



OFFICE OF THE ELECTION OFFICER
% INTERNATIONAL BROTHERHOOD OF TEAMSTERS
25 Louisiana Avenue, NW
Washington, DC 20001

Michael H. Holland
Election Officer

(202) 624-8778
1-800-828-6496
Fax (202) 624-8792

December 27, 1991

VIA UPS OVERNIGHT

Jack Haefling
8357 Lakeshore Terrace
Indianapolis, Indiana 46250

Gary Langston
Ken Walters
United Parcel Service
8350 West 81st Street
Indianapolis, Indiana 46268

John L. Neal
Secretary-Treasurer
IBT Local Union 135
1233 Shelby Road
Indianapolis, IN 46203

Re: Election Office Case No. P-1130-LU135-SCE

Gentlemen:

Protests were filed pursuant to the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*") by Jack Haefling, a member of Local Union 135 employed by United Parcel Service ("UPS") at its Indianapolis, Indiana terminal. Mr. Haefling contends that UPS is taking retaliatory action against him for his previous filing of successful protests against it; see Election Office Case Nos. P-978-LU135-SCE, affirmed 91-Elec. App.-221(SA) and P-1093-LU135-SCE.

Principally, Mr. Haefling complains that UPS is improperly and uniquely requiring him to eat lunch at its Jefferson Street facility in Chicago, Illinois, rather than permitting him to stop and eat en route to or from Chicago. He also contends that UPS is harassing him by various other activities such as refusing to fix his radio antenna, allegedly failing to properly note the truck numbers on his dispatch orders, failing to provide the correct seals for the trucks, calling his attention to his inadvertent failures to follow company policy, and/or scheduling his "check ride" -- a trip accompanied by a supervisory employee -- when UPS knew or should have known that the trip would be stressful because of a forecast snowstorm.

Subsequent to the filing of the protest UPS withdrew the requirement that Mr. Haefling eat his lunch at the company's Jefferson Street, Chicago facility. Further the other matters about which Mr. Haefling complains, e.g., the refusal of UPS to fix his antenna, have been rectified; for instance, the antenna has been fixed. Further, Mr. Haefling has received no discipline of any kind, including warning letters, with respect to the

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improper dispatch order, the failure of the company to provide proper seals, his check ride or otherwise. Given this scenario, Mr. Haefling seeks to withdraw his protest. Under these circumstances, the Election Officer finds that the withdrawal of the protest will effectuate the purpose of the *Rules* and will permit the protest to be withdrawn.¹

Very truly yours,



Michael H. Holland

MHH/ca

cc: Frederick B. Lacey, Independent Administrator

Peggy A. Hillman, Regional Coordinator

Martin Wald, Esquire
Schnader, Harrison, Segal & Lewis
Suite 3600
1600 Market Street
Philadelphia, PA 19103
(Fax: 215-751-2205)

¹ The Election Officer notes that any inappropriate or disparate treatment of Mr. Haefling by UPS is, of course, subject to remedy under the *Rules*. See, e.g., Election Office Case No. P-1093-LU135-SCE. If such activity occurs, Mr. Haefling may, of course, file a new protest.