

REPORT TO ALL MEMBERS OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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

DATED: December 6, 2019

I. INTRODUCTION

The following is Magazine Report 4 of the Independent Disciplinary Officers (“IDO”) for 2019 regarding activities from September 4, 2019 through December 6, 2019, conducted pursuant to the Final Agreement and Order of February 17, 2015.

II. PROGRESS OF EXISTING MATTERS

A. Former Local 683 Principal Officer Todd Mendez

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.

B. Local 282 Member William Cioffi

Local 282 is located in Lake Success, N.Y. According to IBT records, William Cioffi became a member of Local 282 on June 5, 1997. Cioffi 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 Zanolchio, 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 Sabella 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.¹ 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. Cioffi and his counsel were informed that refusing to answer questions could result in internal union disciplinary charges being filed against him.

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. 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.

On September 5, 2019, Local 282 President Thomas Gesualdi adopted the proposed charge, and served notice on Cioffi by certified mail September 6, 2019. On October 3, 2019, a hearing was held on the charge. Cioffi did not appear at the hearing, nor did he contact the Local to request an adjournment or otherwise respond to notice of the charge.

On November 8, 2019, the Local 282 Executive Board issued a unanimous decision (“Decision”) finding that Cioffi “did in fact bring reproach upon Local 282 and the IBT” through his failure to answer IIO questions concerning his contacts with individuals alleged to have organized crime ties. The Decision, effective immediately as of November 8, 2019, expelled Cioffi from membership in Local 282, the IBT, and any affiliate of the IBT. It further permanently barred him from holding any office or employment with the IBT or any affiliate of the IBT. It further permanently barred him seeking or accepting any compensation, payments or benefits from Local 282, the IBT, or any affiliate of the IBT, other than benefits ac-

crued or vested prior to his expulsion.

On December 4, 2019 the IIO issued a decision finding Local 282's actions not inadequate, and the matter is therefore closed.

III. 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 34 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.

IV. 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.

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