

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

IN RE: FRANK HALSTEAD &)	Protest Decision 2016 ESD 205
MEMBERS WITH MIDDLETON,)	Issued: May 6, 2016
)	OES Case Nos. P-261-041416-FW,
Protestors.)	P-263-041416-FW &
)	P-270-042616-FW
)	

Frank Halstead, member of Local Union 572 and delegate candidate on the Teamsters United 572 slate, filed a pre-election protest pursuant to Article XIII, Section 2(b) of the Rules for the 2015-2016 IBT International Union Delegate and Officer Election (“*Rules*”). The protest, Case No. P-261-041416-FW, alleged that Mission School Transportation interfered with and denied parking lot access for Teamsters United 572 campaigners and that Local Union 572 business agent Tracy Smith encouraged the employer to do so.

Members with Middleton, a slate of candidates in Local Union 572’s delegates and alternate delegates election, filed two pre-election protests. The first protest, filed by Lourdes Garcia in Case No. P-263-041416-FW, alleged that a Teamsters United 572 supporter impermissibly campaigned inside an MST facility.

The second protest of Members with Middleton, filed by David Hoffa in Case No. P-270-042616-FW, alleged that Teamsters United 572 slate candidates and supporters campaigned at an MST lot in a manner that exceeded parameters established by MST for that location.

Through OES intervention, MST agreed to permit campaign access to its parking lots according to parameters specific to these locations that are considered effective by all parties and which satisfy the objectives of Article VII, Section 12(e) of the *Rules*.

Based upon resolution of the underlying campaign access issue at MST, all parties have expressed their desire to withdraw their respective protests and the constellation of allegations attached thereto.

Concluding that withdrawal of the protests serves the purposes of the *Rules*, we deem the protests in Case Nos. P-261-041416-FW, P-263-041416-FW, and P-270-042616-FW WITHDRAWN.

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:

Kathleen A. Roberts
Election Appeals Master
JAMS
620 Eighth Avenue, 34th floor
New York, NY 10018
kroberts@jamsadr.com

Halstead & Members with Middleton, 2016 ESD 205

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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, 1050 17th Street, N.W., Suite 375, Washington, D.C. 20036, all within the time prescribed above. A copy of the protest must accompany the request for hearing.

Richard W. Mark
Election Supervisor

cc: Kathleen A. Roberts
2016 ESD 205

Halstead & Members with Middleton, 2016 ESD 205

May 6, 2016

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