

# Department of Labor orders re-run of rail mechanics' election marred by massive fraud

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The Department of Labor (DOL) has ordered a re-run of the leadership elections for the union covering 7,500 railroad machinists, following the comprehensive exposure of fraud which affected the outcome of the results.

The national elections for International Association of Machinists (IAM) District 19 President and for Secretary Treasurer are to be re-run, according to a memo last week from IAM Local Lodge 1299. Originally, a re-run vote for these positions had been scheduled for 1299 only, but this has now been superseded by the DOL order.

The IAM bureaucrats in the incumbent slate used a mixture of harassment and intimidation, lengthy delays in sending campaign material and finally the improper disqualification of ballots to ensure their own "re-election." Reece Murtaugh, the leader of the opposition Railroad Machinists United (RMU) slate, "lost" the election for district president by a total of six votes.

"I feel it's important to point out that I have more votes [but that] the union decided to stick in 'their guy' while everything got sorted out," Murtaugh told the WSWS. "With Local 1299 votes voided, I'm in the lead by seven votes. The votes should have never been counted since they didn't meet the bylaw requirements. But the union knew if they didn't count them I would win. So they counted them and I had to protest, which is a slow process. In the meantime an illegitimate president gets to play pretend and essentially continue to campaign."

Last year, IAM District 19 played a major role in the efforts by the union bureaucracy to block a national rail strike and ram through a sellout contract. It was the first union whose membership rejected a tentative agreement patterned after recommendations made by a Biden-appointed Presidential Emergency Board. But rather than calling a strike once legal restrictions finally expired in September, as workers nearly unanimously voted to authorize, the IAM delayed for weeks, eventually holding a re-vote in which it claimed workers approved virtually the same contract they had rejected before. Votes at other rail unions were marred by significant irregularities, such as the International Brotherhood of Electrical Workers (IBEW), where many workers never received ballots.

Meanwhile, in the face of a growing rebellion in which the Railroad Workers Rank-and-File Committee played the leading role, the rail unions stalled for time until Biden and Congress preemptively banned a strike and enforced the contract.

The DOL's decision to void the results of the IAM leadership

election may also have repercussions for the lawsuit against the department by Will Lehman to demand the re-run of the national elections for the United Auto Workers. Both the DOL and a court-appointed monitor sanctioned a UAW election last year marred by massive irregularities, including hundreds of thousands of members who never received ballots. This was designed to suppress knowledge of both the election itself among UAW members (the first direct election for national offices in the union's history), as well as of the candidacy of Lehman, a socialist autoworker who ran on a platform of abolishing the bureaucracy entirely and replacing it with rank-and-file committees.

The UAW election, with a turnout of 9 percent, the lowest in any national union election in American history, produced the current union president Shawn Fain. He is working with the Biden Administration to sell out the contract struggle of autoworkers, limiting them to toothless "stand up" strikes involving only a few plants, and who is now trying to ram through agreements which are almost identical to the companies' original offers.

## "The game was to void the ballots"

Before the latest ruling, the WSWS spoke with Reece Murtaugh and Nathaniel Tinsley of Railroad Machinists United slate, who described the dirty tricks methods utilized by the IAM in the election campaign. Before even appearing on the ballot, they first had to be nominated by 15 percent of the union's lodges, an arbitrarily high standard, common in trade union elections, designed to limit candidates to the most trusted bureaucrats. In previous elections incumbent officers were elected unopposed.

"It's been ridiculous slander" in the campaign, Murtaugh said, with the IAM resorting to red-baiting against his slate. "It's been a nasty election." At the time, RMU had submitted around 20 complaints to the Department of Labor.

"We had a guy drop off the slate, which I didn't turn a complaint in over because he wouldn't give a statement. He was threatened with a suit by the Grand Lodge and the secretary-treasurer of the district, [who said that] we can be sued for libel. We didn't do anything like that. We criticized them. That's protected speech. That was complete nonsense."

"The incumbents know the importance of a full slate," Tinsley

added. “If you don’t, you’re at a disadvantage because of the way the ballot is designed. You have nine general chairmen and it says you must vote for all nine. If you don’t, they throw out that section of the ballot. If you vote for eight or less they throw it out. So if you don’t have a full slate, your supporters have to vote for one of the incumbents too. So that guy dropped out and we had no time to get anyone else to run. It was a targeted attack”

Another major obstacle which the opposing slate faced was access to timely communications with the entire membership. An email list of IAM members to which they were entitled access as candidates had only 881 out of approximately 7,500 members listed, significantly limiting their ability to campaign electronically. Will Lehman encountered similar issues in the UAW election.

The incumbent IAM administration also managed physical mailers via a third party, which took weeks to deliver and charged significant fees for each delivery. “There was a ton of returned mail,” Murtaugh said. “That’s another violation I’m turning in. We had 264 envelopes total with blank addresses, and four addressed to deceased members. I asked the union, why are deceased members on the active voting roster? They wouldn’t explain.”

But the most egregious violations came during the ballot count itself. This took place in two stages, with a preliminary count at the local district level and at the Grand Lodge for the second and final count. According to Murtaugh, multiple sources informed him that he was leading by a handful of votes in the local counts.

However, at the Grand Lodge count, they disqualified just enough ballots to declare Andrew Sandberg, formerly the assistant president, the winner. “Going into this thing, the game was to void the ballots. That was the only way the other guy could win,” Murtaugh said.

According to ballot observers who spoke with Murtaugh, the process was heavily influenced by Secretary Treasurer Richard Nadeau, who was himself a candidate for re-election and who oversaw the Grand Lodge count in Denver. “The treasurer was overstepping his bounds, coaching them, giving his opinion,” Murtaugh said. Nate added: “Even though he’s a candidate, his capacity is to bring in the sealed containers with the ballots, and the tellers are supposed to control the entire count. The tellers [are supposed to] completely control the whole thing. But he was in there arguing his point on which ballots should count and which shouldn’t and even making underhanded comments.”

“One local out of Washington D.C. [Local 1299] had 17 votes for the incumbents and four for us. But they sent them in without ballot stubs” used to verify the ballots. “They still counted the votes, but the bylaws clearly state that certain conditions have to be met. The official tabulation sheet wasn’t even an original. They sent back a copy of one without even the original seal. That doesn’t meet the bylaw requirement.

“They even sent back an example ballot, and all of the incumbents’ info was filled out. This local was stupid enough to send that back to Denver. Luckily we had an observer that actually saw that. The observer asked about the eligibility. And [Nadeau] walks into the office, makes a phone call and comes back in and says, ‘the votes count.’”

“Nadeau made a comment after voiding a ballot, he says ‘Andrew’s okay now,’” Murtaugh said.

## Rank-and-file anger

The vote for RMU by rank-and-file machinists was clearly motivated by anger over the IAM’s role in blocking the rail strike last year. Last December, workers in the Brotherhood of Locomotive Engineers and Trainmen (BLET) also registered their anger by voting out president Dennis Pierce in favor of Eddie Hall, a relative unknown and sole opposition candidate for any national BLET office.

The incumbent BLET bureaucrats tried to throw Hall off the ballot on the grounds that he had shared an article from the WSWS characterizing the election as a “sham,” claiming that this was impermissible “outside help” for a “non union organization.” He was eventually allowed to take office in a complicated maneuver designed to uphold the bureaucracy’s “right” to be impervious to criticism.

As a matter of fact, the WSWS has the right to endorse any candidate it wants to, as it endorsed Will Lehman for UAW president. However, it declined to endorse Eddie Hall for the reason that simply replacing the current hated leadership of the bureaucracy will not enable workers to settle accounts with the apparatus as a whole. There have been countless examples of union reform groups over the decades that have been quickly absorbed as a new layer of the bureaucracy. This includes the new ruling factions in the United Auto Workers and Teamsters for a Democratic Union, who are playing or have played the leading role in enforcing new sellouts.

The WSWS declined to endorse RMU for the same reason. The union apparatus cannot be reformed, it must be smashed through a rank-and-file rebellion and replaced with democratic structures which the workers themselves control.

But the WSWS unreservedly defends the rights of all workers to vote for the candidate of their choosing and to have their votes counted, as well as the right of all candidates to participate in a meaningful election free from harassment and fraud. For this reason, it welcomes the DOL ruling as an important development.



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