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www.ibtvote.org

Richard W. Mark
Election Supervisor

VIA EMAIL jclocal278@aol.com

Mr. Joseph Cilia
Secretary-Treasurer
IBT Local Union 2785
5 Thomas Mellon Circle, Ste. 130
San Francisco CA 94134

Dear Mr. Cilia:

The Office of the Election Supervisor has approved the Local Union Election Plan for:

IBT Local Union 2785

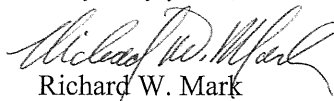
I am forwarding the approved Plan and a Local Union Plan Summary that contains all the relevant information on the nomination and election of delegate(s) and alternate delegate(s) in your Local. Please check the Plan Summary to ensure that all the information is accurate.

Under the *Rules*, a copy of the Plan Summary must be posted on all Local Union bulletin boards as soon as possible, but in no event later than seven (7) days from the date that you received this letter. The Plan Summary must be posted on Office of the Election Supervisor letterhead just as it is being transmitted to you. The posting must be maintained throughout the entire nomination and election period.

Article II, § 4 of the *Rules* requires that within three (3) days of the posting, you must provide an declaration to the Election Supervisor attesting to the fact that the Plan Summary was posted as required and identifying every bulletin board site, by employer and location, where the Plan Summary was posted and the individual(s) responsible for posting and maintaining the Plan Summary at each site. ES Form 3, available on the Election Supervisor's website, www.ibtvote.org, under "Official Forms" may be used for the declaration.

Please do not hesitate to call me if you have any questions or need assistance.

Very truly yours,



Richard W. Mark
Election Supervisor

Date: November 27 2015

cc: Deborah Schaaf
dschaaf@ibtvote.org
Attachments

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IBT LU 2785 PLAN SUMMARY

FOR ELECTION OF DELEGATES AND ALTERNATE DELEGATES TO THE IBT CONVENTION

IBT LU 2785 is entitled to elect 3 delegates and has chosen to elect 1 alternate delegate(s) to the June 2016 IBT International Convention. The expenses of the delegate(s) 3 will be paid by the IBT LU 2785.

The Election Supervisor has approved the IBT LU 2785's plan for conducting nominations and elections. The important details of the plan are summarized below. This summary must remain posted until 30 days after the date of posting of the names of the elected delegates and alternates, whether chosen by white ballot or as a result of a contested election.

NOMINATION	
Where:	American Legion Post 409, 757 San Mateo Ave., San Bruno, CA
When:	Monday, January 4, 2016 at 7:30 pm
Who Can Attend:	Any active member may attend any meeting.
Who Can Run:	A member must be in continuous good standing for a period of twenty-four months prior to the month of January 2016.
Who Can Nominate:	Members in good standing (full dues paid through December 2015) may nominate or second the nomination of a candidate or slate of candidates.
Nominations:	Nominations may be made or seconded orally at the nomination meeting or submitted in writing, including the signature and last four digits of the nominator's or seconder's SSN/SIN, to the Secretary-Treasurer not later than 5:00 p.m. of the day immediately prior to the meeting.
Candidate Acceptance:	A member may accept nomination in person, or if absent from the meeting, by furnishing a written acceptance, including the signature and last four digits of the candidate's SSN/SIN, to the presiding IBT LU 2785 officer no later than the time the member is nominated.
Eligibility Deadline:	Dues must be paid at 5 Thomas Mellon Circle, Ste. 130, San Francisco, CA, at 4:30pm on January 4, 2016.
Additional Info:	The IBT LU 2785 will send a Nominations Notice to all members with additional instructions for participating in the nominations process.
ELECTION	
Mail Balloting:	All members should receive a ballot at their home address before February 13, 2016. Any member not receiving a ballot by that date should request a ballot by calling the IBT LU 2785.
Voting Deadline:	VOTED BALLOT MUST BE RETURNED BY MAIL IN TIME FOR RECEIPT NO LATER THAN 9:00 A.M. on March 1, 2016
Eligibility Deadline:	Dues must be paid at 5 Thomas Mellon Circle, Ste. 130, San Francisco, CA, before 4:30pm on February 29, 2016.
FOR MORE DETAILS CONTACT YOUR OES REGIONAL DIRECTOR OR IBT LU 2785	OES REGIONAL DIRECTOR Deborah Schaaf 1521 Grizzly Gulch Dr, Helena ,MT, 59601 Phone(607) 227-6474 dschaaf@ibtvote.org

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RICHARD W. MARK
Election Supervisor

MEMORANDUM

To: IBT LU 2785 Delegate Election Plan Approval File
From: Richard W. Mark
Election Supervisor
Re: Comments on IBT LU 2785 Delegate Election Plan
Date: November 18, 2015

On October 26 2015, IBT Local Union 2785 submitted, for approval by the Office of the Election Supervisor ("OES"), its plan for election of delegates and alternate delegates to the IBT's 29th International Convention. The plan proposed a "walk-in election" with members also having the opportunity to request, for any reason, a mail ballot for absentee voting. After the plan was posted, OES received comments submitted by counsel on behalf of members of the Teamsters United Slate ("TU") (a slate of candidates for International Union office), by counsel on behalf of Teamsters for a Democratic Union ("TDU"), and directly from TDU's National Organizer. The comments uniformly opposed approval of a "walk-in" election and requested that OES mandate use of a mail ballot exclusively. Local Union 2785 submitted a response to the comments.

For the reasons stated below, Local Union 2785's plan for a walk-in election is not approved as submitted. A secret ballot, distributed by U.S. Mail to all ballot-qualified members of Local 2785 using the time frames set out in the 2016 *Election Rules* and culminating in a count of ballots returned by mail will be required. Local Union 2785 shall promptly submit a plan its delegate election that incorporates a mail ballot exclusively for the election.

I. Background

Local Union 2785 is located in San Francisco. As of May 2015, the local union's 2 year average membership was calculated as 2,152, and the local is entitled to elect 3 delegates to the 29th IBT International Convention. Approximately 1,370 members work at UPS facilities in San Francisco, South San Francisco and Menlo Park. Other employers of local members include DHL, Gate Gourmet (airport catering), and trade show companies that work at the Moscone Center.

The Local Union 2785 plan proposes to empanel an election committee of six members, chaired by retiree and former Local Union 2785 principal officer Jack Bookter. Nominations for delegate and alternate delegate are proposed to be conducted at a regularly scheduled general membership meeting on January 19, 2016, with Mr. Bookter presiding. In the event of a contested election, the plan proposes to hold walk-in secret balloting on Friday, March 4, 2016 between the hours of 7:00 am and 8:00 pm (PST), with the ballot count to commence at 8:00 pm. The plan proposes to determine voter eligibility using an election control roster conforming to the *2016 Election Rules*. Access to the voting area would be limited to the Election Committee, OES personnel, voters, and approved candidate observers. Paper ballots would be marked in voting booths and placed by the voter in a ballot box. If a member seeking to vote is shown on the ECR to be in a “challenge” status, that member will receive a ballot which will be secured in a double-envelope and held in the event that challenge resolution is required. The plan proposes to prohibit “campaigning around or harassment of any members waiting in line to vote.”

The ballot site is proposed to be American Legion Post #409, 757 San Mateo Avenue, San Bruno California. This is the location of Local Union 2785’s regular membership meetings. Local Union 2785 gives the distance from work locations to the vote site as follows:

Location / # of Members	Distance from Ballot Site
South San Francisco UPS /766	3.8 miles
San Francisco UPS / 401	10.67 miles
Menlo Park UPS / 201	20.64 miles
Moscone Center / not provided	12.52 miles
Gate Gourmet /144	2.03 miles
DHL /48	10.43 miles

Local 2785 states that the location, hours, and choice of a weekday for balloting is consistent with its practice for conducting union officer elections.

The plan also proposes that any member “may request an absentee mail ballot for any reason.” The procedures for handling, distributing, retrieving, and counting mail ballots follow those that would be used if the entire election procedure were to be conducted by mail ballot. Instead of putting ballots into the hands of ballot-qualified members, as would occur in a mail ballot procedure, the proposed plan puts the burden on members to contact the local and request a ballot. Use of the ECR would ensure that a member could only vote once. That is, if a member returned a mail ballot but also appeared and voted in person, that member’s name would be checked off on the ECR. Eligibility determinations on any mail ballot returns would follow the close of the polls and any duplicate mail ballot from a member who had already voted would be voided.

Local Union 2785 asserts that a walk-in election will have safeguards securing the secrecy of the vote at least equivalent to the mail ballot election, and that it will increase member participation. The union asserts that it (and its predecessor, Local Union 278) has a 30-year history of walk-in balloting for officer elections, with an average turnout of 30% with voting “free of coercion and intimidation.”¹

The three submitted comments made common points. The *2016 Election Rules* set September 30, 2015 as the deadline for submission of local union election plans. Because Local Union 2785 formally submitted its plan on October 26, 2015, and the commentators contend that the plan should simply be rejected as late. The commentators argue that the *2016 Election Rules* embody a strong presumption in favor of mail balloting and that use of the mail for secret ballot elections avoids intimidation and coercion at the vote site. They refer to walk-in voting as “the voting method of choice by incumbents unwilling to subject themselves to fair elections.” One commentator particularly suggests that consideration of walk-in voting “opens a Pandora’s Box that has been firmly closed for the duration of the Consent Decree.” Arguments are made that the hours of voting are insufficient to accommodate all members because a combination of work schedules and San Francisco Bay area traffic congestion will inhibit turnout. One commentator notes generally that unions seeking to raise turnout have shifted to mail ballot from walk-in elections. Citing the Local Union 2785 30% participation rate for walk-in balloting the commentator compares that to 50% participation by mail ballot in an officer election for Local Union 804 (also a UPS local).² Finally, the commentators argue that allowing members to request a mail ballot does not eliminate the problems they identified with walk-in voting because members will likely not pay sufficient attention to notices to avail themselves of the mail ballot option.

The comments were provided to Local Union 2785. The local union asserts that lateness should be excused because of the work necessary to establish guidelines for the walk-in election. It argues that the *2016 Election Rules* do not explicitly contain a presumption against walk-in voting. The local union contends that the procedures outlined in the proposed plan suffice to meet specific points raised in a July 16, 2015 OES letter rejecting an earlier, general request to

¹ Local Union 2785 is the product of a merger, in about 2010, of Local Unions 278 and 85. There has only been one officer election at the combined local union since the merger. In the 2011 IBT International Officer election, Local Union 2785’s delegate nomination produced a white ballot. The result of nominations in the two preceding IBT International Officer delegate elections is as follows:

	Local Union 278	Local Union 85
2006	White Ballot	White Ballot
2001	White Ballot	Contested

² As of May 2015, Local Union 804’s 2 year average membership was calculated as 6,464.

approve a walk-in election.³ The logistical obstacles of traffic and distance presented by the commentator are denied as “untrue.” Local Union 2785 also vehemently rejects any suggestion that a walk-in vote would involve harassment or coercion, or would suppress voting.

In October, OES Regional Director Deborah Schaaf visited the UPS hubs where Local Union 2785 members work and spoke to a total of 145 members. Ms. Schaaf conducted her informal canvass in the parking lot at each worksite during shift changes. Of the members she spoke to, only 19 – about 13% -- affirmatively preferred a walk-in election. A clear majority affirmatively preferred mail ballot with the rest indicating that they would vote either way or had no preference.⁴

II. Analysis

A. The 2016 *Election Rules* Framework

Article II, Section 2 of the *2016 Election Rules* provides:

All elections for Local Union delegates and alternate delegates to the Convention shall be by mail ballot unless an alternate method of balloting (for example: internet or other electronic voting) is both allowed by law and is specifically approved by the Election Supervisor for use in connection with a specific Local Union Plan. Any alternate method of balloting shall be approved only if the Election Supervisor determines that the method provides protection and security for the member’s secret ballot at least equivalent to the mail ballot. Mail balloting shall be conducted as set forth in this Article.

Any approval of an election plan is also subject to the Election Supervisor’s broad authority to “interpret, to enforce, and, when necessary, to amend the Rules” to “ensure fair, honest, open and informed elections.” *2016 Election Rules*, Article I.

The *2011 Election Rules* required delegate elections to be conducted only by mail ballot; this provision of the *2016 Election Rules* allows the Election Supervisor discretion to approve alternate methods of balloting (with non-limiting examples of internet or other electronic voting), if the alternate method is determined to provide protection and security at least equivalent to mail balloting. The proposed new language in the current rules drew several negative comments, suggesting that the rule would freely open the door to alternative methods of voting and, specifically, walk-in voting. In recommending adoption of the new rule, OES noted that the

³ The OES response to Local Union 2785’s earlier request was posted, in redacted form, on www.ibtbvote.org.

⁴ Eighty-one of the group affirmatively preferred mail ballot, 4 would be satisfied with either option, and 15 had no opinion.

rules “presume that balloting will be by mail” with any alternative being required to meet the articulated standard.⁵

B. Establishment and Evolution of Voting Methods Under the *Election Rules*

The commentators suggest that the Consent Decree was hostile to walk-in voting from the start, making adoption of such a plan a radical departure from the original reform plan. The Consent Decree, however, actually took the opposite view. It specifically provided as follows:

All direct rank-and-file voting by secret ballot described above [referring to both delegate elections and the International Officer referendum] shall be in-person ballot box voting at local union or absentee ballot procedures where necessary, in accordance with Department of Labor regulations.

Consent Decree, § F, ¶ 12D(viii).

Election Rules for 1991 and 1996 provided for in-person voting in delegate elections. *1991 Election Rules*, Article II, Section 5; *1996 Election Rules*, Article II, Section 7(d). Despite those provisions, however, mail balloting was used throughout the 1991 election (and the 1996 election). In those two elections, the District Court approved modifications to allow the use of mail balloting for delegate elections and, ultimately, the International Officer Election.

In 1995, an application was made to modify the Consent Decree to change the language requiring in-person ballot box voting to provide instead for conducting the direct rank-and-file voting by mail ballot “except that the Election Officer may determine, in compelling circumstances, that delegate elections in the local unions need not be conducted by mail ballot.” *United States v. International Brotherhood of Teamsters*, 159 F.R.D. 437, 438 (S.D.N.Y. 1995). The District Court approved that amendment to the Consent Decree. In doing so, the District Court noted data reflecting voter participation: “The results of this election also indicate that mail-ballot voting increased voter turnout. In local unions that had used in-person voting for the delegate election, but mail balloting for the International Union Officer election, voter participation increased from 19% to 29.8%.” *Id.* at 439. In approving the *1996 Election Rules*, which allowed in-person voting but with the strong preference for mail ballot, the District Court summarized the history of the issue under the Consent Decree:

Although the Consent Decree previously provided for in-person balloting, this Court approved election rules that permitted Local Union delegates in the 1991 IBT election to be elected by mail-ballot voting, *see* July 10, 1990 Opinion &

⁵ The comments received on the proposed rules and the OES response are available under the “Election Rules” tab at www.ibtvote.org.

Order, 742 S. Supp. 94, and subsequently permitted mail-ballot voting in the 1991 election for International Union office. As a result of these court orders, the bulk of the balloting during the 1991 IBT elections was by mail. The Election Officer notes that mail-ballot voting reduces the possibility of voter intimidation or harassment and tends to increase membership participation in union elections.

United States v. International Brotherhood of Teamsters, 896 F. Supp. 1349, 1356 (S.D.N.Y. 1995).

Reviewing the experience with mail ballot voting in 1991, Election Officer Michael Holland strongly endorsed the use of mail balloting for delegate elections. *The Cookbook Vol I*, at 2-58. Election Officer Holland did not entirely rule out alternatives to mail balloting. He suggested that walk-in voting could be appropriate if a local union had a history of using that method and the situation involved “a single employer worksite at or near the location where all the membership are employed” *Id.*

This is the legal framework for evaluating Local Union 2785’s request to conduct its delegate election using walk-in voting. Under the *2016 Election Rules*, informed by the history of the rank-and-file election procedures going back to 1991, there is a very strong presumption in favor of using mail ballot to conduct the delegate election. The presumption rests on concerns regarding ballot protection and security (which includes each member’s right to cast a secret ballot free from coercion and intimidation), and the overarching objective of encouraging member participation in the election by publicizing the election and making it as easy as possible for all members to vote. While the *2016 Election Rules* specifically mention security of the ballot as an explicit concern, the history of the rank-and-file election process, and the prior writing on this issue (from court decisions under the Consent Decree to the OES July 16, 2015 letter to Local Union 2785) teach that convenience to the voter in order to maximize member participation is a weighty factor. Thus, there is no flat ban on using voting methods other than mail ballot (such as walk-in voting), but a local union seeking to overcome the mail ballot presumption must show that walk-in voting is incontrovertibly superior to the mail ballot in all respects.

C. The Local Union Bears the Burden of Persuasion to Obtain Approval to Depart From Use of a Mail-Ballot

It is Local Union 2785 that bears the burden of overcoming the presumption in favor of mail balloting.⁶ It first raised the idea of a walk-in election by letter to OES dated June 17, 2015

⁶ OES will not reject the plan because it was filed on October 26, 2015 after the *2016 Election Rules* deadline for plan submission. In handling election protests, it “has been noted many times during the more than twenty years of *Rules* enforcement, time deadline are prudential and not jurisdictional. *Nichols and Hoffa-Hall*, 11 EAM 55 (July 16, 2011). That principle applies here as well. Local Union

stating, essentially, that it had experienced strong turnout historically at walk-in officer elections, and that the local had a strong, experienced election committee. One example of turnout was provided: in the 2011 officer election, 625 out of 1,974 eligible members voted. OES rejected the request, noting the “strong presumption in favor of delegate election by mail ballot” and citing a non-exclusive list of factors that would be considered if the local wanted to further pursue approval of a walk-in election plan. Concerns of voting members, such as whether different factions would agree that walk-in voting would address member concerns about ballot security, coercion and intimidation, and the convenience of the walk-in location to the various worksites were among the factors listed.⁷

Local Union 2785 did work, in good faith, with Regional Director Schaaf to draw up a walk-in election plan. It does outline a framework for walk-in balloting, including promises to bar harassment, and provides for mail ballot on request. Ultimately, however, the submission does not make a persuasive case for walk-in voting, with a back-up mail ballot on request, as superior to a ballot mailed to members’ homes in terms of all aspects of exercising the right to vote.

The Cookbook’s example of a single-employer worksite shows the high bar to using a method other than mail balloting. In that example, walk-in voting would be convenient because *all* local union members would be in one place for work and voting could be accomplished at one site en route to or from the one job site. As noted in the OES July 16, 2015 letter, Local Union 2785’s original request did not identify the location of the proposed polling place or its geographic relation to member worksites. The local’s later clarification explained that there were six different work sites, from 2 to 20 miles from the polling place and in differing directions, with varying numbers of members at each. That arrangement is not the convenient massing of members at a single work location with voting en route or nearby. Different members may perceive building a 40-minute (one-way, for some) special car trip for voting into a workday as a major or minor inconvenience, but whatever the effort, it indisputably requires the member to take additional, significant time from other activity on a workday (unless voting is en route to or from work). Planning to come for the walk-in vote takes more effort than is needed to open a ballot delivered to the member’s home, and to mark and mail it at time convenient to the member.

2785 desired to explore the possibility of a walk-in election and worked to articulate its proposal. Given that the delegate election is proposed for 2016, there was ample time to allow the local the opportunity to make this presentation. No meaningful prejudice arising from the October submission has been articulated. Potential candidates know that an election will certainly occur and could conduct campaign activity regardless of the specific schedule.

⁷ The OES July 16, 2015 letter to Local Union 2785 is posted, in redacted form, under the “Notices and Advisories” tab at www.ibtvote.org.

Local Union 2785 asserted that walk-in voting produced a high turnout, and cited the example of the 2011 officer election. Because the last three delegate elections from the local have been uncontested, there is no mail ballot data from this local union to compare voter participation levels. One commentator cited the example of a different local in a different city to show a higher participation by mail ballot, but there is no basis to conclude that the elections are at all comparable (issues, context, candidates all being unique). The only comparable data available from the IBT election (1991), referenced in the 1995 opinion modifying the Consent Decree, shows an overall 10% increase in participation at locals that used mail balloting for the International Officer election compared to walk-in voting at their delegate elections. Local Union 2785 may believe that it has good participation with walk-in voting: it has not shown that the participation level exceeds what could reasonably be expected with a mail ballot in the same election.

Neither Local Union 2785 nor the commentators presented anything to reflect the views of rank-and-file members about the process. The only such information was obtained by OES Regional Director Schaaf visiting the three UPS hub parking lots and talking with members. We acknowledge the anecdotal and informal nature of the survey, conducted without pre-selection as members walked through the parking lots, but the result was telling. Walk-in voting was the affirmatively preferred choice of the *fewest* respondents, while a clear majority favored a mail ballot. Whether for reasons of privacy, security, or convenience, members preferred mail ballot.

For all of these reasons, the Local Union 2785 proposed plan for a walk-in election with the option to request a mail ballot for absentee voting is rejected. The local union is directed to submit a plan to conduct its election using a secret ballot, distributed by U.S. Mail to all ballot-qualified members of Local 2785 using the time frames set out in the *2016 Election Rules* and culminating in a count of ballots returned by mail. The resubmitted plan may use elements from the proposed plan (that is, the election committee; the dates for mailing notice of the nomination meeting and the nomination meeting, the ballot printer) if the local so chooses.

OES appreciates the effort Local Union 2785 took to make a presentation on walk-in voting. We do not question the local's good faith in raising this question for consideration. The issue could arise in the future in a local union with a single employer location or other unique member concentration, or because new voting technologies arise to challenge the use of the mail ballot. OES hopes this decision will be useful guidance when the issue arises again.

cc: Joseph Cilia, Secretary Treasurer, Local Union 2785 (jclocal278@aol.com)

Individuals who submitted comments:

Julian Gonzalez, Esq. (jgonzalez@lcnlaw.com)

Barbara Harvey, Esq. (blmharvey@sbcglobal.net)

Ken Paff (ken@tdu.org)

2015-2016 LOCAL UNION ELECTION PLAN

The Rules for the 2015-2016 IBT International Union Delegate and Officer Election ('Rules') require every local union to submit a Local Union Plan for the election of delegates and alternates to the IBT International Convention. The Local Union must use this document to submit its Election Plan. The Plan requires detailed information about how the local will perform the specific tasks and procedures that must be followed to nominate and elect IBT convention delegates and alternate delegates. Once the Local Union Plan is reviewed and approved in writing by the Election Supervisor, your local must conduct its delegate elections in the exact manner described in the approved Plan.

If you have any questions about how to complete this Local Union Plan document, you may contact your Regional Director, Deborah Schaaf, via email at dschaaf@ibtvote.org or telephone at (607) 227-6474 .

THE ELECTION SUPERVISOR'S ADDRESS IS:

Office of the Election Supervisor
for the International Brotherhood of Teamsters
1050 17th Street, NW, Suite 375
Washington, DC 20036

Phone: 202-429-8683

Fax:

Toll Free Phone Number: 1-844-428-8683

Electionsupervisor@ibtvote.org

www.ibtvote.org

DEADLINE FOR SUBMITTING THE LOCAL UNION PLAN

Seasonal Election – June 1, 2015

Fall Election - June 30, 2015

Winter/Spring Election - September 30, 2015

Seasonal Elections: Any local union in which ten percent (10%) or more the membership is employed by a seasonal food industry. These Local Unions will be notified by the Election Supervisor of their seasonal status.

Fall Elections: Any local with a regularly scheduled local union officer election in the fall of 2015 may choose to hold a fall delegate and alternate delegate election. If you choose to elect delegates in the fall, the Local Union Plan must be submitted on or before June 30, 2015. Any local that does not submit its plan by this date shall be required to conduct delegate nominations and elections during the winter and spring of 2016.

If you choose to hold delegate and alternate elections in the fall of 2015, the delegate and alternate delegate nominations and elections must be conducted entirely separate from your officer elections. You should contact the Election Supervisor or your Regional Director at the address listed above if you have any questions regarding how to conduct separate delegate and officer nominations and elections.

Winter/Spring Election: All other local unions shall submit a Local Union Plan on or before September 30, 2015. A local union that does not submit a plan by this date will have to conduct its delegate election according to a plan imposed by the Election

Supervisor. The cost of planning and conducting the election will be the responsibility of the local union.

Any local may seek modification of, or exemption from, any provision of the Rules by making a written application to the Election Supervisor. A request for modification or exemption must explain the reason or need for such change and shall clearly state any alternative means that the local proposes for guaranteeing the fair and honest conduct of the nomination and election process. Modifications and exemptions will only be granted for extraordinary circumstances.

IMPORTANT NOTE: Is your local seeking a modification of, or exemption from, the Rules, that you have not previously requested and been granted?

No

Has your local union previously requested and received approval for any modifications of the Rules, or of any version of the Rules that governed delegate elections in 1991, 1996, 2001, 2006 or 2011?

No

LOCAL UNION PLAN

1. Local Union Number: IBT LU 2785
2. Principal Officer: Mr. Joseph Cilia
Title: Secretary-Treasurer

LOCAL UNION DELEGATE AND ALTERNATE DELEGATE NOMINATIONS AND ELECTIONS

All elections must be conducted by mail ballot in accordance with the Rules. Ballots can be counted by hand or by mechanical device. Each local union has the option of either conducting its own delegate nomination and election or hiring an outside agency to conduct the election.

If a local chooses to conduct the nominations and elections on its own, it has two choices:

- A. Appoint an election committee (check local by-laws to see if this is required). Each candidate for office may designate one member of the local for service on the local union election committee, who shall be appointed by the President or Secretary-Treasurer.
 - B. Permit the local executive board to conduct the election. Any local union officer or member who is running as a delegate or alternate delegate candidate may not serve on the local union election committee and should not conduct the nomination or election of delegates or alternate delegates.
3. How does your local intend to conduct the delegate and alternate delegate nomination process? Other

Other (Please explain below)

The Local will appoint an Election Committee of six (6) members. No member of the Election Committee will be a candidate or representative of a candidate or slate. The Election Committee will be chaired by retiree Jack Bookter, who was a ten (10) term principal officer of Local 278. Mr. Bookter will chair the nomination meeting.

5. Number of Delegates and Alternate Delegates to be Elected
 - A. Number of delegates to be elected to the International Union Convention:

- B. The local must pay the convention expenses of all its elected delegates. A local may only propose to send less than a full complement of delegates because of financial inability but must first demonstrate actual financial inability to the General Secretary-Treasurer and then submit the request to the Election Supervisor for approval. If your local's request to send less than the full complement is approved, the candidate(s) receiving the highest number of votes in the delegate election or, in the case of uncontested elections, the candidate(s) ranked highest in the lottery shall be sent to the Convention. Is your local proposing to send less than a full complement of delegates to the Convention?

No

- C. Number of alternates to be elected to International Convention:

1

- D. Will your local union pay the expenses of any of its alternate delegates to attend the International Union Convention?

No

NOMINATIONS

The 2016 Rules provide that a candidate can be nominated and seconded and can accept a nomination in writing. Therefore, each local may elect to only have one nomination meeting. If your local is having a regularly scheduled officer election this fall, you may choose to conduct the delegate and alternate nomination and election this fall

The nomination period for fall delegate and alternate delegate nominations is September 1, 2015 – November 7, 2015

If you do not have a regularly scheduled local union officer election this fall, you must hold your delegate and alternate delegate nomination(s) meeting between January 4, 2016 and March 7, 2016.

There must be at least thirty (30) days between your local's last nomination meeting and the date the ballots are mailed.

6. Nomination Meeting

- A. Please tell us the date, time and location for the nomination meeting(s) your Local wishes to hold:

Meeting Detail 1:

Date: 1/4/2016

Day of Week: Monday

Time: 7:30 pm

Location/Address: American Legion Post 409, 757 San Mateo Ave., San Bruno, CA

Is the date a regularly scheduled general membership meeting?

No

If the date proposed for any nomination meeting is other than the date for a regularly scheduled, periodic general membership meeting of the local, please provide an explanation.

Our Local has never had delegates nominations during regular meetings. It is a special called meeting for the specific purpose of delegates nominations. In addition, we are doing it in the same manner as the last time and there were no problems or issues.

The Rules require that a written nomination or second must be received by the Local Union Secretary-Treasurer no later than 5:00 PM of the day immediately prior to the day of the nomination meeting. Thus if a nomination meeting is held on a Sunday or Monday (or a day after a holiday) the union office must be open until 5:00 PM on the preceding day, i.e., Saturday, Sunday or holiday.

Deadline for submission of written nominations:

Date: 1/4/2016

Day of Week: Monday

Location/Address: 5 Thomas Mellon Circle, Ste. 130, San Francisco, CA

B. Have any of the nomination meeting locations been changed from your local's last set of delegate nomination meetings?

Yes

If you checked 'Yes' to Question, please provide a listing of the previous site(s), the current site(s) which replace them, and an explanation for the change in location in each case.

The location was changed so it would be at the same location of our general membership meeting to increase participation.

MAILING NOMINATION NOTICES

Under the Rules, your Local must mail the nomination notice at least twenty-one (21) days before the nomination meeting. The local must use the official nomination notice form prepared by the Election Supervisor's office. You can obtain a copy of the Nomination Form (Form 7) on our web site, www.ibtvote.org, or by contacting us directly or contacting your Regional Director.

There are two ways you can mail the nomination notice to your members:

- Mail the notice in a separate, first class mailing to each member (If you are having an officer election at the same time, the nomination notices for delegates and officer may be mailed together but the notices must be on separate sheets of paper and the two notices must be on different colored paper).
- Include the notice in your local union or joint council newsletter or newspaper, which is then mailed by first class mail to each member.

If you chose option number 2, there are three rules your local must follow. The rules are:

1. The first page of the newsletter or publication must state in large bold print: 'Important Delegate Nominations Information Contained on Page ___.'

2.The nomination notice must be clearly displayed in larger size print than the other information included in the newsletter or newspaper and the notice must be in bold print.

3.Your local must submit the draft nomination notice to the Regional Director for approval before you finalize and mail it to make sure the layout, print size, and nomination information are all correct.

7. Mailing of the Nomination Notice

A. Will your local mail the nomination notice in as separate, first class mailing to each member at his or her last known home address?

No

B. Will your local mail the nomination notice by first class mail, in a local union publication, joint council publication or newsletter?

Yes

In the event that your nomination notice is to be published in a joint council publication or newsletter, please provide the Election Supervisor with the name and telephone number of the person responsible for publishing that newsletter, along with a copy of the most recent newsletter published by the joint council.

Joint Council Publication Name: Northern California Teamster. Local will obtain addresses for all newsletters returned undeliverable.

JC Contact: Debra Chaplan

Phone Number: (510)832-6450

C. When will your local union mail the nomination meetings notice? (Remember, it must be at least 21 days before the nominations meeting. To determine the 21 day period, do not count the day the notices are mailed but count the day of nominations.

Date for Mailing of Nomination Notice:

12/11/2015

MAIL BALLOTING

The Rules require locals to use mail ballots to elect delegates and alternate delegates.

Timing: Ballots cannot be mailed any sooner than thirty (30) days after the last nomination meeting.

You must allow at least 24 days between the mailing of the ballot and date the local counts the ballots. To determine the 24 day period do not count the day the ballots are mailed but count the day of the election.

Your ballot count day must be a day that the post office is open for business and you are able to pick up the voted ballots mailed to you.

Fall Election Time Period: The election time period for fall delegate and alternate delegate elections is October 24, 2015 – December 31, 2015.

Winter/Spring Election Time Period: The election period for winter/spring delegate and alternate delegate elections is between February 27, 2016 and April 30, 2016.

PRINTING AND MAILING OF BALLOTS

The Election Supervisor's Office has copies of a Notice of Election and Mail Ballot Voting Instruction Form (Form 12) as part of a packet of forms. Your local may also obtain a copy from our website at www.ibtvote.org. Your Local must use this form for the ballot.

The local should try to arrange to have the ballots printed and mailed locally to allow candidates and their observers to easily observe the printing and mailing of the ballots. Your local may choose to contract with a union printer or mailer that is not locally situated and request the ballots be printed and mailed from a distant location, but only if you explain why a locally based printer and mailer is not available. The local may also contract to have one entity print and mail the ballots. The local may use printing or mailing shops which employ members of the Graphic Communications Conference of the IBT. The local may not enter into a contract with any printer or mailer that employs any members of the local. If your local wants to use a union printer and mailer and can only locate union shops employing members of your local, you may request a written waiver from this prohibition.

8. Printing of Ballots

A. Are you requesting a waiver to use a printing or mailing shop that employs members of your local?

No

B. What is the name and address of the printer who will print the ballots?

Lithographic Reproductions
4120 Martin Luther King, Jr. Way
Oakland, CA

C. Please state in miles by road how far the printer is from the local's principal office.

15

D. What is the name and address of the mailer who will mail the ballot for the delegate/alternate delegate elections?

Lithographic Reproductions
4120 Martin Luther King, Jr. Way
Oakland, CA

E. Please state in miles by road how far the mailer is from the local's principal office.

15

MAILING THE BALLOTS

9. Mailing of Ballots

- A. On what date will your local mail ballots? (Remember, the mailing date must be at least thirty (30) days after the nomination meeting and twenty-four (24) days before count, for a total of at least fifty-four (54) days between the last nomination meeting and the ballot count).

The printer should be requested to provide the local union with a written official count of the exact number of ballots printed.

Date the local will mail ballots:

2/3/2016

- B. The Rules require you to post the official Notice of Election on all local union bulletin boards no later than seven (7) days after the nomination meeting. You can also print the official Notice of Election in a local union publication or newsletter or post it on the local's website, if any. The Election Supervisor has an official form for the Notice of Election. You may obtain a copy of the Election Notice, Form 11, from our website, www.ibtvote.org.

Date your local will post the Notice of Election:

1/11/2016

- C. Ballots should be picked up from the post office after 9:00 a.m. on the counting date. The ballot count should start at 10:00 a.m. Where and when does your local union propose that the mail ballots be counted?

Date and Time of Ballot Count:

3/1/2016 10:00am

Location of Ballot Count:

Teamsters Local 2785 5 Thomas Mellon Circle Suite 130., San Francisco, CA.

Obtaining Post Office Boxes for the Ballots

In order to conduct a mail ballot, your local must rent two post office boxes, one for the return of counted ballots and one for the return of ballots that the post office is unable to deliver because the member's address is incorrect. Your local should not rent the two post office boxes at the same post office where the local union has a regular business post office box because the U.S. Postal Service might mix up the local's business mail with the ballots.

10. Post Office Information

Please list the address of the post office or offices where the local will rent a box for voted ballots and for ballots

returned by the U.S. Postal Service as undeliverable.

Voted Ballots USPS 1300 Evans #30 San Francisco, CA 94188	Undelivered Ballots USPS 1300 Evans #30 San Francisco, CA 94188
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MAIL BALLOT ADMINISTRATION

In a mail ballot election, the local has several important responsibilities in addition to counting the voted ballots.

1. First, it is very important that the local maintain correct mailing addresses for its members to insure that all members receive a ballot at their home address.
2. Second, the local must have procedures in place to insure that ballots returned by the U.S. Postal Service because of incorrect addresses are re-mailed to the members at their correct addresses as quickly as possible.
3. Third, the local must keep detailed records and have procedures in place to account for the additional printed ballots which may be mailed to members who request a ballot either because they did not receive a ballot in the original mailing process or because the ballot they did receive was lost, destroyed or spoiled. (These are called 'duplicate ballots' or 're-mail ballots'.)
4. Finally, the local must provide adequate procedures for ballot security throughout the election process. Specifically,
 1. securing the ballots between the dates they are printed and they are mailed.
 2. safeguarding the extra, blank ballots between the date of printing and the date of the ballot count.
 3. safeguarding the voted and blank ballots after the count is concluded or pending the resolution of challenged ballots.

11. Mail Ballot Administration

- A. It is essential in a mail ballot election that the Local union have and maintain an accurate mailing list containing the current home address of all members.

The Election Supervisor recommends the TITAN operator at each IBT local must update the local's mailing list before preparing address labels used to mail Nomination Notices and ballots to members.

Will your local follow the recommended procedure?

Yes

- B. What procedures will your local follow to update mailing information of members whose nomination notices or ballots are returned undelivered? The Election Supervisor recommends:

1. Frequent visits to the P.O. Box containing undeliverable ballot packages
2. Contact with the:
 1. Member Employer
 2. Appropriate Shop Steward

3. Appropriate Health and Welfare Groups

4. Member

Will your local follow the recommended procedure?

Yes

The Local must respond, within two business days, to each member's requests for an additional ballot. The Election Supervisor requires:

1. A detailed record be kept of all requests for additional ballots including names, address, social security number, reason for request and date mailed.
2. The local's election records should be noted that a duplicate ballot was sent so the election officials at the count will know which, if any members were sent duplicate ballots.

C. Your local must safeguard the ballots between printing and mailing. At a minimum:

1. Ballots must be secured in a tamper proof location such as a locked filing cabinet or similar container.
2. In the event a cardboard box is used it must be taped shut with signatures of observers over the tape.
3. Candidates shall not have access to the ballots.

Please identify the person or persons who will be responsible for safeguarding the ballots:

Maggy Yee (415)467-0450 Myee@teamsterslocalunion2785.org

The Local Union is required to access the unused blank ballots following the original mailing to members for the purposes of sending replacement ballots to members who request them and a remailing to members whose ballot packages are returned as undeliverable by the Post Office. The Election Supervisor recommends:

1. Ballots may be removed from storage only by the authorized custodian of the ballots.
2. Each day after the mailing process is completed the ballots must be restored using the same safeguards referred to above in section 11c, i.e., lock and key.

The Election Committee must insure that the ballots and all other election materials are stored for at least one year after the count. The Election Supervisor recommends that all election records, including voted ballots, unused ballots, challenged ballots, voted ballots, spoiled ballots, ballot envelopes, tally sheets and voter eligibility lists be packaged, taped and signed with signatures by the election committee and any observers wish to sign.

D. Will the local follow this procedure:

Yes

COUNTING THE BALLOTS

After the ballots are picked up from the post office, the ballots must be brought back to the count site in the mailing envelopes.

The Election Supervisor recommends:

1. The Election Committee alphabetize all the return envelopes.
2. The voters name should then be compared to the voter eligibility list.
3. If found to be eligible, the envelope should be placed in a container marked 'Eligible'. If the voters eligibility is in doubt the envelope should be marked 'C' for challenged and placed in a separate container labeled 'Challenged'.
4. Continue until all the return envelopes have been compared to the voter eligibility list.
5. Open all return envelopes in the eligible grouping and extract, but do not open, the Secret Ballot envelopes.
6. Preserving secrecy, open and extract the ballots from the Secret Ballot Envelopes.

12. Counting the Ballots

- A. Will the local follow this procedure?

Yes

- B. The Election Supervisor recommends but does not require using a mechanical device to count ballots. The Local may count ballots by hand or mechanically. Please state how your local proposes to count mail ballots

By Hand

If the Local chooses to hand-count ballots, the ballot tallies and results must be counted at least two times. The Election Supervisor recommends the following steps for organizing and counting ballots by hand. First, separate the ballots into three stacks for counting, as follows:

1. the voter chose a full slate of candidates.
2. the voter chose a partial slate of candidates.
3. the voter chose only individual candidates.

Second, after sorting, count each stack of ballots in groups of fifty (50) ballots.

- C. Please check whether your local will follow this procedure.

Yes

- D. Count the number of Return envelopes in the 'Challenged' container.

1. If counting the challenged would not affect the outcome of the election, the results may be announced and the Official Tally Sheet completed;
2. If the number of challenged ballots could affect the outcome of ANY contest, the Election Committee should immediately recess the count and contact the Election Supervisor's Regional Director without attempting to resolve challenges. The Office of the Election Supervisor is solely responsible for resolving challenged ballots.

ELIGIBILITY TO NOMINATE AND VOTE

Under the Rules, members of the local union who are in arrears in the payment of their dues can pay their dues arrearage in order

to be eligible to participate in the election. The Election Supervisor requires that members may take part in the nomination process by paying all arrearages at any time before the regular close of business on the last business day before the nomination meeting. Also, the Election Supervisor requires that members may have their ballot counted by paying all arrearages at any time before the regular close of business on the last business day before the date of the date of the ballot count. Please indicate the last date (day/month/year), hours of business and location such delinquent members can pay their dues arrearages and participate in the process:

13. Eligibility to Nominate and Vote

A. Last payment date of dues for nomination meeting:

1/4/2016

B. Last payment date of dues for election:

2/29/2016

C. Deadline on above dates to submit dues (ex. 5:00 PM):

4:30pm

D. Address of the location for payment of dues:

5 Thomas Mellon Circle, Ste. 130, San Francisco, CA

FOREIGN LANGUAGES

14. Foreign Languages

A. Please indicate the percentage of the local union membership whose first language is not English:

1

B. If the answer to the previous question is more than zero, please identify each language and the approximate percentage of non-English speaking members of the total active union membership who understand each language.

1. Language: Spanish Percentage: 1

2. Language: Percentage:

3. Language: Percentage:

4. Language: Percentage:

5. Language: Percentage:

6. Language: Percentage:

7. Language: Percentage:

8. Language: Percentage:

9. Language: Percentage:

10. Language: Percentage:

C. Does your local union print or publish its newsletter in a language other than English?

No

D. If you had a delegate election in 2005/2006 or 2010/2011, was the local union ballot printed in a language other than English?

No

E. Please provide any reasons why election materials should or should not be published in languages in addition to English, and if so, what languages.

There is no reason why election materials should be published in any language other than English because all members read and understand English.

F. Request French Election Plan Summary

No

G. Request Spanish Election Plan Summary

No

WORKSITE LISTS

The Rules require that a list of current and accurate worksite addresses be attached to the Local Union Plan. A worksite list must contain all places, with addresses, where any and all of the local union members work. The worksite list must be arranged alphabetically by employer name. A model form is attached to the plan.

15. Worksite Lists

Please fill out the Worksite List below.

Worksite List send via mail.

BULLETIN BOARDS

Certain sections of the Rules require the local union Secretary-Treasurer to post various nomination and election related materials on union bulletin boards. The term 'Union Bulletin Boards' means any bulletin board to which the international union or local union and includes bulletin boards at the office of the Union as well as bulletin boards located on employer premises.

16. Bulletin Boards

Does your local union have bulletin boards which meet the above definition?

Yes

If Yes, Please fill out the Bulletin Board List below:

Bulletin Board List send via mail.

LITERATURE TABLE

According to the Rules, each Local Union must establish a literature table and/or bulletin board in a public area of each Local Union facility for the nondiscriminatory distribution/display of campaign literature.

17. Literature Tables

Please describe the location of the literature table or public area bulletin board maintained by the local union. Please also describe the size of the literature table or bulletin board.

The Local Union has a bulletin board approximately 5'x 5' in the lobby of the waiting room.

MISCELLANEOUS INFORMATION

18. Miscellaneous Information

A. Does your local union have current Local Union By-laws or a Constitution separate from the International Constitution?

Yes

If Yes, the Rules require a copy to be submitted to the Election Supervisor. Please attach an electronic copy HERE or submit a copy via mail. Please label the copy of your Local Union By Laws or Constitution 'Local Union [your Local Union Number] Response to Local Union Election Plan Question 18a.'

If mailing a copy: Yes

The mailing address is:
Office of the Election Supervisor for the
International Brotherhood of Teamsters
1050 17th Street, NW, Suite 375
Washington, DC 20036

B. Does your local union have any court or administrative decision or legal settlement agreement which governs or affects your local union's elections?

No

C. Does your local union publish its own newspaper, newsletter, magazine, or periodical?

No

The Election Supervisor maintains a record of all IBT local union newsletters. Please add the Office of the Election Supervisor and your Regional Director to the distribution list of your local union newsletter. The appropriate mailing addresses are as follows:

Office of the Election Supervisor for the
International Brotherhood of Teamsters
1050 17th Street, NW, Suite 375
Washington, DC 20036

Additionally, the Rules require that the Election Supervisor review and approve the content of all IBT newsletters in the event of a contested general election. Be advised that the copy to be included in any newsletter which you propose to distribute after the close of the 2016 IBT Convention must be transmitted to the Office of the Election Supervisor for review and approval before publication.

D. Does your local maintain a web site for communication with its membership?

Yes

If Yes, please provide the website address:

www.teamsterslocalunion2785.org

E. Has the local union sent email to any of its members in the past two years?

No

Has any officer, business agent, shop steward, employee, or representative of the local sent email concerning union-related business to any of the local's members in the past two years?

No

Does the local union maintain a list of email addresses of any of its members?

No

Does any officer, business agent, shop steward, employee, or representative of the local maintain a list of email addresses of any of the local's members?

No

Article II, Section 4(e) of the Rules requires the Local Union Secretary-Treasurer to do the following:

1. Within 5 days after sending the Plan to the Election Supervisor, a notice must be posted on all Local Union Bulletin Boards (on the Election Supervisor's Official Form 2, available at www.ibtvote.org) advising that the plan has been sent; and,
2. Within 3 days after the above posting, an affidavit attesting to the posting must be sent to the Election Supervisor. For your

reference sample affidavits of posting are available as Official Form 3 at www.ibtvote.org.

By submission of this plan, I declare that all of the answers in this Local Union Plan and all work site lists, bulletin board lists and email lists provided are true and accurate and have been reviewed and approved by the Principal Officer of this local.

Name: Mr. Joseph Cilia

Title/Position: Secretary-Treasurer

Phone: (415)467-0450

Email: jclocal278@aol.com

Date: 10/26/2015