

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

March 5, 1991

VIA UPS OVERNIGHT

W Pete Bilyeu
President
IBT Local 413
555 East Rich Street
Columbus, Ohio 43215

Henry Franchini
2571 Stonington Avenue
Grove City, Ohio 43123

Re: Election Office Case No. P-481-LU413-CLE

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, W Pete Bilyeu alleges that the *Rules* have been violated in that Henry Franchini, has removed and destroyed Mr Bilyeu's campaign literature from a bulletin board located at Roadway Express

The protest was investigated by Regional Coordinator Joyce Goldstein The investigation established that campaign literature was removed from the bulletin board at Roadway Express, but did not establish culpability for the removal Mr Bilyeu now requests to withdraw his protest The Election Officer will approve the withdrawal request, as consistent with the *Rules*

The Election Office notes, however, that the right to post or otherwise distribute campaign literature is a fundamental right guaranteed by the *Rules*, a right with which the other Union members or officers are not to interfere, such as by, as was alleged here, removing campaign materials from the bulletin board Further, while the delegate election with respect to Local 413 is completed, the International Officer election still is ongoing Therefore, to insure that all members at Roadway Express are aware of these rights, the Election Officer directs the Local to post the attached notice on the Union bulletin board at Roadway Express facility in Columbus, Ohio so that all IBT members have notice of their campaign rights

In accordance with the foregoing, the withdrawal request is **APPROVED**

If any person is not satisfied with this determination, he may request a hearing before the Administrator within twenty-four (24) hours of his receipt of this letter Such

W Pete Bilyeu
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request shall be made in writing and shall be served on Administrator Frederick B Lacey at LeBoeuf, Lamb, Leiby & MacRae, One Gateway Center, Newark, N J 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 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.

Very truly yours,



Michael H Holland

MHH/ads

cc Frederick B Lacey, Independent Administrator
Joyce Goldstein, Regional Coordinator

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NOTICE TO TEAMSTER MEMBERS
FROM MICHAEL H. HOLLAND, ELECTION OFFICER, IBT

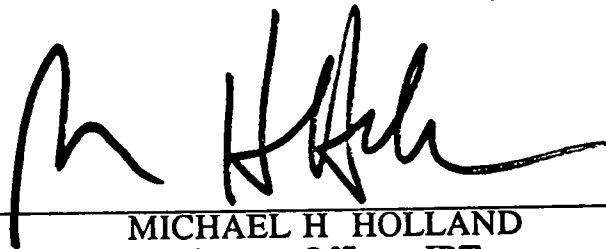
You have the right to participate in campaign activities on behalf of candidates for delegate and alternate delegate to the 1991 IBT Convention

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

You have the right to post campaign material on general purpose bulletin boards, that is, bulletin boards that have been used for posting materials other than or in addition to official Company and Union notices

It is a violation of the *Election Rules* for any company official, Union officer, business agent, steward, or member to remove campaign postings

Protests regarding bulletin board postings 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.