

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

May 31, 1991

VIA UPS OVERNIGHT

Joseph A. Neal
4508½ W. 23rd
Los Angeles, CA 90011

Manuel Barbosa
Secretary-Treasurer
IBT Local Union 389
13741 Foothill Blvd.
Suite 130
Sylmar, CA 91342

Re: Election Office Case No. P-774-LU389-CLA

Gentlemen:

A 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 Joseph Neal, a member of Local 389, employed as a trade show handler working on a casual basis, alleges that members of Local 389, employed as he is, i.e. on a casual basis, have not been given notice of Local Union elections including the 1991 IBT International Convention delegate election.

The protest was investigated by Regional Coordinator Geraldine Leshin. During the investigation Neal stated that he had no objection to the conduct of the delegate election process and that he was not seeking to reopen that process. He does object, however, to the fact that some of the membership of the Local who are employed on a casual basis as trade show handlers do not regularly receive the Local's newsletter, the International Teamster or other IBT publications. Neal states that receipt of the Local newsletter is necessary to insure that the casuals have notice of Local Union elections as well as contract ratification votes.

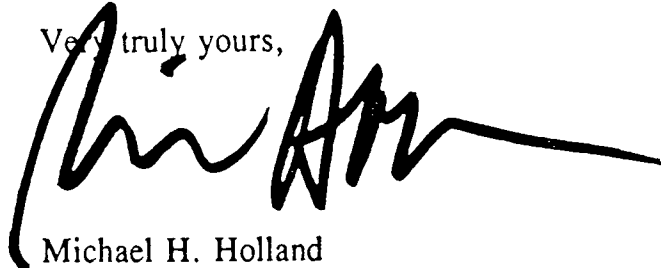
The Election Officer has no jurisdiction over any matter other than the IBT International Union delegate and officer elections. He has no jurisdiction with respect to exclusively Local Union officer elections, contract ratification or any other matters unrelated to the International Union delegate and officer elections. In as much as Mr. Neal's protest relates to matters which do not implicate the International Union delegate and officer elections, the Election Officer has no jurisdiction to determine the protest or grant any remedy.

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The Regional Coordinator has requested, however, that the Local attempt to insure that the entirety of its membership, including those who are employed on a casual basis, receive copies of the Locals newsletter as well as all other materials mailed by the Local to its members. The Election Officer is also sending a copy of this decision, accompanied by the underlying protest, to the International Union. The Election Officer by so doing urges the International to also take steps to insure all its members, including those employed on a casual basis, appropriately receive copies of the International Teamster as well as all other materials mailed by the International to the membership of the IBT.

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,

A handwritten signature in black ink, appearing to read "Michael H. Holland", with a long horizontal flourish extending to the right.

Michael H. Holland

MHH/pjm

cc: Frederick B. Lacey, Independent Administrator
Geraldine L. Leshin, Regional Coordinator
Duke Zeller, Director of Communications, IBT