

REPORT ON ELIGIBILITY - PETITIONS

Pursuant to the Election Rules, nomination petitions were due back by 6:00 PM on Thursday, April 23, 2009. Some 1,100 petitions were filed, with a total of more than 31,800 signatures. Two union-wide slates filed petitions under the names “United Invincible” and “Take Back Our Union” and 18 independent candidates vied for either Vice President or Executive Board member positions (one candidate, Leopold Cox filed petitions for two positions). The candidates or their authorized representatives had two days to review the petitions and make whatever written challenges they wished to make by close of business April 28, 2009. United Invincible filed no protests and Take Back Our Union filed almost a hundred objections challenging all of the United Invincible petitions. Most of the objections revolved around witness’s dues status, duplicate signatures, i.e. one member signing more than once for the same slate or candidate, illegible names or I.D. numbers, printed names, and lack of or improper attestations. There was only one challenge against an Independent Candidate’s petition; TBOU challenged a witness for Eric Josephson, Track Executive Board, for being in bad standing. Below is a report on the eligibility of all slates/candidates who filed a Notice of Candidacy and/or Notice of Candidacy for Slate Nomination, the initial number of signatures submitted by each and the disposition of objections and protests and membership status: good standing defined by the TWU Constitution Article 13, Section 3 as dues paid for twelve (12) months continuously. Any party who wishes to contest the determination of the Neutral Monitor has three days from the date of this Report to appeal to the TWU International Committee on Appeals.

The numbers of signatures listed below represents the total number of signatures submitted, before any deduction for objections as discussed below. All numbers are final except where noted (#) and referenced to the ‘Petition Challenge Resolution’ section in this report; they do not necessarily reflect the ballot order.

UNION-WIDE OFFICE

1000 signatures required

United Invincible (UI):	15,638	Take Back Our Union (TBOU):	8,870[#]
President:	Curtis Tate	President:	John Samuelsen
Financial Secretary-Treasurer:	Ed Watt	Financial Secretary-Treasurer:	Israel Rivera, Jr.
Administrative Vice President:	Barry Roberts	Administrative Vice President:	Angel Giboyeaux
Recording Secretary:	Andreeva Pinder	Recording Secretary:	Benita Johnson

Both Union-wide Top Four (4) Slates have met the signature requirement and all candidates are in continuous good standing.

DEPARTMENTAL VICE PRESIDENTS

Signatures required vary as noted

TA SURFACE *(240 signatures required)*

UI: 2022 Stephan Thomas	Independent Candidate JP-“UFC”: 1237	TBOU: 829 Harry Wills
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All TA Surface Vice President Candidates have met the signature requirement and are in continuous good standing.

CAR MAINTENANCE *(185 signatures required)*

UI: 1617 Nelson Rivera	TBOU: 1002 Richard Rivera
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Independent:

Ainsley Stewart: No Petitions Returned*

The two slate candidates have met the signature requirement and are in continuous good standing. Ainsley Stewart is disqualified for the lack of required signatures.*

RAPID TRANSIT OPERATIONS *(235 signatures required)*

UI: 1865 William Wyatt	TBOU: 1179 K. Harrington
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Both RTO Vice President Candidates have met the signature requirement and are in continuous good standing.

STATION *(180 signatures required)*

UI: 1673 Kendra Hill	TBOU: 978 [#] Maurice Jenkins
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Both Station Vice President Candidates have met the signature requirement and are in continuous good standing.

MAINTENANCE OF WAY *(390 signatures required)*

UI: 2101 Charles Ayala	TBOU: 2533 [#] Tony Utano	Independent: William Gonzalez: No Petitions Returned*
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The two slate candidates have met the signature requirement and are in continuous good standing. William Gonzalez is disqualified for the lack of required signatures.*

CAR MAINTENANCE DIVISION *(4 members; 185 signatures required per candidate)*

UI: 1617

Shirley Martin Campbell
Grigoriy Dunichev
Jolly Eapen
Neil Phillips

TBOU: 1002

George Perlstein
Michael Russell
Mark Greenberg*
Jose Arroyo

All Car Maintenance Executive Board Member Candidates have met the signature requirement. All candidates are in continuous good standing, except Mark Greenberg, who has been disqualified because he has not been in continuous good standing.*

TRAIN OPERATORS DIVISION *(3 members; 135 signatures required per candidate)*

UI: 936

Joseph L. James
Dennis H. Boyd
Bruce Sabb

TBOU: 540

Steve Downs
Maxwell Hinds*
Brussard Alston

Independents:

Seth Rosenberg: 250
John Fereretti*: 213

All Train Operator Executive Board Member Candidates have met the signature requirement. All candidates are in continuous good standing except Maxwell Hinds and John Fereretti who have been disqualified because they were not in continuous good standing.*

CONDUCTOR/TOWER DIVISION *(3 members; 100 signatures required per candidate)*

UI: 929

Ebony Stewart
Terry Adams
David Thrower

TBOU: 639

Lee Ireland
Marcelle Gardner*
Cleveland Manley

Independent:

Kevin Barnes*: 204

All Conductor/Tower Executive Board Member Candidates have met the signature requirement. All members are in continuous good standing, except Marcelle Gardner and Kevin Barnes who were disqualified because they were not in continuous good standing.*

STATION DIVISION *(6 members; 180 signatures required per candidate)*

UI: 1673

Michael Morales
Nicolette A. Browne
Jonathan Beatrice
Kathryn Taylor-Davidson
Annie Hallahan
James Fullard

TBOU: 978[#]

Jacqueline Allison*
Derrick Echevarria
Lisa D. Lamar*
Mohammad Akbar*
Christine Williams
Paul Piazza

All Station Executive Board Member Candidates have met the signature requirement. All candidates are in continuous good standing except Jacqueline Allison, Lisa D. Lamar and Mohammad Akbar who have been disqualified because they were not in continuous good standing.*

LINE EQUIPMENT/ SIGNAL DIVISION *(3 members; 145 signatures required per candidate)*

TBOU: 810

John Chiarello

Pete Foley

Mario Galvet

UI: 632

Gary Bono

Sham A. Narain

Dominick Pollari

All Line Equipment/Signal Executive Board Member Candidates have met the signature requirement and are in continuous good standing.

TRACK DIVISION *(2 members; 80 signatures required per candidate)*

TBOU: 787

Jack Blazejewicz

Dennis McCormick

UI: 503

Luciano Cipriano

Jeffrey Lee

Independent:

Eric Josephson: 116

All Track Executive Board Member Candidates have met the signature requirement and are in continuous good standing.

STRUCTURE DIVISION *(2 members; 120 signatures required per candidate)*

UI: 793

Eze F. Chisholm

Edwin Benjamin

TBOU: 400[#]

Jeffrey B. Booth

Barry Arcuik

Independent: Greg McDonald*: No Petitions Returned

All Structure Slate Executive Board Member Candidates have met the signature requirement and are in continuous good standing. Greg McDonald is disqualified; he was not in continuous good standing and submitted less than the required amount of signatures.*

POWER DIVISION *(1 member; 45 signatures required)*

TBOU: 536

Tommy Creegan

UI: 173

Randolph Sampson

Both Power Executive Board Member Candidates have met the signature requirement and are in continuous good standing.

MaBSTOA DIV ONE *(2 members; 90 signatures required per candidate)*

UI: 1153
Christopher Magwood
Richard Davis

TBOU: 357
Sandra Santiago*
Tommy Oquendo

Independent:
Leopold Cox*: 218

All OA Division 1 Executive Board Member Candidates have met the signature requirement. All candidates are in continuous good standing, except Sandra Santiago who was disqualified because she has not been in continuous good standing. Leopold Cox withdrew from the executive board position.*

MaBSTOA DIV TWO *(2 members; 110 signatures required per candidate)*

UI: 1047
Tony Aiken
Frank Austin

TBOU: 488
Gracie O. Portlette
Joseph Laster*

Independent:
Harry St. John III: 164

All OA Division 2 Executive Board Member Candidates have met the signature requirement. Joseph Laster is disqualified because he was not in continuous good standing.*

MaBSTOA MAINT, CLERICAL, P&E DIVISION *(1 member; 95 signatures required)*

UI: 768
Thomas Lenane

TBOU: 174
Jimmy Lynch*

Both MaBSTOA Maintenance Executive Board Members have met the signature requirement however candidates Jimmy Lynch is disqualified: he has not been in continuous good standing.*

MTA BUS DIVISION *(2 members; 125 signatures required per candidate)*

UI: 676
Kevin Cadigan
Phil Marino

Independent:
Stephon Leonard: 569

TBOU: 554
Jerry Greenhaus
Robert H. Stahl

All MTA Bus Executive Board Member Candidates have met the signature requirement and are in continuous good standing.

PRIVATE OPERATIONS DIVISION *(1 member; 70 signatures required per candidate)*

TBOU: 405[#]
John H. Spicer, Jr.

UI: 264
Michael A. Ware

Both Private Operations Executive Board Member Candidates have met the signature requirement and are in continuous good standing.

SCHOOL BUS / PARATRANSIT DIVISION *(2 members; 240 signatures required per candidate)*

UI: 674

Gwendolina Peebles

Ozzie Fernandez

TBOU: 359[#]

Lisa Somerove

Veronica Darden

Independents:

Cynthia Fonseca* No Petitions Returned

Julio Cesar Rojas* No Petitions Returned

All School Bus Slate Executive Board Member Candidates are in continuous good standing. All candidates have met the signature requirement, except Cynthia Fonseca and Julio Cesar Rojas who are disqualified for the lack of required signatures.*

PETITION CHALLENGE RESOLUTIONS

Take Back Our Union challenged all witnesses that signed United Invincible petitions. As normal procedure, the Elections Committee checked all witnesses for good standing. All of the Independent and United Invincible members, who attested the accuracy of petitions, were in good standing. This fact answers the challenges against UI and Eric Josephson: all petitions are accepted as being duly attested. However, four witnesses from TBOU, were not in good standing, their voided petitions are below:

1. Andrew Caputo attested TB10-0047 which had 32 signatures
2. Fernandon DeJesus attested TB6-0059 which had 14 signatures
3. Larry Johnson attested TB15-0064 and TB16-0051 each petition were signed by 50 members
4. John Marielli attested TB9-0036 which had 25 signatures

Total TBOU VP and Executive Board signatures have been adjusted accordingly[#]:

1. MOW VP : **2576** (minus 57)
 - a. Power Executive Board: **504** (minus 32)
 - b. Structure Executive Board: **375** (minus 25)
2. Station VP: **964**; Station Executive Board: **964** (minus 14)
3. Private Lines VP: **1218** (minus 100)
 - a. Private Operations Executive Board: **964** (minus 14)
 - b. School Bus / Paratransit Division Executive Board: **309** (minus 50)

TBOU final adjusted total petition signatures: **8,699** (minus 171)

TBOU submitted individual challenges that the Election Committee deemed without merit. For example, some of the protestors grieved that if a member signed their name and didn't print it or vice-versa the line should be voided or if a witness used a first initial or used his/her zip code but forgot the state the entire petition should be voided. It has never been and never will be the Committee's policy to disenfranchise a member, if the intent of the member is clear. Additionally, even if all the protests were affirmed and lines or pages were voided for such infractions, the results would not have been affected.

United Invincible, by a margin of almost 7,000 signatures, has earned the first column on the ballot.