



OFFICE OF THE ELECTION OFFICER  
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Election Officer

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March 21, 1991

**VIA UPS OVERNIGHT**

George Saavedra  
845 Thetford Pl  
Fairfield, CA 94533

Casey Sawyer  
Secretary-Treasurer  
IBT Local Union 490  
445 Nebraska St  
Vallejo, CA 94590

Tom Williams  
c/o Local Union 490  
445 Nebraska St  
Vallejo, CA 94590

**Re: Election Office Case No. P-678-LU490-CSF**

Gentlemen

A pre-election protest was timely 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, George Saavedra alleges that the *Rules* have been violated because Local 490 Business Agent Tom Williams told employees at the Vallejo Garbage job site that he would collect their ballots

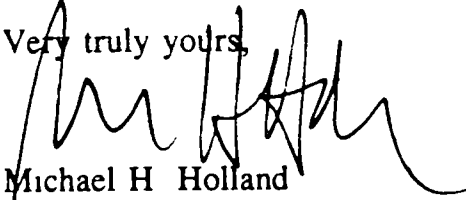
The investigation discloses the following On March 11, 1991 at around 8 10 a m , Williams paid a routine service visit to the Vallejo Garbage job site While in the dispatch office, he made the statement to IBT member Willie Jones that the ballots were in the mail and that if anyone needed any help in understanding the ballot or in reading it, " to be sure and help them " so there would be a good return The investigation shows that a number of IBT members employed at this particular job site read only Spanish and others are illiterate In the past, in internal union elections, IBT member Willie Jones has assisted such members with any reading questions they might have Williams states that he made the statement to Jones simply to remind him of the past practice

Article XII, § 3 (d) of the *Rules* specifically provides that "it shall constitute a violation of these *Rules* for any Union member, officer, business agent, or steward, etc to require or request that any member give him/her such member's mail ballot " There is no evidence in this case that any IBT member has "collected" ballots There is no

George Saavedra  
Page 2

evidence that Business Agent Tom Williams has interfered with ballots or otherwise violated the *Rules* The protest is DENIED

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  
Donald E. Twohey, Regional Coordinator