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December 27, 2024

DECISION

Protest I-36-2024 post (Station
ballots)

By email dated December 23, 2024, Michael Noonan filed a protest alleging that because 4769 ballots were mailed out to the members in the Stations Department, therefore the amount of petition signatures previously required by the Election Committee to be eligible for nomination was incorrect and should have been 10% of 4769, rather than 533 as required. As the Progressive Action Slate candidates submitted 488 signatures, they should have been eligible, the Protester argues.

First, I note that the election results have already been certified. I have no ongoing jurisdiction.

Second, the Election Rules require that a protest about eligibility be filed within 48 hours. Even if the Protester did not know until the Daily Mail Log from the AAA was posted on the Election Committee website that 4769 Stations ballots were mailed out, a protest filed a month after that number was first posted is untimely.

Finally, on the merits, I am advised by the Election Committee counsel that the petition signature requirement is and has consistently been calculated based on the total number of members in the Department, whereas the number of ballots mailed out is based on the number of members in good standing. This difference makes sense since members who are not in good standing still have the opportunity to bring themselves into good standing and become eligible to receive a ballot. In addition, the petition signature requirements are based on membership numbers in the summer

while the ballot mailing list is based on the good standing members as of November 1, 2024.

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:
Michael Noonan
Arthur Schwartz
Denis Engel
Elections Committee