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DECISION

Protest I-12-2024 (petitions
taken)

By email dated September 30, 2024, Canella Gomez filed a protest alleging that petitions for Members First were stolen from the 179th Street station on the F line by Shampree Scott. Mr. Scott asserts that the petitions were left unattended and he took them, he said, to give to Evangeline Byars to turn in to the Neutral Monitor.

The essential facts are not in dispute. Chris Vigliotti had two Members First petitions on which he was collecting signatures. He had collected 31 signatures on the two petitions. He put them down on a table while he went to talk to some employees. Mr. Scott came along and saw the petitions lying unattended and took them, videotaping himself as he did so. (Mr. Vigliotti's voice can be heard in the background of the video.) When Mr. Vigliotti came back to get the petitions, they were gone. The petitions were never turned in to either the Neutral Monitor or to the Election Committee. Given the number of petition signatures returned by the Members First Slate, it does not appear at this time that the absence of the two petitions and their 31 signatures will impact the election.

Mr. Scott is correct that the petitions should not have been left unattended, even for a few minutes, as the Election Rules require that whoever is collecting signatures must sign the bottom of the petition, attesting to the fact that those signing represented themselves as members in good standing of Local 100. However, any transgression by Mr. Vigliotti does not justify Mr. Scott's decision to engage in self-help by flagrantly seizing the petitions and withholding them from the Election Committee, whose authority it is to decide whether the petitions were valid or not, under all the circumstances. His decision to do so constitutes election interference.

Protest granted. There is no remedy possible at this time and so the issue of remedy remains open.

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:
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Shampree Scott
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Elections Committee