

Barbara C. Deinhardt, Esq.
Neutral Monitor
52 Third Street
Brooklyn, NY 11231
917-763-0906
718-855-2933 (fax)
neutralmonitor@gmail.com

September 29, 2015

DECISION

Protest SUS-01-15
Illegal use of Union bulletin board

By email dated September 24, 2012, John Samuelson, on behalf of the Stand United Slate, filed a protest alleging that the Transport Workers United Slate improperly posted material on a locked Union bulletin board at the Westfarms Depot. According to the Protester, having TWUS campaign literature posted on a locked Union bulletin board gives Local 100 members the impression that Joe Campbell and members of his slate are "official" or "preferential" candidates of TWU Local 100.

Campbell denies that he directed or had knowledge of the posting of his campaign literature in the Westfarms bulletin board. He also presented evidence that SUS campaign literature was seen behind locked glass at 95th Street.

Supplemental Rules, Paragraph 5(B), of the Election Rules provides, "No Local Union services, facilities, equipment or goods...shall be used to promote the candidacy of any individual or slate unless the Local notifies all candidates of the items available for use and all candidates are provided equal access at equal cost for such goods and services."

There is no evidence as to who put the literature up on the Westfarms bulletin board and so the protest is denied, but all candidates, slates and union officials are instructed not to place campaign literature on Union bulletin boards behind locked glass doors and to remove any such material that may be discovered there.

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

Barbara C. Deinhardt
Neutral Monitor

By email:
Joseph Campbell
Arthur Schwartz, Esq.
Vincent O'Hara, Esq.
Elections Committee