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DECISION

Protest I-28-2024 (slate name)

By email dated November 15, 2024, Hadjamaliek Williams filed a protest alleging that he was improperly denied the opportunity to change the name of his Slate and that several members of his Slate were improperly found ineligible.

According to the Election Committee, the Protester submitted several Track Division Slate Declaration Forms on September 5 and 30 under the name Progressive Action Slate. They included the following names: Hadjamaliek Williams as Chair, David Modeste, Shaka Griffith, and Eli Casanave as Vice-Chairs, and Ian Hope as Recording Secretary. For delegate, the Track Progressive Action Slate included Ian Hope (who ended up not being nominated for delegate), David Modeste, Hadjamaliek Williams, Brian Nolan (who was not nominated), Shaka Griffith (who was not nominated), Ricaldo Tinker, P. Dyer, S. Clark, Z. Allard, and Galen Smith. Three of the candidates—Eli Casanave, Ricaldo Tinker, and Shaka Griffith—were found to be ineligible to run for Division office because of being in bad standing or lacking sufficient meeting attendance. Each was notified of his ineligibility, on October 10, 17 and 10, respectively. Only Mr. Griffith responded, asking to review his meeting attendance. However, he did not appear at the designated time and no appeal was filed. He was again notified of his disqualification on October 22.

The Protester does not argue that these candidates were improperly found ineligible. Rather, he objects that he was not given an opportunity to replace those ineligible candidates on his Slate. However, the Rules do not give the opportunity for replacement of ineligible Division candidates. Otherwise, candidates who had never

been nominated would be on the ballot. The Rules only provide for the substitution of Union-wide candidates found ineligible because then the nominating petitions can be amended and the new candidates can be nominated.

As to the Slate name, the Election Committee asserts that after the publication of the Eligibility Report finding the Union-wide Progressive Action Slate to be dissolved and eligible formerly-PA candidates were to be listed as independent candidates alphabetized by surname, the Protester called the Election Committee on October 30. All of the members of the Committee were listening to the phone call over speakerphone. Mr. Williams was seemingly concerned because of what he had read in the Eligibility Report led him to believe that he would not be able to continue to be listed as Progressive Action Slate since the Union-wide Slate candidates, nominated by petition, were no longer allowed to be listed as Progressive Action. He was told that it was up to the Slate. They could change the name of their Slate if they wanted or could continue to run as Progressive Action Slate on the Division ballot. According to Committee Chair Aquilino Castro, and confirmed to me by the other members of the Committee, he was “adamant” that they wanted to continue to use the Progressive Action Slate name. According to the Committee, had Mr. Williams indicated a desire to change the Slate name, he would have been instructed on the steps necessary to do that. There was no such indication. Quite the contrary.

In his protest the Protester states that “[t]he [October 30] conversation came to a close with the elections committee rep asking me to submit an email stating what name changes would be made. The elections committee never received that email.” His conclusion, however, that the result should have been an automatic change in the listing of the Slate name by Head of Slate surname has no basis in the Rules. What the Eligibility Report said was that “Independent eligible candidates for Vice-President and Executive Board (including those who petitioned as Progressive Action Slate) and *non-slate candidates in Division elections* will be placed on the ballot beginning on Row D [i.e. Independent Candidates], in alphabetical order by surname.” (emphasis added) Thus, Shaka Griffith and Ian Hope, both of whom had been part of the Union-wide Progressive Action Slate, are now listed on the ballot as independent candidates for Executive Board, alphabetically by surname. Ian Hope, who was also part of the

Division Progressive Action Slate, is also listed as part of the Slate for Division office. This statement from the Eligibility Report did not apply to the Protester because they were not “non-slate candidates in Division Elections.” They were slate candidates and so would not be listed as independent candidates.

There is nothing in the Rules about Slate names defaulting to the Head of Slate surname. The only mention in the Election Rules about the use of Division Slate Head of Slate surnames reads:

III(A)(2). Division Officers

Unless otherwise requested in the Notice of Slate, each slate will be identified on the ballot by the surname of the candidate nominated for Division Chair on the slate. The ballot position of slates will be determined as follows: slates running in conjunction with, and with the same name as a Local-wide slate, will be placed in the same order on the Divisional ballot as they are in the Local-wide ballot; the position of slates not affiliated with a Local-wide slate will be placed in alphabetical order of surnames of heads of slates. Individual candidates will be placed on the ballot after slates, in alphabetical order by surname. (emphasis added)

Here, the Slate name was “otherwise requested in the Notice of Slate.” No substitute or updated or revised Notice of Slate was ever submitted. Thus, the name of the Slate as requested was the one used on the ballot and the two Division Slates in Track were placed on the ballot in alphabetical order of surnames of heads of slates, with Carlos Albert’s Boots2Ground Slate being placed to the left of Mr. Williams’s Progressive Action Slate.

The Protester’s belated attempt to change the name of his Slate a few hours before the deadline for approving the sample ballots was ineffective. He would have had to submit a new Slate Declaration Form signed by all members of his Slate with the new name. He did not do that. He does not have the authority to change the name without the documented consent of his Slate. He asked in his November 11 email to the Election Committee whether it was too late to do that. The answer is, yes, it was.

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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