

OFFICE OF THE ELECTION ADMINISTRATOR
for the
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

IN RE: WILLIAM SHAPPELL,)	Protest Decision 2001 EAD 198
)	Issued: February 27, 2001
)	OEA Case No. PR021516ME
Protestor.)	
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)	

Willam Shappell, a member of Local Union 429, filed a post-election protest pursuant to Article XIII, Section 3(b) of the Rules for the 2000-2001 IBT International Union Delegate and Officer Election (“*Rules*”). He alleges that Local 429 and Tom Brown, the agent retained by the local to conduct its delegate election, have violated the *Rules* by ordering two sets of mailing labels for the mailing of delegate election ballots.

Election Administrator representative J. Griffin Morgan investigated the protest.

We DENY the protest. Brown has 25 years experience conducting local union elections. He formerly served as a deputy in the eastern region of prior Election Officers. He informed our investigator that he orders two sets of mailing labels in order to complete election ballot mailing because he has learned from experience that some labels are destroyed in the process of printing and shipping. The second set of labels is thus available to replace any damaged labels. The application of the labels to the envelopes is an observable process, thus assuring the prevention of fraud. Brown’s practice is to keep all unused labels to show to election observers at the ballot count. There is nothing improper about Brown’s practice, and the protestor’s claims of ballot fraud are unsupported speculation.

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within two (2) working days of receipt of this decision. The parties are reminded that, absent extraordinary circumstances, no party may rely upon evidence that was not presented to the Office of the Election Administrator in any such appeal. Requests for a hearing shall be made in writing, shall specify the basis for the appeal, and shall be served upon:

Kenneth Conboy
Election Appeals Master
Latham & Watkins
Suite 1000
885 Third Avenue
New York, New York 10022
Fax: 212-751-4864

Copies of the request for hearing must be served upon all other parties, as well as upon the Election Administrator for the International Brotherhood of Teamsters, 727 15th Street NW, Tenth Floor, Washington, DC 20005, all within the time period prescribed above. A copy of the

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protest must accompany the request for hearing.

William A. Wertheimer, Jr.

William A. Wertheimer, Jr.
Election Administrator

cc: Kenneth Conboy
2001 EAD 198

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