

Report of the Elections Committee for the 2021 National and Unit Elections of TC Local 1976 USW

June 7, 2021

The following report is submitted by the Elections Committee to the Executive Council of TC Local 1976 USW.

From the moment of its appointment, the Elections Committee worked hard to ensure the fair and thorough application of provisions from the *Constitution of the International Union*, the *Local Union Elections Manual* and the *Bylaws for Amalgamated Local Unions* as issued by the International Union, as well as the *Bylaws of TC Local 1976*.

The committee's actions were guided by the principles of the USW and the professionalism, integrity, respect and dignity expected of members therein. It was this committee's honour to perform this duty on behalf of Local 1976.

Following the nomination meetings that took place in the Units, the Tellers committee completed the necessary eligibility checks (see page 3-4). The Local then mailed voting packages for the National Elections to all eligible members on March 31, 2021, with a return deadline of April 30th, and for the Unit Elections the following week, with a return deadline of May 12th. The committee conducted the count of the ballots received for the National Elections on May 3-5, 2021 and the Unit Elections on May 13, 2021.

Nominations Received

<p>President</p> <p>Steven Hadden 28</p> <p>Luciano Sabino 5</p> <p>Vice-President/FST</p> <p>Nancy Lapointe 29</p> <p>Frank de Napoli 4</p> <p>Recording Secretary</p> <p>Guy Claude 27</p> <p>Brandon Christie 6</p> <p>Chairperson, Board of Trustees</p> <p>Manuel D'Souza 28</p> <p>Jules Rochemont 4</p> <p>Member, Board of Trustees</p> <p>Jeffrey Howell 28</p> <p>Kristopher Marzitelli 27</p> <p>Cory Cutler 5</p> <p>Larry James 5</p> <p>Vice-President, District 3 (No election)</p> <p>Erin Zuchotzki 6</p> <p>Vice-President, District 5 (No election)</p> <p>Johanne Gosselin 10</p>	<p>Vice-President, District 6</p> <p>Joe Rizzuto 12</p> <p>Freddy Montoya 4</p> <p>Chief Steward, Marine Atlantic (No election)</p> <p>Shelley Savoury 30</p> <p>Chief Steward, ONR (No election)</p> <p>Brandon Gowlett 31</p> <p>Chief Steward, CP (No election)</p> <p>Jeffrey Howell 31</p> <p>Ann Green 2</p> <p>Chief Steward, Canpar 1</p> <p>Dave Hill 28</p> <p>Peter Aligianis 3</p> <p>Chief Steward, Canpar 2</p> <p>Kody Giroux 23</p> <p>Robert Ramjohn 3</p> <p>Chief Steward, Nordia (No election)</p> <p>Johanne Gosselin 31</p> <p>Chief Steward, Airlines (No election)</p> <p>Manuel D'Souza 31</p>
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Number of votes received for each candidate

President

Steven Hadden	605
Luciano Sabino	398

Recording Secretary

Guy Claude	512
Brandon Christie	485

Member, Board of Trustees

Kristopher Marzitelli	526
Jeffrey Howell	519
Cory Cutler	409
Larry James	429

Vice-President, District 6

Joe Rizzuto	310
Fredy Montoya	216

Chief Steward, Canpar 1

Peter Aligianis	185
Dave Hill	120

Chief Steward, Canpar 2

Robert Ramjohn	199
Kody Giroux	101

Statistics

Number of members:	4949
Number of ballot envelopes received:	1034
Rate of participation:	20.89%
Number of spoiled ballots:	Blank ballots: 25
	All boxes checked: 18
	"Unsure" or "?": 6
	No sender ID: 1
	Double vote: 2

Elected

President:	Steven Hadden
Recording Secretary:	Guy Claude
Member, BOT:	Kristopher Marzitelli
	Jeffrey Howell
Vice-President, District 6:	Joe Rizzuto
Chief Steward, Canpar 1:	Peter Aligianis
Chief Steward, Canpar 2:	Robert Ramjohn

Acclaimed

Vice-President, FST:	Nancy Lapointe
Chairperson, Board of Trustees:	Manny D'Souza
Vice-President, District 5:	Johanne Gosselin
Vice-President, District 3:	Erin Zuchotzki
Chief Steward, Marine Atlantic:	Shelley Savoury
Chief Steward, ONR:	Brandon Gowlett
Chief Steward, CP Rail:	Jeffrey Howell
Chief Steward, Nordia:	Johanne Gosselin
Chief Steward, Airlines:	Manny D'Souza

Decisions Made by the Committee

Nominations

The "Elections" section of the Bylaws of TC Local 1976 states that:

"To be eligible as a candidate for the offices of President, Vice-President / Financial Secretary-Treasurer, Chairperson Board of Trustees and members (2) Board of Trustees, an individual must receive nominations from five (5) Units and/or Unit/Lodges"

And:

"To be eligible as a candidate for the offices of Regional Vice-President and regional Chief Steward, an individual must reside in the applicable region and receive nominations from three Units and/or Unit/Lodges in this Local Union."

These requirements were modeled after the nominations process for the Elections of the International Executive of the Steelworkers.

The process for units to nominate one person for each National Officer position was clearly explained in the instructions sent to the Unit Chairs in January 2021 in preparation for their upcoming nomination meetings.

However, on receipt of the nomination sheets filled out and provided to the Local by the Unit chairs following their nomination meetings, the committee noted that three Units had written down more than one name for certain National Officer positions:

1. Unit 2304: David Hill and Peter Aligianis for Chief Steward, Canpar 1.
2. Unit 2344: Jules Rochemont and Manny D'Souza for Chairperson, Board of Trustees.
3. Unit 2353: David Hill and Peter Aligianis for Chief Steward, Canpar 1 and Kody Giroux and Robert Ramjohn for Chief Steward, Canpar 2.

The committee does not know the circumstances as to why these three Units wrote in more than one name for these National Officer positions, but these nominations could not be accepted as valid.

As a result, the nominations listed above were not included in the total number of nominations received by these candidates. The respective unit chairs were advised of this decision.

With the exception of one, all the candidates above obtained nominations from enough other units to still run for the National Officer positions. Unfortunately, without the nomination from Unit 2344, Mr. Rochemont did not obtain nominations from enough Units to run for Chairperson, Board of Trustees. As there were no other candidates besides Mr. D'Souza (who did receive nominations from the required number of Units) the latter was acclaimed to the position. Mr. Rochemont was advised of this decision.

Eligibility

One of the duties of the Election Committee is to verify the eligibility of all candidates, following the criteria laid out in the Constitution of the International Union:

Article VII, Section 9:

"No member shall be eligible for elections as a Local Union Officer or Grievance Committee Member unless:

- (a) The member shall have been in continuous good standing for a period of twenty-four (24) months immediately preceding the month in which the election is held, or if the member's Local Union has been in existence for a lesser period prior to the election, the member must have been in continuous good standing from the time that the member joined such Local Union."*

Article VII, Section 10:

"In order to be eligible for election as a Local Union Officer or Grievance Committee Member in any regular election or election to fill a vacancy, a member shall have attended at least one-third (1/3) of the regular meetings held by the member's Local Union during the twenty-four (24) month period immediately preceding the month in which the election is to be held."

In the course of eligibility verification, two candidates fell short of the criteria above:

1. Mr. Michael Newman, candidate for Recording Secretary, Unit 2346:
Mr. Newman has been a member in bad standing since June 10, 2020, and as such does not meet the eligibility requirement of 24 months continuous good standing. Additionally, members in bad standing are not permitted to vote, nominate for office, hold office, or be a candidate for office (Article XI, Section 6).
2. Ms. Shannon Ford, candidate for Recording Secretary, Unit 2346:
Ms. Ford became a member of Local 1976 on August 10, 2020, and therefore does not meet the eligibility requirement of 24 months continuous membership prior to the month in which the election is held.

Both of the above candidates were advised of their ineligibility to run in this election.

Campaign Materials

The committee reviewed and approved requests from two candidates for the Local to send campaign literature by email on behalf of candidates running for election. Candidates agreed to a flat rate of \$75.00 per mailout, which was invoiced to them following the elections.

- 1) Steven Hadden: flyers to be sent by email to all members on April 9, 15 and 23, 2021
- 2) Larry James: flyers to be sent by email to all members on April 14, 2021

Observers

According to the International Constitution, candidates may designate observers to be present at the counting of the ballots. This posed a particular logistical challenge for the 2021 Elections, which took place in the midst of the global Covid-19 pandemic. For the safety of the Election Tellers, the decision was made to provide a Zoom videoconference link for observers to be able to attend the ballot counting remotely. The committee requested a moderator for this Zoom meeting, to see to all technical aspects of the videoconference and make sure that order was maintained so the Election Tellers could proceed without unreasonable distraction. Ms. Erin Zuchotzki, VP of District 3, was designated to perform this function and was present via Zoom on May 3rd, 4th & 13th. She was replaced by Mr. Manny D'Souza, Chair of the Board of Trustees, on May 5th as she was unavailable.

- One eligible observer identified himself to the committee prior to the ballot counting for the National Elections, Mr. Adrian Maris from Unit 4003. Mr. Maris observed the proceedings for a brief length of time on May 3, 2021.
- Mr. Michael Newman requested to observe the ballot counting but was advised that due to his status as a member in bad standing he was not eligible to be an observer.
- Mr. James Thornton sent a request on the afternoon of May 3rd to observe the counting, well after the process had already started. He was advised that according to the Elections Manual such requests need to be made prior to the proceedings.
- Mr. Kristopher Marzitelli and Ms. Carolina Vieira observed the counting for unit 613.
- Mr. Larry James observed the counting for unit 2346.
- Mr. Christopher Demiris Kalaitzakis observed the counting for unit 4003.
- Mr. Jeff Gough observed the counting for unit 2304.

Election Protests

In the weeks leading up to and after the ballot counts, a small group of members sent several protests to Local 1976 via email. These protests were forwarded to the elections committee to provide information that might be relevant.

It would appear that this group of members is unaware that Local 1976 is governed not only by the International Constitution and the Bylaws for Amalgamated Local Unions but also by its own set of Bylaws, approved by the membership and the International Union over 20 years ago. These bylaws are maintained through motions passed at the triennial conventions of the Local. As mentioned in the opening pages of the Bylaws for Amalgamated Local Unions, this is often the case for Locals that came to the USW by way of a merger, such as TC Local 1976, as these locals have their own Bylaws and functions which formed an integral part of their merger agreements.

Below is some information that the committee feels may help clarify certain subjects raised in the protests. They are grouped by subject to avoid repetition:

A) Protest concerning minutes of Unit meetings (#1):

In this protest the complainant falsely states that the elections committee collected minutes from all of the Unit nomination meetings. However, Units and Unit/Lodges were required only to provide the Local with a form following their nomination meeting, indicating the name of the candidate nominated for each of the National Officer positions. These forms were then provided to the elections committee.

The committee also asked the chairs of Units where candidates were located to provide attendance records for the meetings held in their units over the last 24 months in order to confirm candidates' eligibility.

The elections committee is not in possession of the minutes from the Unit nomination meetings. If any members wish to verify the minutes of a meeting that took place in their unit, they should contact their unit chair.

B) Protest concerning Unit positions (#4):

Under the International Bylaws for Amalgamated Local Unions, Units do not have positions of vice-president, financial secretary, treasurer, board of trustees or protective committee. Only Unit/Lodges retain some of those positions. There are 7 such Unit/Lodges in Local 1976, none of which held elections in April-May of 2021.

Unit 2346 is not a Unit/Lodge, and therefore only has a Unit president and Unit secretary.

C) Protests regarding the nominations process (#8, #27 and the protest dated March 21 from Mr. Jules Rochemont):

See page 2-3 of this report for the nomination requirements for National Officer positions, according to the Bylaws of TC Local 1976.

Each Unit or Unit/Lodge must decide, as a group, whom they wish to nominate for each National Officer position. This is not an election. This is a nomination by the Unit or Unit/Lodge as a whole, for a single

candidate for each National Officer position. If a candidate receives nominations from the required number of Units or Unit/Lodges, then the candidate can run in the national election that follows. This process is modeled after the nominations process for the Elections of the International Executive of the Steelworkers.

Separately, if more than one person is nominated for a Unit or Unit/Lodge position, an election must be held within that Unit or Unit/Lodge. Elections took place by mail-in ballot for the 11 Units who did so, the results of which can be found in the appendix to this report.

D) Protest Concerning Candidates deemed ineligible (#28):

1. Frank De Napoli

The committee made no decision on Mr. Napoli's eligibility to run for Vice-President/FST. He did not obtain the required number of unit nominations in accordance with the Bylaws of TC Local 1976 as quoted on page 2 of this report.

2. Jules Rochemont

Mr. Rochemont did not obtain the required number of unit nominations to run for Chairperson of the Board of Trustees in accordance with the Bylaws of TC Local 1976. See page 3 of this report for the committee's decision regarding invalid nominations.

3. Michael Newman

As a member in bad standing, Mr. Newman is not permitted to vote, nominate for office, hold office, or be a candidate for office, according to the International Constitution. See page 4 of this report for the committee's decision regarding eligibility requirements in regards to membership status.

4. Shannon Ford

Ms. Ford became a member of Local 1976 on August 10, 2020, and therefore did not meet the eligibility requirement of 24 months continuous membership prior to the 2021 elections, according to the International Constitution. See page 4 of this report for the committee's decision regarding eligibility requirements in regards to length of time as a member.

E) Protest concerning electronic voting (#29)

While Local 1976 did research options for electronic voting, one was not found that would be capable of handling the unique logistics of a large nation-wide local with the number of Units and Unit/Lodges that Local 1976 has.

The local intends to continue investigating electronic voting and hopefully implement it once a good fit is found. However, given the importance and scope of these elections the Local did not deem it prudent to use a new and un-tried method of voting at this time. Therefore, permission was requested, and received, from the International Union to conduct the 2021 Elections via mail-in ballot.

It should be noted that the preference of one method of voting over another has no bearing on either the legitimacy of the ballots duly returned by the members of Local 1976 or the results of the election.

F) Protest concerning the order of candidates on the ballots (#31):

The ballots issued by the administration of Local 1976 listed the candidates in decreasing order of the number of nominations received. The complainant is correct that in all cases the incumbents had the highest number of nominations (see page 1 of this report).

G) Request to obtain a list of names of members who voted:

This request was submitted by Mr. Newman the week following the ballot count for the National Elections. According to the Elections Manual, candidates may inspect the voting list in the 30 days prior to the elections. However, there is no provision in the *International Constitution*, the *Elections Manual*, the *Bylaws for Amalgamated Local Unions* or the *Bylaws of TC Local 1976* for the publication of the list of members who voted. Such publication would be a violation of the voters' privacy and it would be a particularly egregious breach to provide such a list to a member in bad standing.

If any individual members wish to confirm whether their ballots were received they should contact the Local's office.

H) Protests Referred to the Executive Council (#2, #5, #6, #10, #13, #15, #16, #22, #26):

The following protests are referred to the Executive Council of Local 1976 as they concern issues beyond the scope of the elections committee:

- a) Protests #2 & #6 concern the actions of a unit chairperson and the committee cannot speak on his behalf.
- b) Protest #5 concerns the Local's activities outside of the elections.
- c) Protests #10, #14, #15, #16, #22, #23 and #26 concern the appointment of the elections committee itself and therefore the committee cannot comment.
- d) Protest #13 concerns the status of a member, which is not an elections matter.

This is the report of the Elections Committee for the 2021 National and Unit Elections of TC Local 1976 USW.

Respectfully submitted by:

Charlotte Corwin (Chair)
Michael O'Hanley
Joe Hanna
Enrico Marccone

APPENDIX: RESULTS AND STATISTICS FROM THE 2021 UNIT ELECTIONS:

Unit 109A

Unit President: **Sébastien Boilard (51)**
Alexandre Grenier (43)

Unit Secretary: **Steven Szabolcsi (64)**
Jonny Minville (29)

Number of members: 158
Number of envelopes received: 94
Rate of participation: 59.49%
Void ballots: 1 (blank)

Unit 613

Unit Secretary: **William Embleton (31)**
Susan Cao (29)
Tania Delistoyanova (14)
Barry Pascoe (10)
Chantal Kane (5)

Number of members: 258
Number of envelopes received: 92
Rate of participation: 35.66%
Void ballots: 1 (envelope empty)
1 (No ID)
1 (ballots not for Unit Elections)

Sub-Unit 891B

Sub-Unit President: **Kayleen Dyck (6)**
Joshua White (3)

Number of members: 15
Number of envelopes received: 9
Rate of participation: 60%

Unit 951

Unit President: **Richard Grenaway (26)**
Christopher Simpson (15)

Number of members: 139
Number of envelopes received: 43
Rate of participation: 30.94%
Void ballots: 1 (No ID)
1 (ballots not for Unit Elections)

Unit 2304

Unit President: **David Hill (33)**
Stephen Goodger (23)

Number of members: 168
Number of envelopes received: 56
Rate of participation: 33.33%

Unit 2311

Unit President: **Cliff Schulz (18)**
Freddy Montoya (7)

Unit Secretary: **Christopher Thompson (22)**
Evan Laxton (3)

Number of members: 116
Number of envelopes received: 25
Rate of participation: 21.55%

Unit 2344

Unit Secretary: **Robert Joly (16)**
Richard Pennock (7)

Number of members: 104
Number of envelopes received: 23
Rate of participation: 22.12%

Unit 2346

Unit President: **Robert Ramjohn (45)**
Peter Aligianis (32)

Number of members: 499
Number of envelopes received: 78
Rate of participation: 15.63%
Void: 1 (No ID)

Unit 4003

Unit President: **Charlie Vaccaro (46)**
Adrian Maris (22)

Unit Secretary: **David Pinck (50)**
Steve Hamalian (12)
Nathalie Richard (6)

Number of members: 88
Number of envelopes received: 69
Rate of participation: 78.4%
Void: 1 (No ID)

Unit 4004

Unit President: **Naim Sultani (57)**
Connie Stewart (35)

Unit Secretary: **Maria Plati (44)**
Lesley Bajolek (32)
Memon Muhammad (15)

Number of members: 116
Number of envelopes received: 92
Rate of participation: 79.31%
Void: 1 (Double)

Unit 4005

Unit President: **Jeff McWhinney (20)**
Kathy Klassen (14)

Sub-Unit President (4005B): **Alisa Pratt (11)**
Mike Maryk (9)

Number of members: 79
Number of envelopes received: 34
Rate of participation: 43.04%
