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December 3, 2024

DECISION

Protest MF-01-2024 (use of
employer resources)

By email dated November 20, 2024, Eric Loegel, on behalf of the Members First Slate, filed a protest alleging that the Stronger Together Slate violated the Election Rules by accepting donations from employers, in specific NYC Organization of Public Service Retirees (NYC Retirees) and TWU100R, Inc. The Protester alleges that on November 20, NYC Retirees, an employer, provided a digital billboard truck that was stationed outside a Stronger Together Slate rally and was communicating inaccurate video messages from NYC Retirees President Marianne Pizzitola critical of Members First candidate for president, Richard Davis. In addition, the group TWU100R, Inc endorsed the rally and had its logo on the rally flyer.

Evangeline Byars, on behalf of the Stronger Together Slate, asserts that neither she nor the Slate rented the digital billboard truck and she does not know who did. Marianne Pizzitola denies that her organization had any involvement in providing the truck. She says that anyone could have accessed the video from their YouTube channel. Ms. Byars states that the Slate, not TWU100R, financed the printing of the flyer. Lloyd Archer, the president of TWU100R, refused to cooperate.

Under the Election Rules, “No candidate for election shall accept or use any contributions or other things of value received from any employer, representative of an employer, foundation, trust, union or similar entity.” While there is no question that NYC Retirees is an employer, there is no evidence that it made a contribution to the Stronger Together Slate. There is no evidence that TWU100R is an employer or that it made a contribution.

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.

A handwritten signature in black ink, appearing to read "Barbara C. Deinhardt". The signature is fluid and cursive, with a long horizontal stroke at the end.

Barbara C. Deinhardt
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By email:
Eric Loegel
John Chiarello
Stuart Salles
Evangeline Byars
Arthur Schwartz
Denis Engel
Elections Committee