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DECISION

Protest I-10-2024 (campaigning
on paid time)

By email dated September 26, 2024, Carlos Albert filed a protest alleging that Maliek Williams was collecting signatures during work time at 10:45-11:00 PM on September 24 at the Track Crew headquarters at the 155th St station. His work schedule was until 10:00 PM-6:00 AM. Mr. Williams responded that he had collected a few signatures at around 9:45, before the beginning of his shift.

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 not provided sufficient evidence to prove that Mr. Williams was campaigning on time paid for by the Transit Authority. Mr. Williams states that he swiped in at his work location at 16th St at around 9:00 PM and then went up to 155th St to retrieve something he had given to another employee. After he concluded his business, he collected a few signatures at around 9:45 (someone else from his slate had already solicited signatures at that location) and then spoke to several co-workers about non-election related matters. Mr. Carr came at around 10:20 and spoke to the employees in the locker room, telling them that they could sign his petitions even if they had already signed Mr. Williams's petitions. Mr. Williams left at around 10:30 or 10:45. While it is true that Mr. Williams was on TA paid time after 10:00 PM, there is insufficient proof to contradict his denial that he collected any signatures after 10:00.

Protest 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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By email:
Carlos Albert
Maliek Williams
Arthur Schwartz, Esq.
Denis Engel, Esq.
Elections Committee