

The Baltimore Teachers Union



AFT 340 AFL-CIO
Seton Business Park
5800 Metro Drive, 2nd Floor
Baltimore, MD 21215-3209

May 24th, 2019

Randi Weingarten, President
American Federation of Teachers
555 New Jersey Ave. N.W.
Washington, DC 20001

Dr. Lorretta Johnson
American Federation of Teachers
555 New Jersey Ave. N.W.
Washington, DC 20001

Dear Ms. Weingarten and Dr. Johnson

Yesterday, May 23rd, I became aware of a letter written by the Nominations and Elections Committee of the Baltimore Teachers Union, Local 340, calling for a rerun of the internal election originally held on May 15th. The letter is addressed to the former BTU President, Marietta English, and is presumably responding to a letter written by her protesting the outcome of May 15th's election, though I have not seen this letter. The Nominations and Elections Committee states that it has completed an investigation of alleged violations and determined that a new election should be scheduled, though no date for a new election is given. Please see the attachment to read this letter in its entirety.

As newly elected President of the BTU, pursuant of Article VI, Section 14(b) of the AFT Constitution, I protest the holding of a new election and ask that the AFT conduct an investigation into the actions of the Nominations and Elections Committee for supervising an election in violation with our local constitution and for failing to uphold due process. Pending the completion and outcome of this investigation, please advise the Nominations and Elections Committee to cease their attempt to hold a new election.

With regard to elections, Article VI, Section 14(o) of the BTU's Constitution states:

In the event there shall be any protest or charge by any member concerning the conduct of the election after the election has been held, such protest or charge shall be made in writing by registered or certified mail by such member within forty-eight (48) hours after the final tally of the ballots, setting forth the exact nature and specification of the protest and his claim as to how it has affected the outcome of the election. Such protest or charges shall be made to the Chapter's Secretary who shall refer the protest or charges for disposition to the Agency, person or persons selected to conduct the election, or to the Chapter's Executive Board if no outside agency or person has been selected to conduct the election. In the event of a tie, the candidates shall resolve such tie by lot. No runoff election shall be held.

The BTU's Nominations and Elections Committee also issued a 2019 Nominations and Elections Procedures handbook, in which Article IX, Section D states:

In the event there shall be any protest or charge by any candidate concerning the conduct of the election after the election has been held, such protest shall be made in writing by registered or certified mail by such candidate within forty-eight (48) hours after the final tally of the ballots, setting forth the exact nature and specification of the protest and the claim as to how it has affected the outcome of the election. Such protest or charges shall be addressed to the Chapter Secretary, Baltimore Teachers Union, 5800 Metro Drive, Baltimore MD 21215. The secretary shall refer the protest or charges for disposition to Election USA, Inc.

The BTU's Nominations and Elections Committee has violated both provisions listed above by improperly conducting an investigation and issuing a finding after the conclusion of the election. As stated above in Article VI, Section 14(o), the "Agency, person or person selected to conduct the election" shall be referred any protests or charges for disposition. The May 15th election was conducted and monitored by Elections USA, Inc., and as such, it is the Agency responsible for conducting an investigation into any protest or charge, not the BTU's Nominations and Elections Committee. The 2019 Nominations and Elections Procedures handbook also explicitly identifies Elections USA, Inc. as the conductor and monitor of the election, and directs all protests and charges that are made after the election to Elections USA, Inc for disposition. The handbook is attached to this letter.

At no point have I been informed of what the specific allegations are that would require a new election. Nor have I been told of who was allegedly engaged in such violations. It is also unclear if an investigation has even taken place; no reports have been issued, nor has the Nomination and Elections Committee explained how any alleged violation affected the outcome of the election. None of the newly elected members to the BTU's internal offices have been given the opportunity to challenge any protests or charges made against us. The lack of due process raises significant questions about the validity of the findings of the Nominations and Elections Committee investigation.

The letter by the Nominations and Elections Committee states that its investigation was focused on the BTU's Teacher Chapter, but again, no details or allegations are provided as to why this is the case. By calling a new election, is the committee calling for a new election solely for the Teacher Chapter? If so, how would such an election occur, since the BTU President is elected jointly by the Teacher Chapter and the PSRP Chapter? The May 15th election also included a vote for BTU members to select delegates for the 2020 AFT Convention and the 2021 AFT-MD Convention. Will this vote also be part of a new election? And if not, why not? What explanation could possibly be given for alleged violations affecting the outcome of one election, or one chapter, but not another? Without knowing the actual protests or charges nor the specific findings of the investigation, elected officers and the membership are left with no guidance to understand these consequential decisions.

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The 2019 BTU internal elections had the highest turnout in over 20 years. We hope your involvement will help to rapidly resolve these conflicts as we turn to serving the membership and maintaining a strong union.

In solidarity,

A handwritten signature in black ink, appearing to read "Diamonté M. Brown". The signature is written in a cursive style with a long horizontal stroke at the end.

Diamonté Brown
BTU President

Dear Marietta:

The Nominations and Elections Committee has completed its investigation of the alleged violations that occurred during the campaign and on Election Day in the 2019 Internal Election for the BTU's Teacher Chapter and determined that a new election should be scheduled.

The Nominations and Elections Committee will contact you regarding a new date for the election.

Sincerely,



Tom Frasier, Co-Chair, BTU Nominations and Elections Committee



Patricia Keller, Co-Chair, BTU Nominations and Elections Committee

C: Diamonte Brown