

November 25, 1996

**VIA UPS OVERNIGHT**

Tim McDaniel  
10038 Biscanewoods Way  
Sacramento, CA 95827

Cliff Webb, Secretary-Treasurer  
Teamsters Local Union 150  
7120 East Parkway  
Sacramento, CA 95823

**Re: Election Office Case No. P-1207-LU150-CSF**

Gentlemen:

Tim McDaniel, a member of Local Union 150 and a candidate for vice president of Local Union 150, filed a pre-election protest pursuant to Article XIV, Section 2(b) of the ***Rules for the 1995-1996 IBT International Union Delegate and Officer Election ("Rules")*** alleging that Local Union 150 Secretary-Treasurer Cliff Webb and Local Union 150 Office Manager Sharon Donohue deliberately delayed in providing mailing labels for a mailing related to an election of local union officials, with which Mr. McDaniel included material related to the International officer election.

Local Union 150 responded that the labels were provided as soon as they could have been under the circumstances. In addition, Local Union 150 responds that the Election Officer has no jurisdiction over this matter since the issues involved arise entirely from local union election rules.

Adjunct Regional Coordinator Victoria Chin investigated this protest.

The investigation revealed that the local union election was being held on November 18, 1996. The record shows that the International officer election ballots were mailed on November 7, 1996.

Mr. McDaniel alleges that the local union deliberately delayed printing the labels for the local union election mailing in order to frustrate the mailing of the Carey campaign materials that

the protester intended to include in the mailing and timed to arrive before the International election ballots.

There is no evidence that either Ms. Donohue or Mr. Webb knew that the materials Mr. McDaniel's slate was mailing had any relation to the International officer election. Thus, in this instance, Mr. McDaniel has not established a connection between the International officer election and the local union election.

The preamble to the **Rules** states, in relevant part:

The Election Officer's authority to supervise the electoral process and to certify the results of elections is limited to the nominations and elections of International Convention delegates and alternate delegates and International Officers. The **Rules** are thus not applicable, nor intended to apply, to elections of IBT subordinate body officers.

For the foregoing reasons, the protest is DENIED.

Any interested party not satisfied with this determination may request a hearing before the Election Appeals Master within one day of 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:

Kenneth Conboy, Esq.  
Latham & Watkins  
885 Third Avenue, Suite 1000  
New York, NY 10022  
Fax (212) 751-4864

Copies of the request for hearing must be served on the parties listed above as well as upon the Election Officer, 400 N. Capitol Street, Suite 855, Washington, DC 20001, Facsimile (202) 624-3525. A copy of the protest must accompany the request for a hearing.

Sincerely,

Barbara Zack Quindel  
Election Officer

cc: Kenneth Conboy, Election Appeals Master  
Victoria Chin, Adjunct Regional Coordinator