

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

<b>IN RE: SANDY POPE,</b>	)	Protest Decision 2011 ESD 316
	)	Issued: August 31, 2011
<b>Protestor.</b>	)	OES Case No. P-309-080811-MW
_____	)	

The Sandy Pope campaign filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2010-2011 IBT International Union Delegate and Officer Election (“Rules”). The protest alleged that the Pope campaign requested a worksite list of Local Union 700 employers and that the local union failed to provide the list, in violation of the *Rules*.

Election Supervisor representative Joe Childers investigated this protest.

**Findings of Fact and Analysis**

Article VII, Section 1(b) grants to each nominated candidate for International office the “right to a current list of all sites, with corresponding addresses, where any and all Union members work. Requests for such worksite lists shall be made to the pertinent Local Union’s Secretary-Treasurer or principal officer in writing and shall be honored within five (5) days. Such worksite lists shall be arranged by employer name.”

Pope is a nominated candidate for IBT General President and is entitled to the benefit of the foregoing provision. Investigation showed that her campaign properly made written request to Local Union 700 for a complete worksite list on July 12, 2011. When the campaign received no response from the local union, it filed this protest on August 8. The local union supplied the list to the Pope campaign by email on August 26, after our investigator contacted the local union to demand compliance.

The *Rules* explicitly provide candidates with the right to obtain a current worksite list upon request, *Rules*, Article VII, Section 1(b), and that right has been confirmed in dozens of our precedents. Exercise of this right gives a candidate information that is necessary to utilize his/her right under the parking lot access provision of Article VII, Section 12(e) to meet potential voters directly and solicit their support. *See Del Viehland*, 2006 ESD 271 (May 23, 2006), *aff’d* 6 EAM 37 (June 21, 2006).

Given the long-standing and well-established principle that local unions must provide worksite lists promptly to those qualified persons requesting them, it is unacceptable that Local Union 700 did not honor its obligation until after a protest was filed and our investigator intervened. Such conduct by the local union demonstrates the need for continued supervision of the electoral process.

The Pope campaign now has been provided the worksite list and has not requested any further relief against the local union. Absent a request for sanction against the local union, we reluctantly deem this protest RESOLVED.

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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, NY 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, 1801 K Street, N.W., Suite 421 L, Washington, D.C. 20006, all within the time prescribed above. A copy of the protest must accompany the request for hearing.

Richard W. Mark  
Election Supervisor

cc: Kenneth Conboy  
*2011 ESD 316*

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August 31, 2011

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