



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

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Chicago IL 60604
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February 21 1991

VIA UPS OVERNIGHT

Harry P Bidwell
2216 A Cottonwood Dr
Joliet IL 60432

William D Joyce
Secretary Treasurer
IBT Local Union 710
4217 S Halsted St
Chicago IL 60609

Re Election Office Case No P 531 LU710-CHI

Gentlemen

A pre-election protest has been 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 Harry P Bidwell alleges that a sample ballot distributed by competing William B Joyce Slate contains statements that violate his rights under the *Rules* Inspection of the ballot attached to the protest reveals that it is a sample ballot and that Complainant is objecting to the content of this campaign literature This precise objection to the very same sample ballot (campaign literature) has been investigated and ruled upon in Election Office Case No P-499 LU710-CHI The protest is DENIED for the same reasons stated in that decision a copy of which is attached hereto for the information of the Complainant

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

Harry P. Bidwell
Page 2

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
Julie E. Hamos, Regional Coordinator

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INTERNATIONAL BROTHERS UNION OF AMERICANS

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Michael H. Holland
Election Officer

Chicago Office:
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349 South Dearborn St.
Chicago, IL 60604
(312) 922-2101

February 21, 1991

VIA UPS OVERNIGHT

Harry H. Hughes
15430 Warwick Drive
Oak Forest, IL 60452

William Joyce
Secretary-Treasurer
IBT Local Union 710
4217 S. Halsted Street
Chicago, IL 60609

Re: Election Office Case No. P-499-LU710-CHI

Gentlemen

A pre-election protest was filed pursuant to Article XI, Section 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Harry H. Hughes, a member of Local Union 710. Mr. Hughes contends that campaign literature being distributed by the "Bill Joyce Slate" violates the *Rules*.

Article X, Section 1(b) of the *Rules* provides that "no Union funds or goods shall be used to promote the candidacy of any individual and the use of the Union's official stationery with the Union's name, insignia, or other mark identifying the Union is prohibited. The campaign literature, which is the subject of the protest, is a copy of a sample ballot, which has been altered to exclude the names of the candidates on the "Eagle T D U Slate"; adds the words "To Destroy Unions" pointing to the "Eagle T.D.U Slate" name on the sample ballot, adds a large arrow pointing to the "Wm. "Bill" Joyce Slate" with the words "fill in this arrow," and in large bold-face type next to the names on the ballot for the "Wm "Bill" Joyce Slate" adds "VOTE THE BILL JOYCE SLATE" which is repeated on the bottom of the literature. These alterations to the sample ballot demonstrate that the ballot is or has clearly become campaign literature.

The use of the sample ballot is not deceptive or misleading because it is clearly campaign literature and does not purport to be an official notice implying the endorsement by the Election Officer or any Union entity. The *Rules* neither prohibit nor regulate the content of campaign literature.

Accordingly, the protest is **DENIED**.

Harry H. Hughes
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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/ads

cc Frederick B Lacey, Independent Administrator
Julie E Hamos, Regional Coordinator