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September 19, 2022

DECISION

Protest I-2-22 (petitions)

By email dated September 14, 2022, Rosalia Pannizzo filed a protest of the Election Committee Eligibility Report. She questions the number of signatures counted for her and for Sean Battaglia. In particular, she alleges that six of Mr. Battaglia's petitions should be invalidated because the witness did not sign the petition. According to the Protester, that would invalidate 300 signatures (6X50). In addition, she questions why 169 of her signatures were invalidated.

I find that, contrary to the Petitioner's assertion, only three of Mr. Battaglia's petitions were not signed (i.e. printed name only). (There were six that were signed, but did not also bear a printed name. The Election Committee states that it is their practice to count a petition if there is a signature—with or without a printed name—if the identity of the witness can be ascertained from the signature and the pass number and other identifying information.) There are a total of 109 signatures on the three unsigned petitions. I am advised by the Election Committee that these 109 signatures were included in the 288 of Mr. Battaglia's signatures that were invalidated (an Amended Eligibility Report has been issued with this total). Further, even if all six of the petitions protested were invalidated, that would only be a total of 206 signatures, not 300 as alleged, as not all six were completely filled out. Finally, whether 300 signatures were invalidated or 206 or 109, Mr. Battaglia still submitted a sufficient number of signatures to be nominated and still submitted more than the Protester.

The Protester also asks why 169 of her signatures were invalidated. As explained in the Eligibility Report, two were invalidated for being illegible. The other 167 were due to duplication, the member being in bad standing, or the member being from a division/department in which s/he does not work. Further, even if the 169 were not invalidated (and even if all 300 of Mr. Battaglia's signatures that the Petitioner objects to were in fact not counted), the Protester would not have more signatures than Mr. Battaglia.

The protest 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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By email:
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Elections Committee