



OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
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Election Officer

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January 13, 1992

**VIA UPS OVERNIGHT**

Fred Hunchuk  
Secretary-Treasurer  
IBT Local Union 155  
Vancouver, B.C.  
CANADA V5T 1X3

Jack C. Vlahovic  
2823 East 24th Street  
Vancouver, B.C.  
CANADA V5R 1E5

**Re: Election Office Case No. P-1142-LU155-CAN**

Gentlemen:

A protest was filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Fred Hunchuk, Secretary-Treasurer of IBT Local Union 155. In that protest Mr. Hunchuk alleges that Jack C. Vlahovic, a delegate to the 1991 IBT International Union Convention from Local 155, refused to produce receipts to the Local Union to account for the expenditure of the per diem advanced to him by the Union for the period of his attendance at the 1991 IBT International Union Convention. There has been no allegation in the protest or evidence discovered during the investigation of this matter that any of the funds advanced to Mr. Vlahovic cannot be accounted for or were improperly used. Rather, Mr. Hunchuk simply contends that Mr. Vlahovic should provide receipts to document his use of the funds advanced to him by the Union. To date, Mr. Vlahovic has not done so.

Messrs. Hunchuk and Vlahovic were the two credentialed delegates representing Local Union 155 at the 1991 IBT International Union Convention. On or about April 19, 1991 the Election Officer issued and served on all credentialed delegates and alternate delegates--including Mr. Hunchuk and Mr. Vlahovic--an Advisory Regarding Convention Expense, dated April 19, 1991. The Advisory sets forth the obligation of Local Unions with respect to the payment of delegate and alternate delegate expenses for the attendance at the 1991 IBT International Union Convention and the responsibility of delegates and alternate delegates to document such expenses.

In accordance with the Advisory, the Local Union paid the transportation and lodging expenses of its delegates. These expenses were directly billed to the Local Union. Also in accordance with the Advisory, the Local Union advanced to its two delegates the sum of \$1,216.00 in Canadian funds (equivalent to \$910.00 in United

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States currency) for per diem expenses for the period of the Convention.

The Advisory provides the following with respect to per diem expenses:

The Local Union is also responsible for reasonable per diem expenses of its delegates and, if applicable, its alternates. Only actual expenses are to be reimbursed. . .

Delegates and alternates are responsible for obtaining receipts for all expenses for which they desire reimbursement. The receipts must be submitted to the Local Union's Secretary-Treasurer within a reasonable period of time after the delegates or alternate delegates return from the Convention. The Election Officer will consider seven (7) calendar days to be a reasonable period of time.

All such advances not utilized by the delegate or alternate delegate for his or her expenses at the Convention, as demonstrated by receipts, must be returned to the Local Union at the time the receipts for expenses are to be submitted to the Local Union's Secretary-Treasurer.

The Advisory clearly requires all delegates to the 1991 IBT International Union Convention to provide the Local Union Secretary-Treasurer with documentation, including receipts, regarding the use of per diem funds advanced by the Local Union. Mr. Vlahovic contends that this requirement is being applied in a discriminatory manner in his case and that other delegates have not been required to produce receipts.

The Election Officer's investigation revealed that the other delegate from Local Union 155 who received an advance for the Local Union, i.e., Mr. Hunchuk, provided the Local Union with receipts to document his use of the advance. In addition, delegates from other Local Unions in the Province of British Columbia, i.e.; Local Unions 213 and 31, produced receipts for their expenses. The Election Officer therefore concludes that not only does the Advisory require Mr. Vlahovic to provide the Local Union Secretary-Treasurer with receipts documenting his use of the per diem advance, but that this requirement has not been applied in a discriminatory fashion in his case.

That certain non-certified delegates not permitted to participate in the nomination process for International Union officer candidates, such as Joint Council delegates, may not have been required by their Joint Council to provide receipts does not alter the Election Officer's conclusion. The Election Officer's jurisdiction with respect to the Convention expenses extended only to the delegates and alternate delegates he certified.

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The Election Officer did not require that IBT Joint Councils send and pay the expenses of their delegates to attend the 1991 IBT International Union Convention as he required Local Unions to do. He did not require that such non-certified delegates retain or provide expense receipts. However, the treatment afforded these delegates by their Joint Councils does not change the obligation of certified delegates under the *Rules*.

Mr. Vlahovic is hereby directed to submit to his Local Union Secretary-Treasurer, within 10 days of the date of this decision, documentation, including receipts, for his use of the per diem expense funds advanced to him by his Local Union. Mr. Vlahovic shall also return to the Local Union at that time any funds advanced by the Local Union which were not used or for which reimbursement is not requested. Mr. Vlahovic shall also, with 15 days of the date of this decision, submit to the Election Officer an affidavit describing his compliance with this order.

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

cc: Frederick B. Lacey, Independent Administrator  
C. Neil Reimer, Regional Coordinator