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ELECTION SUPERVISOR'S SUMMARY REPORT NO. 2 TO THE IBT:
2020-2021 IBT INTERNATIONAL UNION OFFICER AND DELEGATE ELECTION

The October 11, 2019, Election Agreement appointing the Election Supervisor for the 2020-2021 IBT International Union Delegate and Officer Election (the “2021 Election Agreement”) provides that “The 2021 Election Supervisor shall submit reports to the IBT which, in turn, has the obligation to share these reports with the membership.” 2021 Election Agreement, ¶ 4. Each month during the election cycle, the Office of the Election Supervisor (“OES”) provides to the IBT an accountant’s compilation of the OES financial statements, including a chart that shows OES actual and budgeted expenses. This report provides additional narrative context for the monthly financial compilations and summarizes activities conducted from October 20, 2020 through July 14, 2021.

I Election and Certification of Convention Delegates

In the 2020-2021 International Officer election cycle 440 subordinate entities of the IBT submitted plans to elect delegates to the IBT’s 30th International Convention. The electing entities (all of which will be referred to as “Local Unions”) were IBT Local Unions, Graphic Communications Conference (“GCC”) Local Unions, System Federations of the Brotherhood of Maintenance of Way Employees Division (“BMWED”), and General Committees of Adjustment of the Brotherhood of Locomotive Engineers and Trainmen (“BLET”). The results of the delegate elections are summarized below. The following table shows the number

of Local Unions that held elections and tallies the number of contested and uncontested elections.

	Contested	White Ballots ¹	No Nominee	Total
IBT Locals	36	321	2	359
GCC Locals	1	33	4	38
BMWED SFs	0	12	1	13
BLET GCAs	0	29	1	30
Totals²	37	395	8	440

In all, 235 delegates and 133 alternate delegates were elected in contested Local Union elections; 1,386 delegates and 825 alternate delegates were elected as a result of white ballot nominations. The following table shows the final distribution of delegate strength to the 30th International Convention by IBT region:

Number of Delegates By IBT Geographic Region					
REGION	IBT	GCC	BMWED	BLET	TOTAL
CENTRAL	386	16	12	15	459
EASTERN	413	13	5	11	451
SOUTHERN	122	1	19	11	148
WESTERN	441	7	7	3	435
CANADA	137	2	n/a	n/a	132
TOTAL IBT	1,499	39	43	40	1,621

The total number of delegates elected is less than the final delegate strength of 1,637 (calculated as of the end of February 2021, under IBT Constitution Article VII, Section 5(b)) for several reasons. First, eight entities did not elect delegates allocated to them. This

¹ Regarding delegate and alternate delegate elections, Article II, Section 8 of the *Rules* states that “When the number of nominees . . . does not exceed the number . . . to be elected, there shall be no necessity for an election . . . and such nominee(s) shall be declared duly elected.” When this occurs, the election of delegates or alternate delegates is said to have taken place by “White Ballot.”

² In 2016, of 475 Local Unions authorized to elect delegates to the 29th Convention of the IBT, 467 Local Unions did so. The comparable figures for 2011 are 524 and 516 Local Unions; for 2006 the figures are 614 and 606 Local Unions. The decrease in the number of Local Unions authorized to elect delegates in successive election cycles reflects the consolidation or elimination of subordinate labor union entities in the years between the conventions.

includes five entities created solely for the purpose of delegate election by consolidating small GCC, BMWED and BLET Local Unions into regional blocs. Additional slots were not filled as of the Convention due to resignations in the absence of an alternate.³

One local union delegate election was re-run due to repeated campaign misconduct on the part of certain candidates. *Vasquez*, 2021 ESD 109 (April 27, 2021), *aff'd* 2021 EAM 16 (May 4, 2021) and 2021 EAM 16 Supplement (May 11, 2021).

II. Supplemental Rules, Advisories, and Other Announcements

The following supplemental rules and advisories were issued after the last report to the IBT:

- *Advisory on Rights of Candidates to Distribute Campaign Literature to Members Using IBT International Union and Local Union Email Addresses* (December 7, 2020). This advisory continued a practice established from previous election cycles to make existing union email lists available for candidates to use on terms similar to those for postal address mail lists.
- *Advisory on Notifying Members of Changes to Nominations Meeting Format in Response to COVID-19* (December 28, 2020). OES worked to adapt procedures so that the delegate elections could be conducted consistent with the public health response to the COVID-19 pandemic. This advisory set out procedures for local unions with approved election plans that called for in-person nomination meetings to switch to videoconference meetings, or to set up videoconferencing as an adjunct to in-person meetings to allow for wider member participation.
- *Final Delegate Strength – 30th International Convention of the IBT* (March 30, 2021). The final delegate strength calculations, based on each Local Union's two-year average membership for the period ending February 28, 2021, was calculated as of March 30, 2021 and posted on the OES website.
- *Supplemental Election Supervisor Rules for the 30th International IBT Convention* (April 22, 2021). These Supplemental Rules concerned the schedule and procedures for the nomination of candidates at the Convention. The rules were adapted to the virtual convention format. OES emphasized submission of written nominations

³ OES reviewed the membership status of each elected delegate and alternate delegate and issued credentials only to those that met the eligibility criteria of the *Rules*. Of 2,337 delegates and alternate delegates reviewed, 21 were deemed disqualified and two were ultimately ruled ineligible. In the period before delegate nominations, 857 members requested OES to check their eligibility to be nominated as a delegate or alternate delegate and 31 were informed they were not eligible.

(although there was a capability for taking floor nominations live during the proceedings). All candidate nominations occurred at a single session of the Convention, and nomination ballot voting was conducted electronically over the internet.

- *Office of the Election Supervisor Advisory on Minimum Standards for Convention Delegate Facilities* (April 26, 2021). Although the in-person convention in Las Vegas was cancelled, various local unions made plans for smaller gatherings of delegates at locations around the United States and Canada. OES obtained a response from each local union as to whether its delegates would be in a group meeting, or not. OES thus had a representation from every local union regarding the location from which its delegates would participate in the virtual Convention. This advisory required the hosts of group meetings to provide certain facilities, including adequate data connections and equipment for participation in the virtual convention, and an area where delegates could cast their nomination ballot in private. OES reviewed and approved more than 40 group meeting plans under the advisory standards.
- *Revised Advisory Regarding Payment of Expenses for Convention Delegates and Alternate Delegates to the 30th International Convention of the International Brotherhood of Teamsters* (May 6, 2021). This advisory provided Local Unions guidance on their obligation to pay for the Convention expenses of their delegates. OES modified the terms of the advisory to account for the different circumstances of delegates viewing the convention from their home, a local union office, or at a gathering of delegates from different locals.
- *Video Presentation on Electronic Voting and Demonstration Ballot* (June 9, 2021). OES prepared an instructional video and a simulated ballot so that the delegates could practice using the new electronic system before the virtual convention. OES used distribution of the codes for the demonstration election as a way to check, and confirm, the email addresses and cell phone numbers of delegates—the contact points that would be used to distribute PINs for voting during the convention. More than 90% of the delegates used the demonstration voting system, and so entered the convention familiar with the procedures for login and voting.
- *Ballot Mailing List Update Procedure* (July 12, 2021). OES announced use of the national change of address databases of the U.S. Postal Service and Canada Post to check known incorrect addresses. The Election Rules provide for sending *Teamster* by first-class mail to a list of known incorrect addresses in order to obtain change of address information that the postal services may have for those addresses. The postal services of the United States and Canada now have systems that produce available change of address information by comparing an address list to the change of address database—eliminating the need for a physical mailing to those known incorrect addresses. The OES announcement makes use of this electronic database.
- *Announcement of IBT International Officer Election Ballot Mail Date and Date Ballot Count Will Commence* (July 13, 2021). OES announced its plan to mail ballots to the IBT membership on October 4, 2021, and to commence counting returned mail ballots on November 15, 2021.

III. Selection of a Vendor for Electronic Voting

OES had to devise a procedure for the secret ballot nomination vote that would work in the context of the virtual convention. At the in-person convention in Las Vegas, delegates had voted on candidate nominations using paper ballots printed on site for each day's nominations, and then tabulated using electronic counters. OES initiated its solicitation for vendors to provide nomination ballot services in December 2020, and requested responses for both paper ballots and electronic balloting. In early January, the IBT announced its decision to conduct the Convention in a virtual format and, in that circumstance, OES determined that paper balloting would be impractical.

Of 20 vendors solicited, four responded, and three submitted detailed proposals for electronic balloting. OES interviewed the vendors, had the systems demonstrated, compared system costs, and consulted with technology professionals regarding security features of the systems. OES ultimately selected one of the three vendors based on factors that included system security, ease of use, technical support offered, and price.

IV. Convention Nominations and the Fall Election

OES conducted the nomination of candidates for International Union Office by presenting all floor nominations on the afternoon of the second day of the Convention, and conducting the secret ballot vote for nominations on the afternoon of the third day of the Convention. All floor-nominated candidates were nominated in writing in advance of the Convention, and names of the nominators, seconders, and candidates were displayed to the delegate body on the virtual Convention video feed. There were no floor speeches, and nominations were completed efficiently.

Although the delegates did not convene as a body in Las Vegas, delegates from many local unions gathered in smaller, regional groups ranging in size from single locals (two or three delegates at the Union hall), to meetings that brought more than 100 delegates together. OES deployed thirty staff members for in-person monitoring at the larger meetings, and used zoom videoconference technology to monitor the voting rooms at 44 of the gatherings. In all, OES's monitored group meetings involving 894 delegates from 173 local unions. The group meeting hosts cooperated with OES in setting up meeting layouts and video monitoring.



Video monitoring center at 1990 M Street, Washington D.C., overseeing delegate voting at group meetings.

The number of candidates nominated for International Office from the floor exceeded the number of positions open for election for all offices (with the exception of Vice-President for Teamsters Canada), and all floor nominated candidates achieved the IBT Constitution's 5% nomination threshold for nomination to the ballot, as follows:

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At-Large Offices		Regional Offices	
Ballots Cast: 1,609 / Needed To Nominate: 81		Central Region Vice President	
General President	Votes	Ballots Cast: 425 / Needed to Nominate: 22	
Sean O'Brien	841		Votes
Steve Vairma	765	Tom Erickson	254
		Danny Avelyn	243
General Secretary-Treasurer		Avral Thompson	234
Ron Herrera	879	Jesse Case	177
Fred Zuckerman	707	Brian Aldes	173
		Terry Hancock	170
International Trustees			
Peter Nunez	850	Eastern Region Vice President	
Dan Kane, Jr.	800	Ballots Cast: 438 / Needed to Nominate: 22	
Chris Tongay	781		Votes
Willie Ford	773	Bill Hamilton	294
Michael Cales	769	Rocco Calo	266
Vinnie Perrone	764	Matt Taibi	257
		Thomas Gesualdi	158
Vice-President At-Large		Paul Markwitz	152
Marcus King	812	Maria Perez	150
Bernadette McCulloch Kelly	803		
Nina Bugbee	799	Southern Region Vice President	
Chris Griswold	797	Ballots Cast: 151 / Needed to Nominate: 8	
Greg Nowak	797		Votes
Gregory Floyd	790	Brent Taylor	95
Debra Simmons-Peterson	784	Thor Johnson	91
Tony Jones	780	Josh Zivalich	62
James Curbeam	776	Robert Mele	52
Juan Campos	769		
Dennis Pierce	766	Western Region Vice President	
James Wright	760	Ballots Cast: 456 / Needed to Nominate: 23	
Joan Corey	746		Votes
John Palmer	718	Jason Rabinowitz	286
		Karla Schumann	283
		Eric Tate	273
		John Scearcy	266
		Peter Finn	176
		Lindsay Dougherty	174
		Rick Hicks	173
		Mark Davison	164

At the end of balloting the Election Supervisor certified the Teamsters Canada Vice-Presidents—François Laporte, Stan Hennessy, and Craig McInnes—as elected, noting that those individuals would not take office until expiration of the term of office of the current officers which will occur upon certification of the referendum election in the fall of 2021. An announcement of the certification is posted on www.ibtvote.org.

V. Candidate Forum

Article VII, Section 6 of the Rules require OES “[to] conduct at least one candidate forum for all nominated candidates for the office of General President.” The nominated candidates for General President have been informed that this required forum will be conducted on September 1, 2021 at 6:30 pm (EDT) at the National Press Club in Washington, D.C.—the same venue that was used for the candidates forum in 2016. Planning is underway for this event, which is expected to be similar in format to the 2016 form. OES plans to distribute the candidate forum live over the IBT’s website and facebook page, and a recording will be posted at www.ibtvote.org for later viewing.

VI. Campaign Finance Reporting and Auditing

Candidates continue to file reports of campaign contributions and expenditures using the OES CCER system (“CCERS”). Filings are overseen at OES by Teresa Flick, CPA and, generally, have been submitted more timely than in past election cycles. A forensic audit team from the Bethesda, Maryland-based GRF, CPAs and Advisors, has conducted independent reviews, test procedures, and verifications of the filed reports. Observations from GRF have been communicated to the candidates, and have been addressed.

VII. Protests

Through July 14, 2021, OES has received 158 protests—significantly fewer than in past election cycles. OES has issued 129 decisions to date; 18 have been appealed. There were no protests filed concerning any activity at the virtual Convention. All written decisions of OES and the Election Appeals Master are published at www.ibtvote.org.

OES investigated protests alleging repeated campaign misconduct on the part of certain candidates in the Local Union 542 delegate election. OES investigated the protests, substantiated the allegations, and resolved the protests by disqualifying four delegate candidates and directing a rerun delegate election at the local. *Vasquez*, 2021 ESD 109 (April 27, 2021), *aff'd* 2021 EAM 16 (May 4, 2021) and 2021 EAM 16 Supplement (May 11, 2021).

VI. Budget and Expenses

OES proposed to the parties a budget of \$12,508,250 based on certain assumptions about the level of election activity. Actual activity is compared to the budget and reported to the parties each month. OES has expended \$4,621,975.39 through June 30, 2021.

As the election progresses, actual experience during the election cycle may call for budget revisions. OES will continue to share its monthly expense information with the government and the IBT so that the parties have complete information about the costs incurred,

and will also keep the parties informed about the activities necessary to complete this election in a manner that is fair, open, and honest for all members of the IBT.

Dated: July 15, 2021

New York, New York

Respectfully submitted,



Richard W. Mark
Election Supervisor