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November 19, 2015

DECISION

Protest I-23-15 (Ahmed)
False accusation

By email dated November 17, 2015, Tareque Ahmed, a candidate for Executive Board on the SUS, filed a protest alleging that Shameem Ahmad, a candidate for Executive Board on the TWUS, made on Facebook what the Protester asserts was a false accusation that the Union had paid for an SUS campaign event.

My jurisdiction as Neutral Monitor is to ensure compliance with the Election Rules. I do not have the authority or the ability to regulate all speech between and among members. Generally the remedy for untrue or unwanted or defamatory or hostile speech is more, corrective speech. As I held in protest #I-02-15 (Taaffe), "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." It is up to Mr. Ahmed to publicize the untruth of Mr. Ahmad's statement and to communicate the facts about the campaign event.

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:

Tareque Ahmed

Joe Campbell

Vincent O'Hara

Arthur Schwartz, Esq.

Elections Committee