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DECISION

Protest I-02-15 (Taaffe)
Improper campaigning

By email dated September 24, 2015, Billy Taaffe, Structure Vice-Chair, filed a protest alleging that on September 22, 2015, Robert Nash, an independent candidate for Executive Board from Structure, improperly interfered with his attempts to solicit signatures at the Tiffany Iron shop and the West 4th St shop, respectively. Specifically, Taaffe alleges that Nash was yelling at members, telling them not to sign Taaffe's Petitions since they had already signed his. He also challenged Taaffe to a fight. Taaffe told Nash that he was not allowed to say that to people. According to Taaffe, on September 23, Isaac Oduro did the same thing at West 4th Street at night—asking people why they would sign Taaffe's Petitions when they had just signed his, telling them that that didn't make any sense. Taaffe was in fact able to collect 225 signatures.

Nash and Oduro each deny any confrontation and deny telling members that they should not sign Taaffe's Petitions.

I find that I do not have to resolve the credibility dispute between the Protester and Nash and Oduro. Even if the statements alleged were in fact made, they do not rise to the level of a violation of the Election Rules. It is not generally the function of the Election Rules to regulate speech. If someone, such as Taaffe, disagrees with something that someone else, such as Nash and Oduro, is saying, his recourse is to correct the misinformation and to (verbally) confront the person and encourage him to stop, as Taaffe did.

The protest is denied.

In accordance with the International Constitution and the Election Rules, any interested party unsatisfied with this determination may appeal to the Transport Workers Union of America Committee on Appeals. Any appeal shall be in writing and shall be filed in accordance with the procedure set forth in Article IV(6)(I)(1) of the Election Rules and Articles XV and XXII of the International Constitution for the appeal to the International from decisions of Local Unions.

/s/ Barbara C. Deinhardt

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By email:
Billy Taaffe
Joe Campbell
Vincent O'Hara
Arthur Schwartz, Esq.
Elections Committee