



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
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Michael H. Holland
Election Officer

November 21, 1990

Chicago Office
% Cornfield and Feldman
343 South Dearborn Street
Chicago, IL 60604
(312) 922 2800

Michael J. Brannan =
1319 N63 Street
Wauwatosa, WI 53213

Daniel C. Ligurotis
Secretary-Treasurer
IBT Local Union 705
300 South Ashland
Chicago, IL 60607

Re: Election Office Case No. P-012-LU705-CHI

Dear Gentlemen:

A pre-election protest was filed by Michael J. Brannan, a member of IBT Local Union 344, under Article XI, of the Rules for the IBT International Union Delegate and Officer Election, revised August 1, 1990 ("Election Rules"). The complainant alleges that his rights under the Election Rules were violated when United Parcel Service ("UPS") management personnel asked him to leave the employee parking lot at the UPS Northbrook facility. The Election Officer's investigation of the protest revealed the following facts.

The complainant is a member of IBT Local Union 344 and is employed by UPS in Milwaukee Wisconsin as a "feeder driver". On August 9, 1990, the complainant and another member of IBT Local Union 344, were soliciting signatures on a petition seeking the accreditation of Ron Carey as a candidate for International Union General President in the employee parking lot of the UPS facility in Northbrook, Illinois. The complainant was asked to leave the parking lot by UPS management personnel. The complainant refused and the police were called. As the complainant was preparing to leave the parking lot, the Northbrook police arrived and informed the complainant that he was trespassing on private property. No arrests were made.

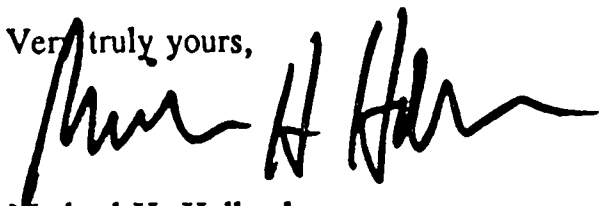
During the course of the investigation of this protest, and similar protests involving UPS, the Election Officer has had extensive discussions with counsel for UPS. UPS recognizes that, in accordance with substantive federal law and absent exigent circumstances, IBT members, whether or not employed by UPS or a particular UPS facility, have a right to engage in campaign activities in non-work areas outside of UPS terminals, including employee parking lots. (Exigent circumstances could include, for instance, incidents of violent crime which has required the securing of the parking lot.) UPS supervisory personnel will be informed of this policy.

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In further resolution of the instant protest, the Election Officer will insure the posting of the attached notice on bulletin boards at all UPS locations

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,



Michael H. Holland
Election Officer

cc Frederick B Lacey, Independent Administrator, IBT
Julie Hamos, Regional Coordinator

NOTICE TO TEAMSTER MEMBERS

FROM MICHAEL H HOLLAND, ELECTION OFFICER, IBT

You have the right to participate in campaign activities on behalf of candidates for delegate and alternate delegate to the 1991 IBT International Convention

You have the right to participate in campaign activities on behalf of candidates for International Office in the IBT.

You have the right to engage in such campaign activities on the employer's premises during non work time. You have the right to distribute campaign literature in nonwork areas during nonwork time

You have the right to post campaign materials on general purpose bulletin boards which are available for posting by employees subject to existing nondiscriminatory rules governing their use. You have the right to post campaign materials on union bulletin boards if such bulletin boards have been used for similar postings in the past

Absent exegent circumstances, your fellow members of the IBT, who work at other facilities or who are employed by other employers, have the right to engage in campaign activities on the employer's premises in nonwork areas outside of terminal facilities, e g in employee parking lots or at the gates of employer facilities. Such exegent circumstances include a pattern of violent crimes occuring in the area requiring the employer to limit access.



MICHAEL H HOLLAND

Election Officer, IBT

This is an official notice and must remain posted for thirty consectuve days form the day of posting, and must not be altered, defaced, or covered by any other material