

**Barbara C. Deinhardt
Neutral Monitor
917-763-0906
neutralmonitor@gmail.com**

October 1, 2024

DECISION

Protest I-09-2024 (campaigning
on paid time)

By email dated September 21, 2024, Shavaree Grant filed a protest alleging that Starlyn Altagracia, a candidate on the Stronger Together Slate, was collecting signatures on work time at the Kingsbridge bus depot on September 19 at 1:36. Mr. Altagracia asserts that he was gathering signatures on a discrimination petition, not a nomination petition. Evangeline Byars, as head of the Stronger Together Slate, contends that he was not scheduled to start his “job function” of driving a bus until 1:46 and so he was entitled to engage in campaign activities until then. She asserts that he was collecting signatures for both nomination petitions and his discrimination petitions.

Election Rules VI(E)(5) states, “No candidate or other member may campaign for her/himself or for any other candidate during time that is paid for by the Local Union or by any employer.” I find that the Protester has provided sufficient evidence to prove that Mr. Altagracia was campaigning on time that is paid for the Transit Authority. The fact that he didn’t start driving a bus until 1:46 is not determinative as to when he began to be on “time paid for by any employer.” Evidence discovered in the investigation shows that his paid work time began at 1:11. While Mr. Altagracia stated that he was not collecting signatures on nomination petitions, the Protester says that he was and Ms. Byars says that he was. I contacted him several times to request pictures of the discrimination petitions, but he did not respond.

Protest granted. Mr. Altagracia is warned that campaigning during work time violates the Election Rules. I also note that he is in violation of the Election Rules

IV(B)(7) requirement that “[a]ll candidates, members, the Local Union and the TWU shall cooperate with the Neutral Monitor in his/her investigations.” Repeated violations of either Rule could result in him or the candidate he is supporting not being permitted to run as a candidate.

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.



Barbara C. Deinhardt
Neutral Monitor

By email:
Shavaree Grant
Starlyn Altagracia
Evangeline Byars
Arthur Schwartz, Esq.
Denis Engel, Esq.
Elections Committee