



OFFICE OF THE ELECTION OFFICER  
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Michael H. Holland  
Election Officer

November 11, 1991

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**VIA UPS OVERNIGHT**

Rob Naslanic  
441 Clair  
Garden City, MI 48135

James F. Esser  
President, IBT Local Union 243  
2741 Trumbull Avenue  
Detroit, MI 48216

R. V. Durham  
c/o Hugh J. Beins, Esquire  
Beins, Axelrod, Osborne  
& Mooney  
2033 K Street, NW  
Suite 300  
Washington, DC 20006-1002

**Re: Election Office Case No. P-1040-LU243-MGN**

Gentlemen:

This is a protest filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Rob Naslanic, a member of IBT Local Union 243 in Detroit, Michigan. His protest states that an R. V. Durham Unity Team campaign trailer has been positioned next to the Local Union Hall on Trumbull Avenue in Detroit. He asserts that the Local Union owns this property and that the location of the trailer on Union property for campaign purposes constitutes campaign contribution from the Local to the Unity Team and a "de facto endorsement" by the Local of the R. V. Durham slate. The protest was investigated by Regional Coordinator James De Haan.

The investigation revealed the following. The trailer is located on a corner lot at an intersection of Trumbull Avenue. Three of the corner lots are occupied by IBT buildings; the trailer is located upon the lot on the remaining corner. The lot on which the trailer is located is partially vacant but does contain a house.

The owner of the house and lot is Alphonso Delgado, who is not an IBT member. The Michigan Conference of Teamsters Welfare Fund seeks to purchase the real estate and made an offer on October 4, 1991 to do so; that offer has not been consummated.

The Election Officer investigation has produced evidence demonstrating that the lot was rented from Mr. Delgado by Ed Vecchio, Secretary-Treasurer of IBT Local 299 and Larry Brennan, the President of IBT Local 337 and a candidate for International

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Vice President from the Central Conference on the R. V. Durham Unity Team slate. The lot was rented for \$800, which the Election Officer has determined to constitute a reasonable market rental for the property. The lot was used by Mr. Vecchio in connection with the Local Union officer election for Local 299, which occurred on October 10, 1991. It is now being used by Mr. Brennan in connection with the 1991 IBT International Union officer election. No Union funds were utilized to pay the rental. The monies utilized to rent the lot were from the personal and/or campaign funds of Messrs. Vecchio and Brennan.

The campaign trailer which is now situated on the lot was rented by Mr. Brennan from Satellite Trailer. The Election Officer investigation demonstrates that no Union funds were used to pay the rental fee. The rental fee charged to Mr. Brennan is the regular rate charged by Satellite Trailer for the rental of this type of equipment.

Neither the lot or the trailer are owned by Local 243 or by any other IBT entity. The costs for renting the lot and the trailer were not borne by Local 243 or any IBT entity. The rental by a candidate for International office of real estate, and the placement by such candidate of a rented campaign trailer on such real estate, does not constitute an endorsement by any IBT entity of the candidacy of that candidate or the other members of his slate. That the real estate here in question is across the street from the Union hall--obviously, a prime campaign location--does not change this conclusion. There is no evidence that the rental was collusive or that other candidates or slates were deprived of an opportunity to bid for the rental of this property. Accordingly, the protest is DENIED in its entirety.

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

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cc: Frederick B. Lacey, Independent Administrator

James De Haan, Regional Coordinator

Ron Carey  
c/o Richard Gilberg, Esquire  
Cohen, Weiss & Simon  
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Walter Shea  
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