the Consent Order, extends to the nomination and election process for delegates to the IBT International Convention and for International Union Officers. The jurisdiction of the Election Officer does not extend to any other Union matters or issues, including those portions of the 1991 IBT International Convention which do not involve or implicate the nomination of International Union Officers or the nomination and election of International Trustees.

The protest does not allege that the gentlemen allegedly permitted wrongful access to the floor of the IBT International Convention gained such access during the period when floor nominations for International Union Officers were in progress. During the period of such floor nominations, the Election Officer has jurisdiction with respect to the business of the Convention. The Election Officer has ensured that the only persons on the floor of the Convention during the period of floor nominations are in progress are certified delegates issued credentials by the Election Officer.

Further, the Election Officer's investigation fails to disclose that members of the Sergeant-at-Arms Committee have acted discriminatorily with respect to access to the Convention floor. There is no evidence to suggest that access in this particular case occurred other than by inadvertence or mistake. There is no evidence to suggest that members of the Sergeant-at-Arms Committee are permitting access to persons other than delegates to the Convention floor on an ongoing or regular basis, or are discriminatorily permitting access by certain persons while denying access to other non-delegates similarly situated.

The R V Durham Unity Team campaign is reminded, however, that the Rules for the 24th IBT International Convention prohibit access to the Convention floor by other than delegates, appropriate IBT staffers, and the Court-Appointed Officers. To the extent that the Election Officer determines that the non-delegate staff of the R V Durham Unity Team is obtaining access to the floor for campaign purposes, appropriate remedies will be issued by the Election Officer.

Similarly, the Election Officer reminds the members of the Sergeant-at-Arms Committee of the Rules of the 24th IBT International Convention. If evidence is uncovered by the Election Officer that members of the Sergeant-at-

June 28, 1991

Page 3

Arms Committee are discriminatorily permitting access to staff and supporters, other than delegates, of one candidate while denying similar access to non-delegate staff and supporters of other International Union Officer candidates, appropriate remedies will be imposed by the Election Officer

If any interested party is not satisfied with this determination, they may request a hearing before the Independent Administrator within twenty-four (24) hours of their receipt of this letter. The parties are reminded that, absent extraordinary circumstances, no party may rely upon evidence that was not presented to the Office of the Election Officer in any such appeal. Requests for a hearing shall be made in writing, and shall be served on Independent Administrator Frederick B Lacey at LeBoeuf, Lamb, Leiby & Macrae, One Gateway Center, Newark, New Jersey 07102-5311, Facsimile 201-622-6693. Copies of the request for hearing must be served on the parties listed above, as well as upon the Election Officer, IBT, 25 Louisiana Avenue, N. W., Washington, D C 20001, Facsimile 202-624-8792. A copy of the protest must accompany the request for a hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael H. Holland". The signature is stylized and fluid, with a long horizontal stroke extending to the right.

Michael H Holland

MHH/kpm

cc Frederick B Lacey, Independent Administrator, IBT  
Mr Wayne A Bik, c/o IBT Local Union 705, Chicago, Illinois  
Mr Sam Stintsman and  
Mr Charles M Byrnes, c/o IBT International Union  
R V Durham Unity Team, c/o Hugh Beins, Esquire