



OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
25 Louisiana Avenue, NW  
Washington, DC 20001  
(202) 624-8778  
1-800-828-5198  
Fax (202) 624 8792

Michael H Holland  
Election Officer

February 19 1991

Chicago Office:  
% Cornfield and Feldman  
343 South Dearborn Street  
Chicago IL 60604  
(312) 922 2800

Via Fax and UPS Next Day Air  
Mr John L Neal  
President  
IBT Local Union 135  
1233 Shelby Street  
Indianapolis Indiana 46203

Re Election Office Case No P-526-LU135-SEC

Dear Mr Neal

A very serious matter has come to the attention of the Election Officer concerning the conduct of the Local Union 135 delegate election requiring your immediate attention This morning Election Office Regional Coordinator Peggy Hillman observed the following notice posted above the timeclock at the National ByProducts terminal located at 700 West Southern in Indianapolis

Feb 13 1991

Attention Drivers

For the Union Election, ballots were mailed to your home today Please fill out the ballot and put in the two enveloped provided Bring back to work and give to Randy Botos Don't mail Need back as soon as possible

Randy Botos

We are informed that Mr Botos is a Local Union 135 shop steward

Article XII Section 3(d) of the Rules for the IBT International Union Delegate and Officer Election revised August 1, 1990 ("Election Rules"), specifically provides that "[1]t shall constitute a violation of these Rules for any Union member officer, business agent steward etc to require or request that any member give him/her such members s mail ballot" The Election Officer finds that the Election Rules have been violated by the

posting of the above notice.

The Election Officer does not make any determination as to the responsibility of Local Union 135, or any of its Officers, with respect to the posted notice. The election officer notes, however, that the notice was signed by a Local Union agent, albeit a shop steward. Further, the potential that the notice has for undermining a fair and honest election requires immediate action on the part of the Local Union.

The Election Officer hereby directs the Local Union to take the following action to remedy the violation:

1. Local Union 135 shall, before the end of Tuesday, February 19, 1991, transmit to each of its shop stewards and business agents, by UPS Next Day Air or hand delivery, the message attached hereto as exhibit A. The Union shall further instruct each of its shop stewards and business agents to fully comply with the instructions contained in the message.

2. Local Union 135 shall immediately instruct shop steward Randy Botos to remove the notice cited above and to deliver to Regional Coordinator Peggy Hillman all ballots that have been given to him by IBT members.

3. Mr. Botos shall sign and post the notice attached hereto as exhibit B above the time clock and on all Union bulletin boards at the National Byproducts terminal.

4. Local Union 135 shall, by the close of business Wednesday, February 20, 1991, mail copies of an executed version of exhibit C, to all Local Union 135 members who work at the National ByProducts terminal.

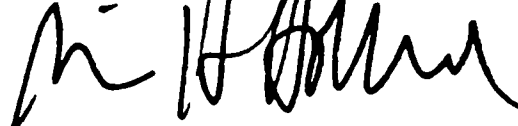
5. Any appeal of this determination shall not stay this order. See, Article XI, Section (a)(8) of the Election Rules.

6. Local Union 135 shall submit to the Election Officer, within 48 hours of its receipt of this determination, an affidavit setting forth in detail its compliance with the terms of 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) 624-9791. A copy of the protest will  
accompany the request for a hearing

Very truly yours,



Michael H Holland  
Election Officer

cc Frederick B Lacey, Independent Administrator, IBT  
Peggy A Hillman, Regional Coordinator

TO ALL LOCAL UNION 135 STEWARDS AND BUSINESS AGENTS

FROM JOHN L. NEAL, PRESIDENT LOCAL UNION 135

As you all know, the members of Local Union 135 are currently voting in an election to determine who shall serve as delegates and alternate delegates to the 1991 IBT International Union Convention. This is a secret mail ballot election conducted in accordance with the Rules for the IBT International Union Delegate and Officer Election ("Election Rules").

It is a violation of the Election Rules for any Union member, officer, business agent, steward, etc. to require or request that any member give him/her such member's mail ballot.

If you have requested, orally or in writing, that any member give you, or anyone else, their mail ballot you must immediately:

- 1) cease making any such statement and, where applicable, remove any notices or posting requesting members to surrender their ballots;
- 2) inform Election Office Regional Coordinator Peggy Hillman (317-635-4059) of the facts surrounding such statements.

If you have received, or know of anyone who has received, mail ballots other than your/their own, you must immediately: 1) contact Election Office Regional Coordinator Peggy Hillman and inform her of the facts of such receipt; 2) hold on to the ballots until you are given further instructions by Ms. Hillman.

Your immediate compliance with these instructions is required. If you have any questions about this matter please contact Ms. Hillman.

Sincerely,

John L. Neal

**NOTICE TO TEAMSTER MEMBERS**  
**FROM IBT LOCAL UNION 135 REGARDING DELEGATE ELECTION**

The election of delegates and alternate delegates to the 1991 International union convention is now underway. You have or will soon receive your secret ballot for that election in the mail.

Each member of Local Union 135 has the right to cast a secret ballot for the election of delegates and alternate delegates to the 1991 IBT Convention and for International Office in the IBT. No one has the right to ask for your ballot. Do not give your ballot to anyone.

If you have given your ballot to anyone you should immediately contact Election Office Regional coordinator Peggy A. Hillman at 317-635-4059.

You have a right to file a protest with Election Officer Michael H. Holland alleging a violation of these rights or any other right set forth in the Rules for the IBT International Union Delegate and Officer Election, revised August 1, 1990 ("Election Rules").

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**RANDY BOTOS**  
Shop Steward, IBT Local Union 135

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

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JOHN L. NEAL  
President, IBT Local Union 135