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DECISION

Appeal I-01-25vac2
(Standford eligibility)

By email dated July 21, 2024, Nicholas Standford filed an appeal from a determination of the Election Committee that he was ineligible to run for First Vice-Chair from TA Surface Transportation Division. The Election Committee found him ineligible based on the determination of the Local 100 Executive Board that he was guilty of violating Bylaws Section XI(d), barring him from holding office for 18 months, following a recommendation from the Trial Committee.

Mr. Standford was elected at Jackie Gleason Depot as Recording Secretary for the 2021 - 2024 term of office. While he was serving as Recording Secretary, after his election to that position, he took the Civil Service test in April of 2023 to become a Surface Line Dispatcher, a supervisory position with the TA. In December, 2024, Mr. Standford was elected to the position of Vice Chair at the Gleason Depot. He then was nominated in April 2025 to run as a candidate for First Vice-Chair of the Bus (TA Surface Transportation) Division to fill a vacancy in that position. That election process was paused after charges were brought against the Appellant that he had applied for a supervisory position while he was serving as an officer of the Union, in violation of Bylaws XI(d).

Following a trial on the charges, the Trial Committee made the following recommendation:

The By-Laws clearly state that a person serving in any elected position who applies for a supervisory position can be removed and barred from office. ... Just because no one knew that Standford had violated the By-Laws until March or April of this year (because the list was not publicly available) does not mean he did not violate the rule against union officers applying for supervisory positions. It just means no one caught him until later. This is an issue entirely

of timing. The fact that Stanford holds a different position in the Union now does not erase the violation. Finally, we read the language of the By-Laws "or in any other elected position, after being elected . ." to support the conclusion that Stanford does not have to continue to hold the identical union office in order to face these Charges. We believe he should be removed from the Vice Chair position and barred from office for a period of eighteen (18) months...

On June 24, 2025, the Executive Board adopted the Trial Committee's Recommendation and removed Mr. Stanford from office and barred him from running for office for 18 months. On July 18, 2025, the Election Committee issued a decision to the Appellant finding, "The Executive Board found you guilty of violating Bylaw Sec. XI(d) and barred you from holding office for 18 months. Given this finding, you are ineligible to run for the 1st Vice Chair position."

The Appellant argues that the Executive Board June 24 decision is invalid for several reasons and that he should be permitted to run pending the exhaustion of his appeals. I have no jurisdiction over the decision by the Executive Board related to his eligibility to hold office under the Bylaws. His appeal is to the International Union. My jurisdiction is restricted to enforcement of the Election Rules. I find that the Election Committee acted consistent with the Rules and the Union Constitution and Bylaws when it found him ineligible to run for office based on the Executive Board decision barring him from holding union office.

The Appellant argues that he should be able to run for office while his appeals of the Executive Board decision and the Election Committee determination are pending. He cites my decision rendered in the prior election related to the eligibility of Tramell Thompson as supporting his appeal. I find that that case is distinguishable. The question there was whether Mr. Thompson was a member of the Union. The case law relied upon dealt only with a member's continuing status as a member while challenging a proposed termination, pending determination of a petition in state court to vacate a decision following arbitration of a Union grievance.

Here the question is whether someone who has been found ineligible by the Election Committee to run for office, based on a decision of the Executive Board, is nevertheless eligible to run while contesting the Executive Board decision on which the Election Committee determination is based. If that were in fact the case, a member

could, for instance, challenge the Election Rules approved by the Executive Board and then claim that any Election Committee determination based on those Rules should be ineffective pending the challenge of the Executive Board action. As any appeal would invariably take longer to resolve than the duration of the election process, the Rules would be rendered a nullity. I find that the Executive Board decision has to be assumed to be valid until it is overturned.

As to the timeliness of the Election Committee action, I note that after charges were filed against Mr. Stanford, the Election Committee paused the processing of the election to await the determination on the charges. Further, there is no deadline for the Election Committee to rule on eligibility.

The appeal 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 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.



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