By email dated October 3, 2020, John Ferretti filed an appeal from the Election Committee’s October 2, 2020 denial of his eligibility to run for Executive Board in the Conductor/Tower Division One vacancy election. The Election Committee contends that while Mr. Ferretti is currently classified as a Conductor, he has, because of an ongoing work-related medical condition, applied to be reclassified. According to the Election Committee, his injury will not allow him to ever work again as a Conductor. Therefore he is not qualified to run as a Conductor.

Mr. Ferretti argues that he is now classified by the MTA as a Train Conductor and notes that the RTO pick section has allowed him to pick Conductor jobs in all of his picks since his injury. Therefore he should be allowed to run for a position as a Conductor, he asserts.

I find that at least as of today, Mr. Ferretti has not been reclassified. He is still classified by the MTA as a Conductor and should be allowed to run and vote as such. If he were to win the election and at some time in the future he were to be reclassified out of that title, he would not be able to continue to serve as a representative of Conductors.
The appeal is granted. He is eligible to run in the election.

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(B)(9) of the Election Rules and Article XXII of the International Constitution for the appeal to the International from decisions of Local Unions.

Barbara C. Deinhardt
Neutral Monitor

By email:
John Ferretti
Arthur Schwartz, Esq.
Elections Committee