

***PRE-ELECTION  
PROTEST  
DECISIONS***

***ELECTION OFFICE CASE NOS.***

***P-101-LU763-PNW to P-164-LU384-PHL***

***VOLUME III***

***Michael H. Holland  
Election Officer  
June 1992***

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

December 26, 1990

**VIA UPS OVERNIGHT**

Douglas Frechin  
7515 181st Place, SW  
Edwards, WA 98020

Jon L. Rabine  
Secretary-Treasurer  
IBT Local 763  
553 John Street  
Seattle, WA 98109

**Re: Election Office Case No. P-101-LU763-PNW**

Gentlemen:

A pre-election protest was timely filed pursuant to Article XI, §1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules"). In this protest Douglas Frechin contends that the Local Union violated the Rules when it requested the removal of a bulletin board at the Everett Terminal of Yellow Freight Service after Frechin posted campaign literature on the Board.

The Bulletin Board in question is a new Board purchased by the Employer for the benefit of Union postings for two clericals who are in a separate Local from the protestor. The Business Agent, John Komer, informed the Election Office that the Employer purchased the bulletin board so that the Election Notice could be posted. The Business Agent had posted the Notice of Election next to the minimum wage law notices in the absence of the Board. Subsequently, Douglas Frechin posted campaign literature on the Board, and the Business Agent removed it. In order to avoid further controversy Komer told the Employer he would just have the clerks sign for the receipt of the Election Notice, and the Board could be removed.

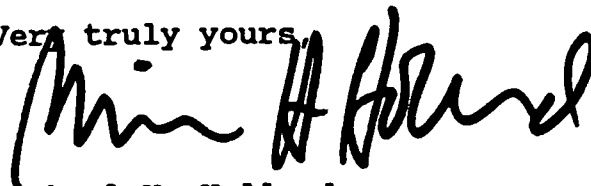
Komer has informed the Election Officer that he has now asked the Employer to repost the Bulletin Board, and the Employer has agreed. Mr. Frechin has informed the Election Office that he understands that with respect to this particular Bulletin Board, no pre-existing right exists under the *Rules* to post campaign material. Should it evolve that the Board is used as a "general

purpose bulletin board," Mr. Frechin will, of course, have access to the Board for Campaign purposes. At this time, the intent and practice of the Union is that the Board is to be Used for Union business only.

With this understanding, Mr. Frechin has requested to withdraw his protest. The withdrawal request is consistent with the purpose of the Rules. Accordingly, the withdrawal is approved.

Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael H. Holland". The signature is fluid and cursive, with the first name "Michael" being the most prominent part.

Michael H. Holland

MHH/MJC/sst

cc: Mr. Frederick B. Lacey  
Christine Mrak, Regional Coordinator