

OFFICE OF THE ELECTION OFFICER  
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Michael H Holland  
Election Officer

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343 South Dearborn Street  
Chicago, IL 60604  
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February 18, 1991

**VIA UPS OVERNIGHT**

George Rotondo  
1 Glen Rd  
Salem, NH 08079

William J McCarthy  
President  
IBT Local Union 25  
544 Main St  
Boston, MA 02129

**Re: Election Office Case No. P-484-LU25-ENG**

Gentlemen

A pre-election protest was filed pursuant to Article XI, § 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by George Rotondo, a member of Local 25. Mr Rotondo alleges that he posted campaign material on the Union bulletin board with the permission of management and several days later found the material removed from the board.

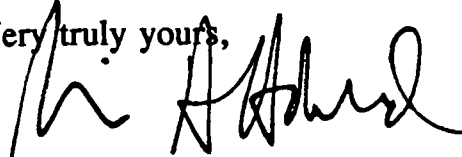
The Regional Coordinator has conducted an investigation of this protest. The Regional Coordinator has advised the Election Officer that the UPS facility located in Somerville, Massachusetts has no general purpose bulletin board. There is an official Union bulletin board which is enclosed in glass and locked. This board, which has been in place for approximately one year since the company opened the facility, is used only for official Union notices.

The investigation of the protest by the Regional Coordinator further reveals that Management representatives from the facility removed the campaign material from the bulletin board. The material was so removed in accordance with the policy that only official Union notices may be posted on the Union bulletin board.

Pursuant to Article VIII, § 10 (d) of the *Rules*, no restrictions shall be placed on any candidate's or member's pre-existing right to use employer or Union bulletin boards for campaign publicity. The investigation revealed that there was no pre-existing right to use the Union bulletin board for campaign materials, since that bulletin board has not previously been used for posting materials other than official notices. Therefore, there is no violation of the *Rules*. Accordingly, the protest is DENIED.

George Rotondo  
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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/mca

cc Frederick B. Lacey, Independent Administrator  
Elizabeth A. Rodgers, Regional Coordinator  
Martin Wald