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November 26, 2024

**DECISION**

Protest ST-10-2024 (access to  
ballot numbers)

By email dated November 25, 2024 Evangeline Byars on behalf of the Stronger Together Slate filed a protest alleging that the Slate was “denied access to critical information regarding the number of ballots received. Despite witnessing the ballot pickup, we were refused the official count of ballots collected.” According to the Protester, withholding this information creates an unfair and inequitable advantage and asserts that “it is imperative that any information provided to the incumbents also be shared with all other candidates.” She requests that “AAA must provide all candidates observing the process with the official ballot count after each pickup to confirm the chain of custody and ensure transparency on the day of and provide the official number of ballots collected after each pick up.” When I asked for the basis of their assertion that they have a right to receive this information at the AAA site, the Stronger Together Slate attorney Martin Druyan replied, under the subject reference line “AAA Manipulation of Election Number Results,”

We are parties to the election, like equal parties to the arbitration,  
As a party we are entitled to numbers and all communication same terms as  
TWU who pays AAA with our dues money also,  
So we are not second class or third parties, we are equal to TWU  
Treating Byars slate as inferior, outsiders is election interference,  
Subjects our slate to manipulation of the numbers by TWU  
Numbers should be released to you also if you with,  
this is of utmost seriousness and importance. AAA as a third party vendor can  
be sued immediately for this information if  
This is route we must take.  
Happy Thanksgiving.” [sic]

Each day the AAA goes to the Post Office to pick up all of its election mail, including ballots from the Local 100 election as well as from other elections being conducted by the AAA. Upon return to the AAA, AAA staff sorts and logs in the ballots. This process is open to observation by candidates. A report of the Local 100 ballots received, by Division, is then sent to the Election Committee by AAA. It has been the practice of the Election Committee in past elections and in this election to receive this report from AAA each day and then to post that information on the Election Committee website. Yesterday, for example, the daily log was sent by AAA to the Election Committee at 1:34 PM and was posted on the website for public access at 3:34 PM. Today, the daily log was sent by AAA to the Election Committee at 4:43 PM and posted on the website at 4:56 PM. According to the Election Committee Chairman, the numbers are not disclosed to any candidate or slate or to any Union officers or to anyone outside the Election Committee prior to its publication on the website (other than the Union staff responsible for uploading the log onto the website).

I find that the Protester has not identified any basis in the Election Rules, the Union Constitution and By-Laws, or in federal law for requiring the AAA or the Election Committee to provide these numbers to the Protester at the AAA office prior to the numbers being provided by the Election Committee simultaneously to all slates, candidates and other members. The Protester is being treated the same as all other candidates and slates.

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:  
Martin Druyan  
Evangeline Byars  
Arthur Schwartz  
Denis Engel  
Elections Committee