



OFFICE OF THE ELECTION OFFICER  
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
25 Louisiana Avenue, NW  
Washington, DC 20001  
(202) 624 8778  
1 800 828 6496  
Fax (202) 624 8792

Michael H Holland  
Election Officer

December 5, 1990

Chicago Office  
% Cornfield and Feldman  
343 South Dearborn Street  
Chicago, IL 60604  
(312) 922 2800

**VIA UPS OVERNIGHT**

Vincent L Meredith  
203 Elk River Drive  
Louisville, KY 40213

Charles L Spond, Jr.  
Secretary-Treasurer  
IBT Local Union 89  
3813 Taylor Blvd.  
Louisville, KY 40215

**Re: Election Office Case No. P-065-LU89-SCE**

Gentlemen.

A pre-election protest was filed by Vincent L Meredith, a member of Local Union 89, pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). A copy of the protest is enclosed.

In his protest, Mr Meredith alleges that the *Rules* were violated by the terms of the notice of nominations of officers of Local Union 89. A copy of such notice is also enclosed. Specifically, Mr. Meredith protests that portion of the notice which concerns the right of local union officers to serve as delegates.

The nomination notice is dated September 28, 1990. Mr Meredith received the notice on October 1, 1990. No protest was filed until November 21, 1990, more than 48 hours after Mr Meredith knew of the contents of the nominations notice.

However, Mr Meredith alleges, and the Election Officer determines, that the protest was not timely filed because of Mr. Meredith's reliance on the advice he received from the Election Officer. The Election Officer (consistent with his then-existing opinion) advised Mr. Meredith that the nominations notice did not violate the *Rules*. The Election Officer's position was subsequently reversed by Independent Administrator Lacey in 90 Elec App-9, a copy of which is enclosed. Under these circumstances, the Election Officer determines that this protest was timely filed.

Vincent L Meredith  
Charles L Spond, Jr  
December 5, 1990  
Page 2

Under and in accordance with the decision of the Independent Administrator in 90-Elec, App-9, the Election Officer must find and does find that Local 89's nominations notice for local union officers violated the *Rules*<sup>1</sup>

The confusion which the Independent Administrator found in 90-Elec. App-9 was endemic in the language used by Local 89 has been alleviated by information given to the Local's members subsequent to the distribution of the local union officer nominations notice. Thus, on or shortly after October 20, 1990, after distribution of the notices but prior to the local union officer nominations meeting, the Local Union posted on all union bulletin boards the "IBT Local Union 89 Election Plan Summary" which specifically and clearly notified all Local 89 members that separate nominations and elections would be held for delegates and alternate delegates to the 1991 IBT International Convention. The Summary stated that the nomination would be at four separate locations on three different days in January, 1991 and the election would be by mail ballot. The obvious difference between the delegate and alternate delegate nomination and election process and the process for the nominations and election contained in the September 28, 1990 notice demonstrates that election as a local union officer is not election to an IBT International Convention delegate. This notice remains and will remain posted through the entire delegate nomination and election period (*Rules*, Article II § 2(d))

On December 10, 1990, Local Union 89 will be mailing to each member a notice of the delegate and alternate delegate nominations meetings and the subsequent mail ballot election. This notice again states that IBT International Convention delegates are to be separately nominated and elected. Since this is a mail ballot election, all Local Union 89 members will also personally receive a ballot and election information at their homes which will serve as a further notice that obtaining the position of IBT International Convention delegate requires that the member be separately elected.

Additionally, Mr Meredith and other Local 89 members with whom he is politically aligned have been distributing campaign material directed to Local 89 members which emphasizes the requirements of the Consent Order and the Election *Rules* that all Convention delegates be separately nominated and elected.

---

<sup>1</sup> The nominations meeting for local union officers was held on November 2, 1990. Since no more members were nominated than the number of offices to be filled, the election process was also concluded on November 2, 1990.

Vincent L Meredith  
Charles L Spond, Jr  
December 5, 1990  
Page 3

The postings and distributions above described have and will ameliorate any misconception whether local union officers will automatically be International Convention delegates as opposed to the fact that all International Convention delegates must be separately nominated and elected.

However, to provide further assurance to the members of Local 89 and to further clarify any possible lingering misconceptions, I shall require Local 89 to post, within five days of the receipt of this decision, the attached notice of all bulletin boards at all offices of Local Union 89. Such notice, once posted, must remain posted for 30 consecutive days.

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 the 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, International Brotherhood of Teamsters, 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.

Very truly yours,



Michael H Holland

MHH/mjv

cc Peggy A Hillman, Regional Coordinator  
445 N Pennsylvania  
Suite 911  
Indianapolis, IN 46204  
Tel 317-635-4059  
Fax 317-873-5258

Frederick B Lacey, Independent Administrator

## NOTICE TO ALL LOCAL UNION 89 MEMBERS

On November 2, 1990, Local Union 89 elected new Local Union Officers. However, the officers so elected shall not, by virtue of such election, be delegates to the IBT International Convention to take place in June of 1991. The delegates who will represent Local 89 at the 1991 IBT International Convention will be the delegate candidates nominated on January 11, 12 or 13, 1991 and elected in the mail ballot election conducted in February, 1991. ✓

---

Charles L Spond, Jr  
Secretary-Treasurer, Local Union 89

*This is an official notice and must remain posted for thirty consecutive days from the day of the posting, and must not be altered, defaced, or covered by any other material.*