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DECISION

Protest I-25-15 (Staley)
Ballot mailing

By email dated December 1, 2015, Anthony Staley filed a protest alleging that the mailing of ballots to 479 members violated the Election Rules. According to the Protester, "the fact that they're being allowed to vote puts all the other candidates at a disadvantage And my reason is because of their lack of knowledge of our union history and the fact that when they came on the job all they know about is the current administration, these individuals will vote towards the current administration because they don't know anything else. They seen this administration in class, they seen them giving them their introduction into the union, they know nothing about the other candidates, and because of this advantage to the incumbents these ballots should not be allowed."

The Protester does not identify what 479 ballots he is referring to. Any ballots that were sent to members who were not on the original mailing list were noted as challenged and those that were returned were segregated and reviewed individually on the day of the count. All candidates/slates/observers had the opportunity to observe this review process and to make any challenge to any determination made at that time. If the Protester is referring to the list of members who were hired in mid-2014 and were behind on their dues because the TA had failed to timely begin dues deductions, his protest does not have merit. Those members were in good standing on the day the ballots were sent out because the 30-day deadline the Union had given them to pay their back dues or fall into bad standing had not yet passed. Those who failed to pay their dues lapsed into bad standing after October 21. Then, before the ballot count, the TA agreed to deduct the dues owed by these members. All candidates/slates were given an opportunity on the

day of the count to object to the counting of these ballots and no objection was raised. Further, only around 40 of these members in fact returned ballots, so their inclusion would not have impacted the Protester's election, as he lost by 516 votes.

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

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By email:
Anthony Staley
Joseph Campbell
John Samuelson
Arthur Schwartz, Esq.
Elections Committee