



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

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

February 11, 1991

**VIA UPS OVERNIGHT**

Al Szablak  
4793 Creaser Road  
Westmoreland, NY 13490

Anthony Debella  
6540 Darly Road RFD2  
Rome, NY 13440

Frank Cramer  
112 Dolshire Dr.  
Syracuse, NY 13212

Victor C. Olivadoti  
President  
IBT Local Union 182  
5 Rutger Park  
Utica, NY 13501

Re: Election Office Case No. Post14-LU182-PGH

Gentlemen:

A post-election protest was filed pursuant to Article XI, § 1 (b) of the *Rules for the IBT International Union Delegate and Officer Election*, revised August 1, 1990 ("*Rules*"). The Complainant, Al Szablak, alleges that on or about January 31, 1991 he received information that two candidates for delegate, Frank Cramer and Anthony Debella, may not meet the eligibility requirements to run for delegate as set forth in Article VI, § 1 (a) of the *Rules*.

The nomination meeting for Local 182 took place on December 5, 1990. The election was conducted by mail ballot and pursuant to the approved Local Union Election Plan the ballots were counted on January 24, 1991. Mr. Cramer and Mr. Debella were ranked fourth and fifth, respectively pursuant to the tally. A total of five delegates are to be elected from Local 182.

In order to be eligible to run for delegate to the IBT International Convention, a member must be in continuous good standing with the Local Union, with one's dues paid to the Local for a period of twenty-four consecutive months prior to the month of nomination for said position with no interruptions in active membership due to suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. A member must also be eligible to hold office if elected Article VI, § 1 (a)(1) and (3) of the *Rules*. The TITAN record for both Mr. Cramer and Mr. Debella reflects that

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each of them have been members of Local 182 for a period of twenty-four consecutive months prior to the date of the nominations, with their dues paid in a timely fashion for each of those months. The TITAN record further reflects that both Mr. Cramer and Mr. Debella remained members in good standing of Local 182 as of the time of the election. Therefore, both Mr. Cramer and Mr. Debella meet the eligibility requirements as set forth above.

It should be noted that Article XI, § 1 (a) of the *Rules* requires that protests regarding candidate eligibility should be filed within forty-eight hours of the nomination as pre-election protests. However, since the issue raised by the protest may have affected the eligibility of the candidates to serve as delegate if the election results are certified, the Election Officer has determined the protest on its merits. See Article IV, § 2 of the *Rules*. Accordingly, the protest is **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  
William B Kane, Regional Coordinator