

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

Michael H. Holland  
Election Officer

(202) 624-8778  
1-800-828-6496  
Fax (202) 624-8792

April 29, 1991

**VIA UPS OVERNIGHT**

Robert R. Carr  
3210 Glen Echo Dr.  
Santa Rosa, CA 95404

Brian Beaver  
Secretary-Treasurer  
IBT Local Union 624  
1371 Neotomas Ave.  
Santa Rosa, CA 95401

Gary Sloane  
Business Agent  
IBT Local Union 624  
1371 Neotomas Ave.  
Santa Rosa, CA 95401

Richard Reid  
Business Agent  
IBT Local Union 624  
1371 Neotomas Ave.  
Santa Rosa, CA 95401

Re: Election Office Case No. P-738-LU624-CSF

Gentlemen:

A protest has been filed pursuant Article XI, § 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). In his protest, Bob Carr, an elected delegate to the 1991 IBT Convention alleges that members of the slate which included the Local Union Secretary-Treasurer, who were defeated in the delegate election, are now attending the 1991 IBT International Convention as guests of the Local in violation of the *Rules*.

The investigation of this protest reveals the following facts: Brian Beaver, Secretary Treasurer of Local Union 624, Richard Reid, Local 624 Business Agent, Karla Reid, Local Union Trustee, Gary Sloan, Jack Spratt, and Pete Gemma, have all requested to attend the Convention as guests. Mr. Beaver and Ms. Reid were unsuccessful candidates for Convention delegate positions. The evidence shows, however that all of these IBT officers and members plan to attend the convention at their own expense.<sup>1</sup> The position of the Local Union is that if any Local 624 requests to attend

---

<sup>1</sup>Beaver states, however, that if he has official Union business to conduct at the Convention, he will seek approval from the Executive Board of the conduct to pay his expenses.

Robert R. Carr  
Page 2

the 1991 Convention, at his/her own expense, the Local will seek to have the member credentialed as a guest.

The Election Officer has issued an Advisory Regarding Convention Expenses, a copy of which is attached to this decision. The Advisory provides in relevant part:

Attendance at the 1991 International Union Convention is Union business; it is not a vacation or holiday. Further, the underlying purposes of the Consent Order, as well as the Labor Management Reporting and Disclosure Act, prohibit the utilization of Union funds, except for the benefit of the organization and its members., Thus it will be considered to constitute misuse of Union funds for the Local Union to pay the expenses of spouses or family members attending the Convention. This prohibition does not extend to the expenses of guests (subject to the limitation and requirements noted herein), whose attendance is reasonably related to the business of the Convention, such as retiree representatives or Union members with designated duties and responsibilities in connection with the proceedings of the Convention, or with official Union meetings held attendant to the Convention. The prohibition does, however, extend to the spouses or other family members of such guests.

Thus it is permissible for IBT members, including those not elected as delegates or alternates, spouses or family members to attend the 1991 IBT International Convention, at their own expense, as guests. Further if Beaver has designated or official responsibilities with respect to the Convention or official meetings held in connection with the Convention, the Local can decide to pay his expenses without violating either the Advisory or the *Rules*.

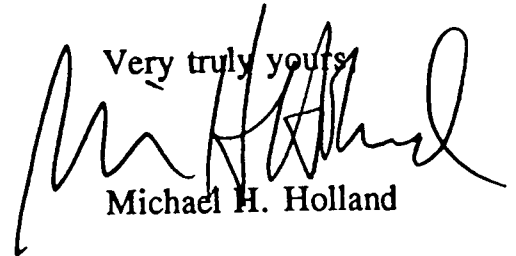
Based on the foregoing, the protest is DENIED.

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,

Robert R. Carr  
Page 3

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", written in a cursive style.

Michael H. Holland

MHH/mjv

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