



OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
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Michael H Holland  
Election Officer

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February 20, 1991

**VIA UPS OVERNIGHT**

Richard F Wojciechowski  
5 Locust Court  
Old Bridge, New Jersey 08857

Ronald Prunesti  
President  
IBT Local Union 102  
25 Evergreen Place  
East Orange, NJ 07109

Re: Election Office Case No. P-433-LU102-NJE

Gentlemen.

A pre-election protest was timely filed pursuant to Article XI, Section 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("Rules"). In his protest, Mr Richard F. Wojciechowski alleges that he was verbally threatened by Ronald Prunesti, President of Local Union 102 and a candidate for delegate, because of his election campaign activity.

The investigation shows the following. The incident which forms the basis for this protest took place on Saturday, February 2, 1991, during a shift meeting of ten to fifteen Local 102 members. The meeting was called by Local 102 President Ronald Prunesti in order to discuss the recently rejected Anheuser-Busch contract and to respond to a petition which had been circulated by Local 102 members requesting such a meeting.

After the Anheuser-Busch contract was rejected, Local 102 members, including Mr Wojciechowski circulated petitions calling for more information about the contract and the convening of a Local meeting to discuss the contract decision. Mr. Prunesti was upset about the petitions because Mr Wojciechowski submitted the petitions to the International rather than to the Local.

At the February 2, 1991 meeting, Mr Prunesti asked who had circulated the petitions and why they had been submitted to the International. Mr. Wojciechowski claimed responsibility. During the ensuing discussion between Messrs. Prunesti and Wojciechowski, someone else in the group asked a question. When Mr. Prunesti turned to answer the question, Mr. Wojciechowski also commented on the question. Mr. Prunesti then turned to Mr. Wojciechowski, and said, "I will take care of you later."

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Mr Wojciechowski said nothing, but another member, John Daplans, asked Mr. Prunesti if Mr Prunesti realized that he had threatened Mr Wojciechowski. Mr Prunesti states that he answered "no" and then responded to the question posed by the other member. This was the only interaction between Mr Prunesti and Mr Wojciechowski.

Mr Prunesti does not deny making the statement, but he and other witnesses attending the meeting believe the statement was taken out of context and misinterpreted.

There was no physical contact between Mr. Prunesti and Mr. Wojciechowski before, during, or after this statement. Mr Wojciechowski told the Election Officer that he did not feel physically threatened at the time of the meeting, but that he felt threatened when his employer disciplined him some days later. Mr. Wojciechowski believes that Mr. Prunesti influenced the employer to issue the discipline.

A few days later, Mr Wojciechowski's supervisor gave him a verbal warning regarding the length of the breaks he was taking. Mr Wojciechowski states that his breaks are no longer than breaks of any other member of his shift, but no other employee received such a warning.

There is no other evidence, however independent of the warning, to show that the employer disciplined Mr. Wojciechowski because of his campaign activity. Nor is there evidence to show collusion between the employer and Local 102, or the employer and Mr Prunesti.

Based on the foregoing, the Election Officer concludes that the evidence does not support a finding that the *Rules* have been violated. The dispute between Messrs. Prunesti and Wojciechowski was related to the Anheuser-Busch contract, not to delegate campaigning. Further, the evidence is not clear that the statement made by Mr Prunesti was intended as a threat, and Mr. Wojciechowski states that he did not take the statement as a threat at the time of the meeting. Additionally there is an absence of evidence linking the Local with the discipline issued by the Employer.

The Election Officer concludes further, however, that in the interest of ensuring open, honest and fair elections, a restatement of the rights of candidates and members to participate in the IBT elections should be promulgated. Therefore, the Election Officer orders Local 102 to post the attached Notice on all Union bulletin boards at each of the work sites where the Local represents members. The Secretary-Treasurer of the Local shall submit an affidavit to the Election Officer no later than March 7, 1991 averring that such Notice has been posted.

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

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& 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  
Edward T Ellis, Regional Coordinator  
Lewis, Greenwald, Kennedy, Lewis, Clifton, & Schwartz  
232 West 40th Street  
New York, New York 08818

## NOTICE TO TEAMSTER MEMBERS

**FROM MICHAEL H. HOLLAND, ELECTION OFFICER, IBT**

You have the right to participate in campaign activities on behalf of candidates for delegate and alternate delegate to the 1991 IBT Convention

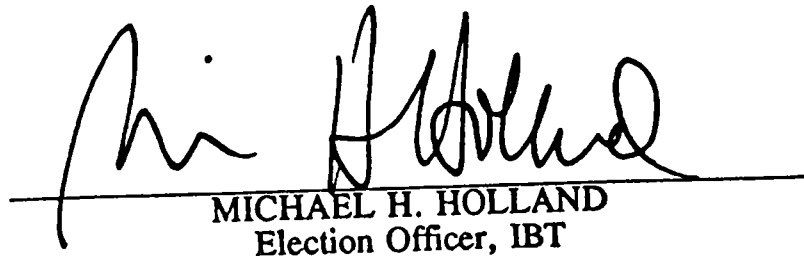
You have the right to participate in campaign activities on behalf candidates for International Office in the IBT

You have the right to seek election as a delegate or alternate delegate to the 1991 IBT International Convention

You have the right to seek election as an IBT International Officer

No one, no company official, union officer, business agent, steward, or member can intimidate, harass, or threaten you for participating in campaign activities or for seeking election as a delegate, alternate delegate or International Officer.

Protests regarding campaign activities are to be filed with the Election Officer at the above address. Copies of the *Rules* regarding campaigning and other election activities may be obtained from the Election Officer by calling the toll-free telephone number listed above



MICHAEL H. HOLLAND  
Election Officer, IBT

*This is an official notice and must remain posted for thirty consecutive days from the day of posting, and must not be altered, defaced, or covered by any other material*