

**OFFICE OF THE ELECTION SUPERVISOR
for the
INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

IN RE: BARBARA O’SULLIVAN,)	Protest Decision 2006 ESD 215
)	Issued: April 26, 2006
Protestor.)	OES Case No. P-06-196-030106-GP
_____)	

Barbara O’Sullivan, a member and delegate candidate from Local Union 682, filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2005-2006 IBT International Union Delegate and Officer Election (“*Rules*”). The protest alleged that Thomas Wright, secretary-treasurer of Local Union 682, failed to provide a complete copy of the *Rules* to the protestor, in violation of the *Rules*.

Election Supervisor representative Mary A. Campbell investigated this protest.

Findings of Fact and Analysis

At the candidates’ meeting held immediately following the nominations meeting on February 7, 2006, Wright distributed copies of the *Rules*. However, the copies contained only odd numbered pages. On February 27, the protestor telephoned the local union to request complete copies of the *Rules*; 4 complete copies were hand delivered to her on March 6. In addition, our Regional Director, Mary A. Campbell, faxed the protestor the relevant portions of the *Rules* that she was missing on February 27.

There is no evidence of malice towards the protestor, nor is there evidence that the incomplete set of *Rules* may have affected the outcome of the local union’s delegate and alternate delegate election.

Accordingly, we deem this protest RESOLVED.

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 Supervisor 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
885 Third Avenue, Suite 1000
New York, New York 10022
Fax: (212) 751-4864

Copies of the request for hearing must be served upon the parties, as well as upon the Election Supervisor for the International Brotherhood of Teamsters, 1725 K Street, N.W., Suite 1400, Washington, D.C. 20006-1416, all within the time prescribed above. A copy of the protest must accompany the request for hearing.

O'Sullivan, 2006 ESD 215
April 26, 2006

Richard W. Mark
Election Supervisor

cc: Kenneth Conboy
2006 ESD 215

April 26, 2006

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