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February 12, 1991

VIA UPS OVERNIGHT

Sherri Armstrong
2215 Franklin
Bellingham, WA 98225

John S. Edgar
Secretary-Treasurer
IBT Local Union 231
1700 N State Street
Bellingham, WA 98225

Re: Election Office Case No. P-450-LU231-PNW

Gentlemen

Complainant Sherri Armstrong filed a pre-election protest pursuant to Article XI, Section 1 of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). Complainant protests that she requested the membership roster for Local 231 so that she could do a campaign mailing. She was denied the roster, but given information about a mailing service that would perform her mailings at her expense. She believes that the cost quoted by the mailing service is prohibitive and that she could more economically do the mailing herself.

The topic of campaign literature and mailings is discussed in Article VIII, Section 6 of the *Rules*. In essence, the *Rules* do not provide for candidates for delegate to receive membership rosters or membership mailing lists from Locals. The *Rules* does provide that the Union must mail a candidate's literature, but only at the candidate's expense.

The *Rules* urge all Local Unions to make arrangements with a mailing service to process candidate mailings. *Rules*, Article VIII, Section 6(h). Here the Local Union did make arrangements with a mailing service to process and distribute candidates' literature. Only where such arrangements are not made, may the candidate use volunteers to perform the various tasks associated with campaign mailings. *Rules*, Article VIII, Section 6(h). Here there is no allegation that the Local treated any other candidate in any different manner than it treated complainant. The investigation also reveals that the Local is willing to work with the complainant and the mailing service so as to reduce the cost, as quoted by the mailing service.

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As complainant's protest has not demonstrated that the Local has violated any of the *Rules*, this protest must be **DENIED**.

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 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, IBT, 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/ads

cc Frederick B Lacey, Independent Administrator
Christine M Mrak, Regional Coordinator