

REPORT TO ALL MEMBERS OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

FROM: The Independent Disciplinary Officers
Hon. Barbara S. Jones
Hon. Joseph E. diGenova

DATED: September 3, 2019

I. INTRODUCTION

The following is Magazine Report 3 of the Independent Disciplinary Officers (“IDO”) for 2019 regarding activities from May 31, 2019 through September 3, 2019, conducted pursuant to the Final Agreement and Order of February 17, 2015.

II. NEW MATTERS

A. Local 282 Member William Cioffi

Local 282 is located in Lake Success, N.Y. As of March 29, 2018, it had 3,789 members employed at various construction companies in the New York City area. Historically, organized crime has been a major influence on IBT Local 282. Since 1991, under the Consent Order, thirty-five Local 282 members have been either permanently barred based upon decisions of the Independent Administrator, the IRB or the IBT or permanently resigned from the Local pursuant to an agreement. Sixteen of these members were barred based upon charges that they knowingly associated with members of organized crime or were members of organized crime and six were barred based upon charges that they knowingly associated with a barred IBT member.

According to IBT records, William Cioffi has been a member of Local 282 since June 5, 1997. During his sworn examination, Cioffi testified that he was employed at LMC Trucking Corp. in New York.

On February 27-28, 2019, Cioffi testified in the U.S. District Court for the Southern District of New York, in a criminal case, *United States v. Joseph Cammarano, Jr., and John Zanochio*, 18 Cr. 15 (AKH). Cioffi testified at that trial under a grant of limited immunity through a non-prosecution agreement with the Government. Cioffi stated under oath that he knowingly associated with persons known to him to be members of Organized Crime. Cioffi also admitted under oath that he made structured payments to Bonanno Crime Family Captain Joseph Sabella¹ in order to avoid the scrutiny of the New York City Business Integrity Commission (“BIC”), a regulatory and licensing agency of the New York City government that regulated the carting industry. He further admitted under oath to violations of his collective bargaining agreement by paying his Teamster employees less than the contract rate of pay

and failing to remit the required contributions to the pension and welfare funds. He also admitted that he engaged in “structuring” cash withdrawals from LMC Trucking Corp. in order to disguise both the source of the funds used to pay members of organized crime.

The IIO conducted Cioffi’s sworn examination on July 22, 2019. Cioffi was represented by counsel. At the beginning of his sworn examination, Cioffi, through his counsel, stated that he did not intend to answer any questions put to him by the IIO.

During the sworn examination, Cioffi and his counsel were informed that refusing to answer questions could result in internal union disciplinary charges being filed against him.

On September 3, 2019, the IIO issued a report recommending to the Local 282 Executive Board that a charge be filed against Cioffi for violating Article XIX, Section 7(b)(1), (2) and 14(a) of the IBT Constitution by unreasonably failing to cooperate with the IIO when he refused to answer those questions during his sworn examination.

Pursuant to Paragraph 32 of the Final Agreement and Order, the IIO designated this as a matter within the jurisdiction of the Local 282 Executive Board. Paragraph 32 of the Order requires that within 90 days of the IIO’s referral, the Local 282 Executive Board must file with the Independent Review Officer (“IRO”) written findings setting forth the specific action taken and the reason for such action.

III. PROGRESS OF EXISTING MATTERS

A. Former Local 683 Principal Officer

On March 6, 2019, the Independent Investigations Officer (“IIO”) issued a report to the IBT General President recommending that a charge be filed against Todd Mendez (“Mendez”), former principal officer of Local 683 (El Cajon, CA) for bringing reproach upon the IBT in violation of Article II, Section 2 (a) and Article XIX, Sections 7(b)(1) and (2) and Section (14)(a) of the IBT Constitution, through failing to reasonably cooperate with the IIO by intentionally testifying falsely during his IIO sworn examination on February 2, 2017.

The IIO’s Report alleged that Mendez testified falsely during his IIO sworn examination concerning a document he distributed and caused Board members to sign, purportedly subjecting them to financial penalty for disclosing the terms of a settlement agreement for a lawsuit brought by a former employee against the Local and Mendez personally alleging sexual harassment and other causes of action.

On March 12, 2019, General President Hoffa adopted and filed the charges. On April 8, 2019, counsel submitted to the IRO a proposed affidavit and settlement disposing of the charges. The IRO is currently reviewing the proposed disposition.

¹ Sabella was sentenced to 87 months in prison on racketeering charges on July 19, 2019.

B. Local 817 Member James Norizsan

On November 28, 2018, the IIO recommended to the Executive Board of Local 817 that a charge be filed against former Local 817 member James Norizsan ("Norizsan") for violating the IBT Constitution Article II, Section 2(a) and Article XIX, Sections 7(b) (1), (2), and (9), by knowingly associating with a prohibited person under the Final Agreement and Order, Frank Radice. Radice had been permanently barred from the IBT for being a member of Organized Crime pursuant to an IRB decision issued June 18, 2014, and approved by United States District Judge Loretta A. Preska on March 4, 2015.

Pursuant to Paragraph 32 of the Final Agreement and Order, the IIO designated this as a matter within the jurisdiction of the Local 817 Executive Board. On January 29, 2019, counsel for Local 817 submitted to the IRO a proposed affidavit and settlement disposing of the charges. After further input from the IIO and the parties, the parties submitted a modified settlement proposal on July 24, 2019.

Under the terms of the settlement, Norizsan agreed to a permanent resignation Local 817. He further agreed not to seek, accept or hold any employment, office, position or consulting or similare relationship, whether paid or unpaid with Local 817 or any other IBT entity at any time in the future. He further agreed that no IBT entities shall pay him, nor shall he accept, any salary, allowance, fee, or compensation of any kind, other than fully vested pension benefits. He further agreed that no IBT entities shall make, nor shall he accept, any contributions on his behalf to any pension, health and welfare, severance, or other benefit fund, and that he will receive no gratuities, severance payments, or gifts of any kind from Local 817 or IBT entities.

The IRO approved the settlement on August 1, 2019 and the matter is therefore concluded.

IV. ONGOING INVESTIGATIONS

The IIO is currently conducting a number of investigations throughout the country. In the time period of this report, the IIO has received and processed approximately 36 hotline calls reporting alleged improprieties.

The IDO do not comment on ongoing investigations or identify areas or conduct under investigation until a formal recommendation of charges is served upon the IBT pursuant to the Final Order.

V. TOLL-FREE HOTLINE

Activities which should be reported for investigation include, but are not limited to, association with organized crime, corruption, racketeering, embezzlement, extortion, assault, or failure to investigate any of these.

To ensure that all calls are treated confidentially, the system which records hotline calls is located in a secure area on a dedicated line accessed only by an Investigator. Please continue to use the toll-free hotline to report improprieties that fall within IIO jurisdiction by calling 1-800-CALL-472 (800-225-5472).

VI. RELOCATION OF IIO OFFICE

The Office of the Independent Investigations Officer has relocated from its former premises in New York City to a location in the Washington, D.C., metropolitan area. The new address of the IIO is as follows:

Hon. Joseph E. diGenova
Office of the Independent Investigations Officer
1515 N. Courthouse Rd, Suite 330
Arlington, VA 22201

Mail correspondence going forward should be addressed to the new office.

VI. CONCLUSION

The task of the IDO is to ensure that the goals of the Final Agreement and Order are fulfilled. In doing so, it is our desire to keep the IBT membership fully informed about our activities through these reports. If you have any information concerning allegations of wrongdoing or corruption, you may call the toll-free hotline number, or write to the Independent Investigations Officer Hon. Joseph E. diGenova for all investigations at the IIO office address listed above.