



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

Michael H Holland
Election Officer

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April 25, 1991

VIA UPS OVERNIGHT

Edward G Tyler
Secretary-Treasurer
Teamsters Local 227
18012 4th Ave , NW
Seattle, WA 98177

Teamsters for a
Democratic Union
7437 Michigan Ave
Detroit, MI 48210

Duane Odegard
10216 31st Street, SW
Seattle, WA 98146

Re: Election Office Case No. Post43-LU227-PNW

Gentlemen

A post-election protest was filed by Mr Edward G Tyler on March 5, 1991 pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"), alleging that the winning slate in the Local 227 elections for one delegate and one alternate had received improper financial support from the Teamsters for a Democratic Union (TDU) Mr Tyler contends that such support constituted inappropriate employer contributions for candidates in the IBT delegate and alternate election in violation of the *Rules*

The initial election count in Local 227 took place on March 5, 1991, and a recount took place on March 8, 1991 Five hundred and sixty-eight (568) ballots were cast, with 36 challenged ballots The results of the election were as follows

<u>Delegate</u>	<u>Votes</u>
Duane Odegard	263

Edward Tyler	254

Alternate

Dan McGowan	267

Jerry Larson	247

Thus, the margin of victory in the delegate race was nine votes, while the margin was 20 votes in the alternate race

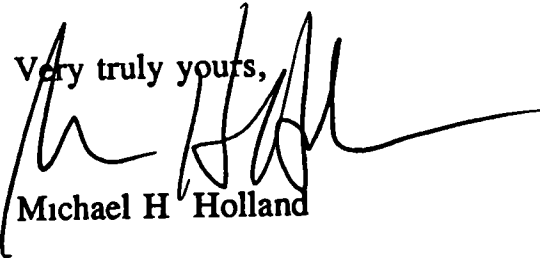
The unsuccessful delegate and alternate candidates, running as the Tyler/Larson Slate protest their opponents' alleged receipt of financial support from TDU, contending that this support constituted inappropriate employer support. The *Rules* prohibit any candidate from accepting or using campaign contributions from an employer, the Union or any other labor organization. *Rules*, Article X, § 1(b). The members of the Odegard/McGowan Slate deny receipt of any financial support or contributions of any kind from TDU.

The investigation conducted by representatives of the Election Officer does not show that the Odegard/McGowan Slate received any monetary contributions from TDU. The investigation further confirmed the lack of any other TDU assistance to Messrs Odegard or McGowan. While the members of the Odegard/McGowan Slate distributed two flyers, those flyers were composed, printed and distributed solely by Messrs Odegard and McGowan and their supporters. No prototype flyer or other assistance was requested or provided by TDU to the Odegard/McGowan Slate with regard to the production and distribution of any campaign literature. Additionally, no other support was requested of or provided by TDU to the Odegard and McGowan slate or their campaign. Consequently, since no contribution was received by the Odegard/McGowan Slate from TDU, there is no factual basis for the post-election protest.

Based on the foregoing, the protest of Mr. Tyler 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.

Edward G Tyler
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Very truly yours,

Michael H Holland

MHH/mjv

cc Frederick B Lacey, Independent Administrator
Christine M Mrak, Regional Coordinator