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November 6, 2015

## **DECISION**

### **I-14-15 Request for recusal (Creegan)**

By email dated November 4, 2015, Tommy Creegan filed what he characterizes in subsequent correspondence as an “election protest of [my] decision on Donald Yates not being disqualified,” asking that all Nominating Petitions be posted online and requesting that Arthur Schwartz and I recuse ourselves from working on the election.

If Mr. Creegan is objecting to my decision issued in TWUS-07-15, filed on October 29, he should appeal to the International Union. If he is making a new request that the Election Committee direct that all Nominating Petitions be posted online, he should make that request to the Elections Committee and, if he is dissatisfied with their decision, appeal to me, citing what provision of the Election Rules he feels they have violated.

It appears that Mr. Creegan's protests against Mr. Schwartz and myself stem from the decision not to disqualify Mr. Yates, but instead to refer the matter for internal Union discipline. No other basis for his request is provided. The decision not to disqualify Yates was my decision, not Mr. Schwartz's. I find no basis to direct that Mr. Schwartz recuse himself as Counsel to the Elections Committee. Mr. Creegan's recourse if he does not like my decision is to appeal. I was appointed as Neutral Monitor by the TWU Local 100 Executive Board. I decline to recuse myself.

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 V(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

Barbara C. Deinhardt  
Neutral Monitor

By email:  
Tommy Creegan  
Arthur Schwartz, Esq.  
Vincent O'Hara, Esq.  
Elections Committee