



OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
25 Louisiana Avenue, NW  
Washington, DC 20001  
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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 11, 1991

**VIA UPS OVERNIGHT**

Gaylord Phillips  
3400 Georgeann Pl  
Ceres, CA 95307

Harvey Killman  
Secretary-Treasurer  
IBT Local Union 386  
1225 13th Street  
Modesto, CA 95354

United Parcel Service  
Attn Victor Renzelman, Center Manager  
1400 Hil-Mor Ct  
Ceres, CA 95307

**Re: Election Office Case No. P-621-LU386-CCV**

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 Gaylord Phillips, a member of Local 386. Mr Phillips complained that his employer advised him that he could not distribute campaign literature anywhere inside the work facility, including the men's locker room or any other non-working area, in violation of Article VII, § 10 of the *Rules*.

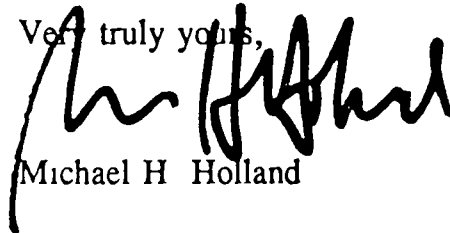
The Election Officer has conducted an investigation of this protest. The employer was contacted by the Election Office and agreed, consistent with the Election Officer's position, that Mr Phillips, and other IBT members employed by it, could distribute campaign literature at their place of employment, United Parcel Service Center located at 1400 Hil-Mor Court in Ceres, California in non-work areas during non-work times. This agreement is in accordance with the *Rules*. Accordingly, this protest is considered resolved.

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

Gaylord Phillips  
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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,

A handwritten signature in black ink, appearing to read "Michael H. Holland". The signature is stylized and cursive.

Michael H Holland

MHH/mca

cc Frederick B Lacey, Independent Administrator  
Donald E Twohey, Regional Coordinator

Martin Wald, Esq  
Schnader, Harrison, Segal & Lewis  
Suite 3600  
1600 Market Street  
Philadelphia, PA 19103