



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
25 Louisiana Avenue, NW
Washington, DC 20001
(202) 624-8778
1-800-828 6496
Fax (202) 624-8792

Michael H Holland
Election Officer

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

January 10, 1991

VIA UPS OVERNIGHT

Clarence D. Marston
161 Brushy Plains Rd.
Branford, CT 06405

Edward Brereton
Secretary-Treasurer
IBT Local 443
200 Wallace St.
New Haven, CT 06507

William Hasson, Personal Director
Corometrics Medical Systems
61 Barnes Park Rd. North
Wallingford, CT 06492

Re: Election Office Case No. P-090-LU443-ENG

Gentlemen.

The above referenced pre-election protest was filed under Article XI, § 1 of the *Rules for the IBT International Union Delegate and Officer Election*. In this protest, Clarence Marston contends that Local 443 violated the *Rules* when it caused the Employer to interfere with his access to the facility in order to campaign for Ron Carey.

The investigation shows the following: Clarence Marston is a member of Local 443 and a candidate for delegate to the 1991 IBT International Convention. On December 6, 1990, he distributed literature and solicited petition signatures on behalf of Ron Carey at the Corometrics plant. Marston is not an employee of Corometrics. The distribution commenced at approximately 6:30 a.m. Marston positioned himself in the area immediately outside the employee entrance to the facility in full view of the plant security guard.

At 7:15 a.m., Mark Arminio, Local Union 443 shop steward for Corometrics employees, arrived at the plant and told Marston that Marston was not authorized by the Union to be on Corometric's property so he would have to leave. Shortly thereafter, Arminio had a

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conversation with the security guard, who, in turn, asked Marston to leave the company premises. Marston complied with the request.

Additionally, Marston himself has campaigned on two prior occasions for Ron Carey on the premises. On one occasion he was permitted to campaign. On another occasion he was asked to leave by the security guard, following the arrival of Mark Arminio.

Shop steward Mark Arminio informed the Election Officer that when he saw Marston campaigning he had consulted with Local Union Business Agent Tony Bonoupane, who told him that Marston had no authority from the Local Union to engage in campaign activities at Corometrics. Therefore Arminio felt that he should report this to the security guard.

Subsequent to the filing of this protest, the Election Officer entered into discussions with the Employer. As a result of these discussions, the employer has agreed with the Election Officer that IBT members have the right to engage in campaign distribution/solicitation activity outside the employee entrance to the Corometric facility during those periods when Corometric employees change shifts. The Building opens at 6:45 a.m. The first shift begins at 7:30 a.m. and ends at 7:00 p.m. A second shift begins at 5:00 p.m. and ends for most employees at 9:00 p.m. Some additional employees work from 9:00 p.m. until 11:00 p.m.

Corometric's agreement that campaign activity can be conducted in the area outside the employee entrance at the shift change times described above resolves the protest as to the employer.

The Local Union is hereby ordered by the Election Officer to post the enclosed notice on all Union bulletin boards throughout the Local to insure that IBT members understand their campaign rights in the upcoming election campaign and to undo any misunderstanding caused by the communications with Corometric.

The Union should furnish the Election Officer with an affidavit outlining the steps it has taken to comply with the posting no later than February 1, 1991.

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

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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

MHH/mjv

cc Frederick B Lacey, Independent Administrator
Elizabeth A Rodgers, Regional Coordinator

Notice To All Local IBT 443 Members

1. You have the right to campaign on behalf of any candidate for International office.
2. You have the right to campaign on behalf of any candidate for Delegate or Alternate Delegate to the 1991 IBT International Convention.
3. You have the right to distribute or solicit materials on non-work time in non-work areas where you are employed.
4. Even though you are not an employee of Corometric, you have the right to campaign and distribute materials at Corometric, located at 61 Baines Park Road, North Wallington, Connecticut, outside of the employee entrance area in and around the times shifts change at such facility.

Edward Brereton
Secretary-Treasurer
IBT Local Union 443

As a result of the 9/11
bombing and the ILO

OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
25 Louisiana Avenue, NW
Washington, DC 20001
(202) 624-8778
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January 17, 1991

Michael H. Holland
Election Officer

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

Frederick B. Lacey
Independent Administrator, IBT
LeBoeuf, Lamb, Leiby & MacRae
Gateway Center 1, Suite 603
Newark, NJ 07102-5311

Re: Appeal of Election Officer Case No. P-090-LU443-ENG

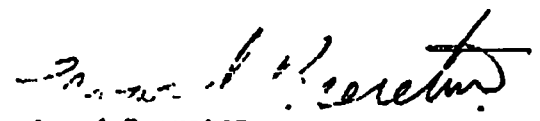
Dear Judge Lacey:

In accordance with the discussions between counsel for the Election Officer and Local Union 443 during the January 16, 1991 hearing in the above referenced appeal, the parties agree as follows:

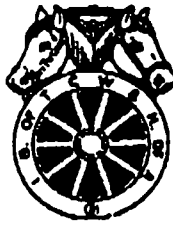
1. Local Union 443 shall post, or cause to be posted, copies of the attached notice on the union bulletin board and the general "community" bulletin board in the Corometrics facility at Wallingford, Connecticut. The Local Union shall also prominently post the notice at the Local Union hall. Such notices shall be posted before the close of business on Friday, January 18, 1991 and shall remain posted through the election of delegates and alternate delegates to the 1991 IBT International Union Convention.
2. Local Union 443 shall withdraw its appeal from the Election Officer's determination in Election Office Case No. P-090-LU443-ENG.

Respectfully submitted,


Michael H. Holland
Election Officer


Edward Brereton
Secretary-Treasurer IBT Local 443

cc: Clarence D. Marston
Norman Zolot, Esq.
Elizabeth Rodgers, Regional Coordinator
Henry Murray, Adjunct Regional Coordinator



**CHAUFFEURS, TEAMSTERS, WAREHOUSEMEN AND HELPERS
LOCAL 443
AFFILIATED WITH THE INT. BRO. OF TEAMSTERS,
CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA**

~~62-9~~

EDWARD BRERETON
Secretary Treasurer

FELIX DELGIUDICE
President

200 Wallace Street
P O Box 1710
New Haven, Connecticut 06507
Phone 624-5186

January 17, 1991

Fredrick B. Lacey, Independent Administrator
LeBoeuf, Lamb, Leiby & MacRae
One Gateway Center
Newark, NJ 07102-5311

Dear Judge Lacey:

Based on the agreement reached with the Election Officer as a result of the hearing before you, Local Union 443 withdraws its appeal and agrees to post the revised notice of three locations at Corometrics and at the Union Office.

Very truly yours,

Edward Brereton, Secretary Treasurer
Teamsters Local # 443

cc: Election Officer
E. Rodgers

/tam

NOTICE TO ALL IBT LOCAL UNION 443 MEMBERS

1. You have the right to campaign on behalf of any candidate for International office.
2. You have the right to campaign on behalf of any candidate for Delegate or Alternate Delegate to the 1991 IBT International Convention.
3. You have the right to distribute or solicit material on non-work time in non-work areas where you are employed.
4. As a result of an agreement between the Election Officer and Corometrics Medical Systems, Inc., even though you are not an employee of Corometrics, you have the right to campaign and distribute materials at the Corometrics facility, located at 61 Barnes Park Road North, Wallingford, Connecticut.



Edward Brereton
Secretary-Treasurer
IBT Local Union 443

1/17/91