

# INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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To: UPS and UPS Freight Local Unions

From: Gary Witlen, Director, IBT Legal Department

Date: September 4, 2018

Re: UPS and UPS Freight Contract Ratification Votes - Eligibility

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In order to limit the number of questions regarding eligibility to participate in the UPS/UPS Freight contract ratification votes, the following guidelines should be used.

## **Eligible**

Members in good standing with dues paid through month prior to ratification count

Members on checkoff who have made a dues payment by checkoff within last 3 months prior to ratification count

New Applicants for permanent positions (i.e., not seasonal peak hires) who have signed applications for membership and checkoff authorizations at least 2 weeks before end of voting period, even if the company has not yet deducted dues or if the applicant is paying the initiation fee in installments

Current members on medical leave, FMLA leave, workers compensation, military leave, other approved leave, or layoff (provided they have recall rights) who have taken a withdrawal card

Current members who have been terminated but have grievance pending before a panel or arbitrator, even if they have taken a withdrawal card

Officers and business agents with recall rights

Stewards

## **Not eligible**

Seasonal hires

Non-members: fee payers; fair share payers; religious objectors

Former members who have recently resigned from the union, even if they are still paying a fee because their checkoff authorizations have not been revoked

Cash dues payers who are not in good standing

Employees who have been fired and do not have a grievance pending and employees who have resigned from the company (even if their dues are paid)

Members who have been fired and who have exhausted the grievance procedure

You are advised that if a member or Local Union wishes to challenge a member to whom a ballot packet has been sent, the challenger must provide sufficient information to allow the Election Supervisor to determine eligibility. It will not be sufficient for a challenger to merely say that a member has been “terminated.” The challenger must indicate whether there is a grievance pending, whether no grievance had been filed, whether the grievance has been finally denied, or whether the member voluntarily left the company. The presumption is that a member who was on the Local Union’s list of eligible voters and received the balloting information is eligible to vote. Accordingly, if the member votes, his/her ballot will be counted, unless there is a challenge that includes sufficient information to determine the member is no longer entitled to vote.

If you have any further questions, please contact the IBT Legal Department at (202) 624-6945.

Thank you.

GW:tl