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### **DECISION**

Protest ST-02-24 (checking  
petitions for good standing)

By email dated September 28, 2024, Evangeline Byars filed a protest about the Election Committee process of checking the good standing of members who sign nominating petitions. The Protester is protesting (in advance) “the removal of members who signed petitions who [sic] signature and pass numbers were legible and checked by EC and now they are going to be checked for good standing after the fact.” The process in this election cycle is the same as it has been for many cycles. After the petitions are turned in, the Election Committee and staff check all the signatures for legibility and to remove any signatures that appear more than once for any one candidate/slate. Then the good standing of every remaining signatory is checked against the Union membership data base. Signatures from persons who are not members in good standing are not counted. The Protester seems to contend that this process discriminates against her slate and creates a “structural unfair advantage.”

First, I would note that the protest is premature. The Election Rules Article I(D)(2) states that “[e]ach member signing must be a member in good standing for the signature to count.” Thus it is essential that each signature be checked to ensure that it was from a member in good standing. As of now, no signature has been challenged or removed for being from a non-member in good standing.

Second, there is no requirement in the Constitution, the By-Laws, the Election Rules or federal law that requires the Union to provide candidates or slates with a list of the names of all members in good standing. As noted by the Election Committee counsel, “No candidate has access to the union’s dues database. That database has a considerable amount of personal information. The check of names is done by the union’s IT Department with special authorization.” There is no evidence that any slate

or candidate was given access to the dues data base. However, if any individual member had wanted to check their good standing in advance, they could have inquired of the Dues Department about any outstanding balance before choosing to sign a petition in favor of the candidate/slate of their choice so that they could have come into good standing if they owed dues.

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.



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By email:  
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Elections Committee