



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 29, 1991

VIA UPS OVERNIGHT

Charlie Thompson
President
IBT Local Union 886
3528 W Reno
Oklahoma City, OK 73125

Terry C. Raulston
1024 S.W. 97th St.
Oklahoma City, OK 73139

Re: Election Office Case No. P-337-LU886-SOU

Gentlemen

A pre-election protest was timely filed pursuant to Article XI of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") In his protest Mr. Charlie Thompson contends that his campaign for delegate to the IBT International Convention has been damaged by the dissemination of false information by Terry C. Raulston, another candidate for delegate during a meeting of IBT members held on January 12, 1991.

The investigation shows the following Jones Truck Lines called a meeting of drivers on Saturday, January 12, 1991 to discuss its proposal that the drivers accept a 15% cut in pay Mr. Terry Raulston attended the meeting; Mr. Charlie Thompson was not in attendance at the meeting.

Mr Raulston told the Election Officer Representative that no campaigning occurred in the Employer's meeting This was corroborated by the Terminal Manager, Cindy Dixon, who conducted the meeting At the end of the meeting, according to Mr. Raulston, a number of drivers asked Mr Raulston about an article that appeared on the front page of the Oklahoma City newspaper reporting that Charlie Thompson had punched out Larry Garner, president of the Muskogee Teamsters. The drivers also asked if the fact that Mr Thompson was involved in a fight would cause trouble for him on his job Mr Raulston did respond that he had heard that Mr. Thompson would be fired

Mr Thompson claims that the representation by Mr. Raulston to the drivers that he would be fired by the IBT is the knowing publication of false information and that it has damaged his election Campaign.

Charlie Thompson
Page 2

The Election Officer concludes in this case that no campaigning occurred in the Employer sponsored meeting. The Election Officer concludes further that even if Mr. Thompson's version of events is correct, and that if IBT members were told falsely that Mr Thompson was about to be fired, this statement does not rise to such a level of campaign misconduct that it interferes with open and fair elections. During heated union campaigns, there are frequently charges and countercharges. The purpose of free speech and open elections as contemplated by the *Rules* is to allow candidates to express themselves fully, even if on occasion mistakenly, and to allow voters a choice of candidates and platforms. Reports of a fight between union officers that appears on the front page of a prominent local newspaper will generate much discussion among IBT members. The single statement that a candidate for delegate will be fired by the Union is relatively easy to refute if it is not true.

Based on the foregoing, the protest is **DENIED**.

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

MHH/ads

cc Frederick B. Lacey, Independent Administrator
Larry R. Daves, Regional Coordinator