

**Barbara C. Deinhardt**  
**Neutral Monitor**  
**917-763-0906**  
[neutralmonitor@gmail.com](mailto:neutralmonitor@gmail.com)

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**DECISION**

Protest PA-01-24 (refusal to  
reopen nominations)

By email dated October 17, 2024, Benjamin Valdes filed a protest on behalf of the Progressive Action Slate alleging that the Election Committee violated the Election Rules when the Chair refused to reopen nominations to allow for nominations from two members who had arrived late. According to the Protester, on October 16, 2024 at the PM Train Operators Division nominations meeting, train operators Kimberly McLaurin and Ray Reigadas both arrived less than ten minutes after the meeting began. When Ms. McLaurin asked to nominate the Progressive Action Slate she was told by the Elections Committee Chair that the nominations for chair, vice chair, and recording secretary had already been closed and that no more nominations could be made for those positions. In contrast, at the October 9, 2024 AM Conductors/Towers Division nominations meeting, conductor Jesse Argueta, a member of the Members F1rst slate, arrived about 15 minutes after the meeting began and the Elections Committee waited for him to arrive before they began. Thus, their slate was allowed to make all of their nominations. The Protester argues that this constituted preferential treatment for the incumbent slate in violation of the Election Rules and the LMRDA.

According to the Election Committee, nominations are held as the first order of business at regular Division meetings. Nominations cannot begin until the Division meetings are called to order and the Division meetings cannot be called to order until the Division officers arrive and members have signed in and taken their seats. The meeting in question was called to order at 6:00 PM and nominations opened immediately thereafter. The Election Committee Chair opened the nominations for

each position and called three times for further nominations before closing nominations for that position. There is no precedent or obligation to reopen nominations once they have been closed. The Conductor/Towers meeting to which the Protester compares the disputed meeting was not called to order until the Division Chair, Mr. Argueta, arrived. The Election Committee could not begin the nominations until the Division meeting began. There was no preferential treatment of the Members F1rst Slate by the Election Committee.

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.



Barbara C. Deinhardt  
Neutral Monitor

By email:  
Benjamin Valdes  
Arthur Schwartz  
Denis Engel  
Elections Committee