



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1466

Date Filmed 12/22/83 Camera No. --- 3

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: November 15, 1983
SUBJECT: MUR 1466 - Memorandum to The Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	<input checked="" type="checkbox"/>	Compliance	<input checked="" type="checkbox"/>
Sensitive	<input checked="" type="checkbox"/>	Audit Matters	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Litigation	<input type="checkbox"/>
24 Hour No Objection	<input type="checkbox"/>	Closed MUR Letters	<input type="checkbox"/>
Sensitive	<input type="checkbox"/>	Status Sheets	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>	Advisory Opinions	<input type="checkbox"/>
Information	<input type="checkbox"/>	Other (see distribution	
Sensitive	<input type="checkbox"/>	below)	<input type="checkbox"/>
Non-Sensitive	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

63040411730

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1466
Teamsters Union Local #500)
Political Action Fund)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 17, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1466:

1. Accept the signed conciliation agreement as submitted with the General Counsel's November 15, 1983, Memorandum to the Commission.
2. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

11-17-83
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

11-15-83, 9:14
11-15-83, 11:00

33040401731



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1983

Anthony J. Molloy, Jr.
Bloom, Ocks and Fisher
511 N. Broad Street
Philadelphia, Pennsylvania 19123

Re: MUR 1466

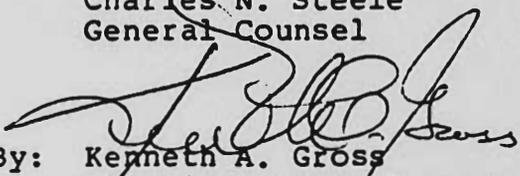
Dear Mr. Molloy:

On November 17, 1983, the Commission accepted the conciliation agreement signed by you on behalf of Teamsters Local #500 Political Action Fund and the civil penalty in the amount of \$250 in settlement of a violation of 2 U.S.C. § 441b(b)(3)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437j(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

930404417

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1466
Teamsters Union Local #500)
Political Action Fund)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by James Porter. An investigation has been conducted, and reason to believe was found that Teamsters Union Local #500 Political Action Fund ("Respondent") violated 2 U.S.C. § 441b(b)(3)(A) by deducting contributions from union members' wages without first obtaining authorization.

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The complainant, James Porter, was a member of Teamsters Union Local #500.

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2. The Respondent, Teamsters Union Local #500 Political Action Fund, is the separate segregated fund of Teamsters Union Local #500.

3. Respondent deducted money from the paycheck of James Porter and from the paychecks of five hundred twenty four other Teamsters Union Local #500 members without their prior authorization. This money was used by the Respondent for the purpose of making contributions and expenditures in connection with federal elections.

V. 2 U.S.C. § 441b(b) (3) (A) prohibits a separate segregated fund from obtaining contributions from union members which are not given voluntarily. Further, the Act at 2 U.S.C. § 441b(b) (3) (B) and (C) and the regulations at 11 C.F.R. § 114.5(a) set forth guidelines for the solicitation of contributions from union members. The Act and regulations require that a separate segregated fund obtain an authorization from a union member before a deduction for a contribution is made from the union member's paycheck.

VI. Respondent violated 2 U.S.C. § 441b(b) (3) (A) by deducting contributions from union members' paychecks without their prior authorization.

VII. The Respondent shall abide by the refund plan set forth in this agreement. Respondent shall post the refund plan in a visible location in all bargaining unit shops where Local 500 has membership representation for a period of not less than 90 days.

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VIII. The refund plan submitted to respondent shall consist of the following language:

NOTICE TO MEMBERS

A CONCILIATION AGREEMENT HAS BEEN REACHED BETWEEN MEMBERS OF THE TEAMSTERS LOCAL 500 POLITICAL ACTION FUND AND THE FEDERAL ELECTION COMMISSION REGARDING IMPROPER PAYROLL DEDUCTIONS OF POLITICAL ACTION FUND CONTRIBUTIONS BY LOCAL 500 PAF.

IF YOU HAD POLITICAL ACTION CONTRIBUTIONS DEDUCTED FROM YOUR SALARY BY YOUR EMPLOYER WITHOUT WRITTEN AUTHORIZATION YOU WILL BE REIMBURSED IN THE AMOUNT OF YOUR CONTRIBUTION. ALTERNATIVELY, IF YOU WISH TO AUTHORIZE YOUR PRIOR CONTRIBUTION AND ALLOW LOCAL 500'S PAF TO RETAIN THE FUNDS DEDUCTED, YOU MAY CONTACT YOUR BUSINESS AGENT AND EXECUTE AN APPROPRIATE AUTHORIZATION FORM WHICH WILL BE PROVIDED TO YOU.

Footnote: Contributions to Local 500's Political Action Fund are voluntary and are not a condition of membership in Local 500 or any of its affiliates. A member may contribute any amount he or she wishes or may refuse to make any contribution and this will not affect his or her membership status, rights or benefits in Local 500.

IX. Respondent shall reimburse all unauthorized contributions to each individual who fails to notify the business agent of his or her option to accept the reimbursement or authorize the prior contribution, no later than the 30th day after the 90 day posting period has expired. Such reimbursement shall be accompanied by the "NOTICE TO MEMBERS" and a cover letter which will include the following language:

"Inasmuch as you have not notified Local 500 of your intent to authorize prior deductions, we are hereby enclosing a check in the amount of _____ representing the amount previously deducted from your payroll check without authorization."

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X. Respondent shall provide an accounting to the Commission at the end of the refund period indicating how many contributions were refunded and how many members authorized respondent to keep their contributions together with any other information which the Commission considers necessary to verify the refund process.

XI. Respondent shall pay a civil penalty to the Treasurer of the United States in the amount of two hundred fifty dollars (\$250.00), pursuant to 2 U.S.C. § 437g(a) (5) (A).

XII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

XIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a) (1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

XIV. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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XV. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

Charles N. Steele
General Counsel

BY: *Kenneth A. Gross*
Kenneth A. Gross
Associate General Counsel

November 18, 1983
Date

October 26, 1983
Date

Anthony J. Molloy Jr., Esquire
Teamsters Local #500
Political Action Fund

BY: ANTHONY J. MOLLOY, JR.

ITS: COUNSEL

83040411717

(UNION LOCAL #500 LETTERHEAD)

NOTICE TO MEMBERS

A CONCILIATION AGREEMENT HAS BEEN REACHED BETWEEN MEMBERS OF THE TEAMSTERS LOCAL 500 POLITICAL ACTION FUND AND THE FEDERAL ELECTION COMMISSION REGARDING IMPROPER PAYROLL DEDUCTIONS OF POLITICAL ACTION FUND CONTRIBUTIONS BY LOCAL 500 PAF.

IF YOU HAD POLITICAL ACTION CONTRIBUTIONS DEDUCTED FROM YOUR SALARY BY YOUR EMPLOYER WITHOUT WRITTEN AUTHORIZATION YOU WILL BE REIMBURSED IN THE AMOUNT OF YOUR CONTRIBUTION.

ALTERNATIVELY, IF YOU WISH TO AUTHORIZE YOUR PRIOR CONTRIBUTION AND ALLOW LOCAL 500'S PAF TO RETAIN THE FUNDS DEDUCTED, YOU MAY CONTACT YOUR BUSINESS AGENT AND EXECUTE AND APPROPRIATE AUTHORIZATION FORM WHICH WILL BE PROVIDED TO YOU.

Contributions to Local 500's Political Action Fund are voluntary and are not a condition of membership in Local 500 or any of its affiliates. A member may contribute any amount he or she wishes or may refuse to make any contribution and this will not affect his or her membership status, rights or benefits in Local 500 or any of its affiliates.

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NOTICE TO MEMBERS

A CONCILIATION AGREEMENT HAS BEEN REACHED BETWEEN MEMBERS OF THE TEAMSTERS LOCAL 500 POLITICAL ACTION FUND AND THE FEDERAL ELECTION COMMISSION REGARDING IMPROPER PAYROLL DEDUCTIONS OF POLITICAL ACTION FUND CONTRIBUTIONS BY LOCAL 500 PAF.

IF YOU HAD POLITICAL ACTION CONTRIBUTIONS DEDUCTED FROM YOUR SALARY BY YOUR EMPLOYER WITHOUT WRITTEN AUTHORIZATION YOU WILL BE REIMBURSED IN THE AMOUNT OF YOUR CONTRIBUTION.

ALTERNATIVELY, IF YOU WISH TO AUTHORIZE YOUR PRIOR CONTRIBUTION AND ALLOW LOCAL 500'S PAF TO RETAIN THE FUNDS DEDUCTED, YOU MAY CONTACT YOUR BUSINESS AGENT AND EXECUTE AND APPROPRIATE AUTHORIZATION FORM WHICH WILL BE PROVIDED TO YOU.

Contributions to Local 500's Political Action Fund are voluntary and are not a condition of membership in Local 500 or any of its affiliates. A member may contribute any amount he or she wishes or may refuse to make any contribution and this will not affect his or her membership status, rights or benefits in Local 500 or any of its affiliates.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. James Porter
3953 K Street
Philadelphia, Pennsylvania 19124

Re: MUR 1466

Dear Mr. Porter:

This is in reference to the complaint you filed with the Commission concerning a political contribution deducted from your salary by Teamsters Local #500 Political Action Fund.

The Commission determined there was reason to believe that Teamsters Local #500 Political Action Fund violated 2 U.S.C. § 441b(b)(3)(A), a provision of the Federal Election Campaign Act of 1971, as amended. On November , 1983, a conciliation agreement signed by the respondent was accepted by the Commission, thereby concluding the matter. A copy is enclosed for your information.

The file number in this matter is MUR 1466. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at 202-523-5071.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

83040441710



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Anthony J. Molloy, Jr.
Bloom, Ocks and Fisher
511 N. Broad Street
Philadelphia, Pennsylvania 19123

Re: MUR 1466

Dear Mr. Molloy:

On , 1983, the Commission accepted the conciliation agreement signed by you on behalf of Teamsters Local #500 Political Action Fund and the civil penalty in the amount of \$250 in settlement of a violation of 2 U.S.C. § 441b(b)(3)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

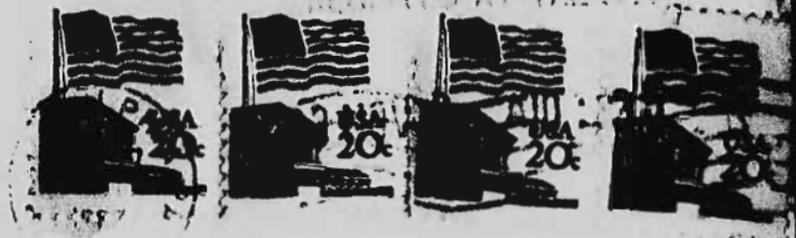
By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

83040441711

NORTH BROAD STREET
PHILADELPHIA, PENNSYLVANIA 19123

93040111718



Mr. Duane Brown, Esq.
Federal Election Commission
Washington, DC 20463



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS ^{mwe} / JODY C. RANSOM _{JCR}
DATE: FEBRUARY 23, 1983
SUBJECT: MUR 1466 - Comprehensive Investigative
Report #1, signed February 22, 1983

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 4:00, February 22, 1983.

There were no objections to the Comprehensive Investigative Report at the time of the deadline.

83040411710

February 22, 1983

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1466

Please have the attached Comprehensive Investigative Report #1 distributed to the Commission on a 24 hour no-objection basis as a sensitive matter. Thank you.

Attachment

cc: Brown

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SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSIONER SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

83 FEB 22 P12: 22

In the Matter of)
)
Teamsters Local #500 PAC) **MUR 1466**

COMPREHENSIVE INVESTIGATIVE REPORT #1

On November 2, 1982 the Commission found reason to believe that Teamsters Local #500 PAC violated 2 U.S.C. § 441b and 11 C.F.R. § 114.5(a) by deducting a political contribution from the paycheck of James Porter without his prior authorization. Additionally, the Commission approved sending questions to Teamsters Local #500 PAC and to the Zuckerman Co. The Teamsters Local #500 PAC submitted a response to the questions on January 10, 1983 (Attachment I). The Zuckerman Co. submitted a response to the questions on December 20, 1983 (Attachment II). It appears that although political contributions for Teamsters Local #500 PAC were deducted from the payroll checks of employees of the Zukerman Co. without their prior authorization, the total amount of such deductions were relatively small totalling less than \$100.

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The Office of General Counsel is currently reviewing these responses and is in the process of preparing a brief for the Commission's consideration.

Charles N. Steele
General Counsel

Feb. 22, 1983
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

- 1) Response from Teamsters Local #500 PAC
- 2) Response from Zuckerman Co.

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ATTACHMENT I

RECEIVED AT THE FEC
GCC#9294
83 JAN 10 All: 49

BLOOM, OCKS, FISHER AND ANDERSON
LAW OFFICES
113 SOUTH 21st STREET
PHILADELPHIA, PA 19103
AREA CODE 215
563-3200

HERMAN BLOOM
HERBERT L. OCKS
HERBERT K. FISHER
JOHN C. ANDERSON
EVAN A. BARSKY
SHARON L. FAYE
MICHAEL F. EICHERT
RICHARD SANDERS
THOMAS J. BASS
FRANK PALUMBO, JR.
ANTHONY J. MOLLOY, JR.
RICHARD G. FREEMAN
NAZARIO JIMENEZ, JR.

ATLANTIC CITY OFFICE:
21 S. NEW YORK AVENUE
ATLANTIC CITY, NJ 08401
(609) 344-8077

January 6, 1983

Duane Brown, Esquire
Federal Election Commission
Washington, D.C. 20463

Re: Teamsters Local #500,
Case No. MUR 1466

Dear Mr. Brown:

Pursuant to our telephone conversation of January 4,
you will find enclosed herein the response to Interrogatories
submitted by and on behalf of Teamsters Local #500.

As a consequence of our conversation, it is my under-
standing that it is sufficient for myself as counsel to Teamsters
Locat #500 to answer these Interrogatories.

Additionally as I indicated in a previous letter, the
only deductions that were made from Mr. Porter were in the
amount of \$10.00 for the calendar year 1980. When the Union
became aware of this oversight through your previous letter,
the Fund remitted a check to Mr. Porter in the amount of \$10.00.
It should also be pointed out that he has not returned same to
the Union indicating that he refused to accept the check.

If you should have any questions concerning this
matter, please do not hesitate to contact me at any time.

Very truly yours,

Anthony J. Molloy Jr.
ANTHONY J. MOLLOY, JR.

AJM:emg
enc.

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83 JAN 10 All: 57



2

3 JAN 10 AM: 58

ANSWER TO INTERROGATORIES

1. Basic authorization process for the remittance of political action contributions is the utilization of a three copy form. This form has an original to be submitted to the Fund, and copies for the employee's records and to the employer. This authorization card is provided pursuant to the provisions of the collective bargaining agreements.

2. Under the Pennsylvania Wage Payment and Collection Law, an employer is prohibited from deducting any monies from an employee's payroll without the prior consent of that employee. The records for the Fund in calendar year 1980 indicate that the political action contribution of \$10.00 per person were remitted to the Fund on behalf of 524 employees, including Mr. Porter. The records do not indicate with specificity the precise number of employees for whom authorization cards were not tendered to the Fund for calendar year 1980. The non-availability of all the cards is attributable to the fact that authorization cards for the deduction in some instances are submitted directly to the employer but not to the Fund.

3. The Fund has no record of Mr. Porter having signed an authorization card for 1980.

4. See attached.

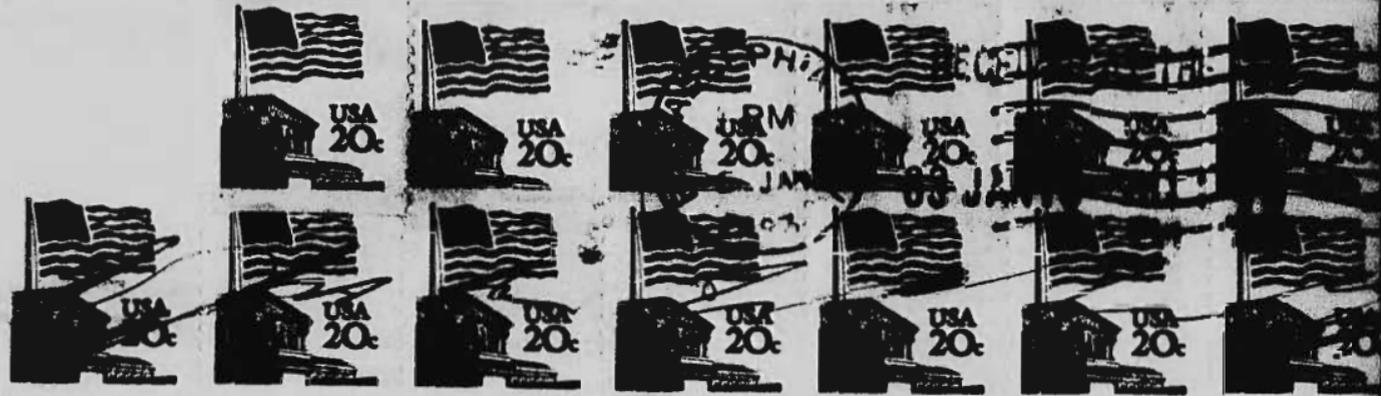
5. The Union receives the monies representing political action contributions one time a year from separate employers. These monies are received in the form of a check indicating the total authorized contributions by all the employees employed by that employer. Since the deductions by the employer and the remittances to the Union are not permitted without written authorization to the employer, it is assumed that all deductions were authorized. In the instant case, when the Union found out that there were no deductions authorized by Mr. Porter, they returned the \$10.00 representing the 1980 deduction to him. With the exception of Mr. Porter, the Union to its knowledge has not received any contributions which were not in fact authorized by the employee.

6. Authorizations are available at the Union offices and also are obtainable through shop stewards. These authorizations are automatically renewable unless revoked by an employee.

83040441718

13 SOUTH 21ST STREET
PHILADELPHIA, PENNSYLVANIA 19103

Thomas J. Molloy, Jr.



Duane Brown, Esquire
Federal Election Commission
Washington, D.C. 20463

SPECIAL DELIVERY

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4
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ANSWER TO INTERROGATORIES

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3. The Fund has no record of Mr. Porter having signed an authorization card for 1980.

4. See attached.

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6. Authorizations are available at the Union offices and also are obtainable through shop stewards. These authorizations are automatically renewable unless revoked by an employee.

83040411711



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 21, 1982

Anthony J. Molloy, Jr.
Attorney at Law
113 South 21st Street
Philadelphia, Pennsylvania 19103

Re: MUR 1466

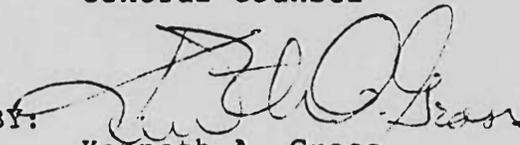
Dear Mr. Molloy:

Please be advised that your request for an additional ten days to respond to the Commission's interrogatories has been granted. We therefore expect your response no later than December 27, 1982.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

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203632

RECEIVED AT THE FEC
Sec# 914.0
82 DEC 20 AIO: 43
WHOLESALE FOOD DISTRIBUTORS

Samuel Zukerman & Co.

December 13, 1982

MEADOW LANE I-95 INDUSTRIAL PARK

P. O. BOX 85

BENSALEM, PENNA. 19020

Mr. Kenneth A. Gross
Associate General Counsel
Federal Election Commission
1325 "K" Street Northwest
Washington, D.C. 20463

Phone (215) OR 7-9200

CERTIFIED MAIL - RETURN REQUESTED

RE: MUR 1466

Dear Mr. Gross:

The most concise yet complete answer to the interrogatories is that this company deducted the Political Action Funds from its members in Teamsters Local 500 in 1980 without authorization cards because this company in 1980 never new such authorization was necessary and proper.

You will note that the letter from Local 500 dated September 24, 1980, speaks of no authorizations, in fact its one-sentance first paragraph cites our collective bargaining agreement as authorization - let us call this document "A". I will xerox and mail it back to you although I know you have it because you xeroxed it and mailed it to me.

As document "B", I mail the June 17, 1982 version of the same letter. You will note that in its second paragraph it speaks of signed authorization forms, which were enclosed with the letter, it is from this letter that we learn signed authorization forms existed.

In case you should ever notice that the pay check stub which Mr. Porter gave you as evidence that this company made such unauthorized deduction is dated January 18, 1980 and put that together with the fact that the letter from the union is dated September 24, 1980, then you have the same kind of curiosity that I have. I will xerox this pay stub and send it back to you marked "C".

Our investigation discloses that not only were our drivers deprived of this \$10.00 but so were all of us. The reason being that this deduction was a local township tax for the privilage of working here; this means of course that Mr. Porter has not given you any evidence that we deducted the \$10.00. I will send you xerox's of our pay records (documents "D" and "E") for the several weeks in October when in fact the \$10.00 deductions were made from our drivers wages.

If there are any other questions you would like answered we stand ready to answer them.

Yours very truly,
SAMUEL ZUKERMAN & CO.

Mark Zukerman
Mark Zukerman
Secretary/Treasurer

MZ:tjm

Enclosures: Responses to Interrogatories ✓
Documents "A" through "E" ✓

Serving the Greater Philadelphia Area

SAMUEL ZUKERMAN & CO.

MARK ZUKERMAN

INTERROGATORIES

1. It appears from your letter dated September 21, 1982, that you believe the agreement between the Zukerman Co. and Teamsters Local #500 requires the Zukerman Co. to deduct contributions designated for the union's Political Action Fund from all union members wages. Is this true?

IT MAY HAVE BEEN TRUE IN SEPTEMBER, 1980. IT HAS NOT BEEN TRUE SINCE JUNE, 1982.

2. Did the Zukerman Co. receive written authorizations from union members before deducting contributions for the union's Political Action Fund? If so, what were the number of such written authorizations and what was the total amount deducted from wages during the year January 1, 1980 through December 31, 1980?

SAMUEL ZUKERMAN & CO. DID NOT RECEIVE WRITTEN AUTHORIZATIONS FROM UNION MEMBERS BEFORE DEDUCTING CONTRIBUTIONS FOR THE UNION'S POLITICAL ACTION FUND.

3. If your answer to question #2 is yes, did James Porter sign such an authorization? If so, please attach a copy.

4. If James Porter did not sign an authorization card, please attach a copy of the authorization card in use during the period in question.

THERE WAS NONE.

5. Did the Zukerman Co. during the 1980 calendar year deduct any contributions for the union's Political Action Fund without receiving written authorization from the contributor in advance? If so, how many contributions were made in this fashion and what was the total amount?

6 CONTRIBUTIONS - - \$60.00 TOTAL

6. What is the procedure for obtaining authorizations from members of the union and who is responsible for obtaining those authorizations? Specifically, did the company have any contact with representatives of the union concerning deductions for contributions to the union's Political Action Fund, and, if so, with whom was such contact established?

IN 1980 THERE WAS NO PROCEDURE.

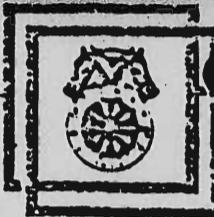
IN 1982 THE PROCEDURE IS AS FOLLOWS: THE UNION MERELY ATTACHING AUTHORIZATIONS TO THE LETTER REQUESTING THE DEDUCTIONS.

THERE IS NO CONTACT. NOR WAS THERE EVER.

83040441734

TEAMSTERS LOCAL UNION No. 500
POLITICAL ACTION COMMITTEE

PHILADELPHIA AND VICINITY, PENNSYLVANIA
AND CAMDEN AND VICINITY, NEW JERSEY



82 AUG 12 AIO: 15
1100 E. LYCOMING STREET
PHILADELPHIA, PA. 19124
PHONE 535-8866

September 24, 1980

SAMUEL ZUKERMAN CO.

Gentlemen:

The collective bargaining agreement between Local 500 and your Company contains authorization for deductions for the Teamsters Local 500 Political Action Fund.

Therefore, please deduct \$10.00 from the pay checks of the employees for the year 1980 and remit check payable to Teamsters Local 500 Political Action Fund during the month of October 1980. Kindly include with your check a listing of each employee who has contributed to the Political Action Fund.

Thank you.

Very truly yours,

William O'Farrell
President, Local 500

WOF/lrw

830404417

A

**TEAMSTERS LOCAL UNION No. 500
POLITICAL ACTION COMMITTEE**

PHILADELPHIA AND VICINITY, PENNSYLVANIA
AND CAMDEN AND VICINITY, NEW JERSEY



1100 E. LYCOMING STREET
PHILADELPHIA, PA. 19124
PHONE 535-8888

June 17, 1982

Samuel Zukerman Co.
3600 Meadow Lane
Bensalem, Pa. 19020

Attention: Payroll Deductions

Gentlemen:

In accordance with our collective bargaining agreement, please make deductions for the TEAMSTERS LOCAL 500 POLITICAL ACTION FUND for the year 1982.

Please deduct \$10.00 from the pay of all the members of Local 500 who have signed Authorization Forms for the Political Action deduction. Please make these deductions immediately and remit to Teamsters Local 500 Political Action, 1100 East Lycoming Street, Phila., Pa. 19124.

Thank you.

Very truly yours,

William O'Farrell

William O'Farrell
President

WOF/lmw

*PD 9-2-82
cl# 7893*

B

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J

32 AUG 12 AIG: 15

C

money taken without my authority

CH
RE
S. TING

651

STATEMENT OF EARNINGS
Samuel Zukerman & Co.



EARNINGS			TAXES AND DEDUCTIONS			YEAR TO DATE	
AMOUNT	DESCRIPT	AMOUNT	DESCRIPT	AMOUNT	DESCRIPT	AMOUNT	DESCRIPT
40.00	39000FEC WT	19013	BONDS	7500	GROSS	239998	
24.15	35319FICA	48170	OPT	10000	FED WT	58614	
	4261PENNA	1729			FICA	14712	
	PHILA	3389			PENNA	5280	
				11880	C5 C123		
				PERIOD ENDING		EMPLOYEE NO.	
9.7500	78580 MARRIED	28948	02 DEP	8500	NET PAY	41132	

3304944175

CABLE BUSINESS FORM

30404 17

1	MARY ANN DTY	0113	22000	22000	1349	3747	500	05606
2	MYRA WOLFE	0175	12000	12000	772	1198	543	05607
3	DEPARTMENT 03				9193		500	
4	***** DEPARTMENT 04 *****							
	CLERICAL							
5	WILLIAM OFARRELL JR	0115	8500	8500	521	367	187	05608
6	ETHEL ZUKERMAN	0118	8500	8500	521	187		05609
7	***** DEPARTMENT 04 *****				1042			
	CLERICAL							
8	***** DEPARTMENT 05 *****							
	DRIVERS							
9	GARY ACKERMAN	0120	3200	1982	800	6708	4972	1000
	M00 10.5500	33760	31514	9120	81102	22369	1912	VOID
10	JAMES P PORTER	0123	4000	2245	5950	83846	22395	3616
	M00 10.5500	42200	35696					1845
11	MILTUS N ROBINSON JR	0124	4000	2015	6135	80374	24044	3466
	S01 10.5500	42200	32039					1768
12	GEORGE SHELTON	0125	1600	896	800	2722	2079	1000
	S00 10.5500	16680	14246	9120	43023	10241	260	3750
13	THOMAS SULLIVAN	0126	3200	1466	4656	61725	13489	2662
	M01 10.5500	33760	23309					1358
14	THOMAS SULLIVAN	0126	4500	800	800	60420	13005	2606
	M01 10.5500		51300	9120				1329
15	ANTHONY TURCO	0127	2400	1056	3510	45620	8191	1004
	M01 10.5500	25320	16790					VOID
16	***** DEPARTMENT 05 *****							
	DRIVERS		19400	9660	4500	800	1500	29741
	THIS PAY TOTAL		1,94120	1,93594	51300	800	18240	4,56115
17	***** DEPARTMENT 06 *****							
	WAREHOUSE							9842
								2972
								12350
								6000
								15000
								7
								2,82018

Remo end 10/10/80 Paid 10/15/80

EARLY DEPOSIT FORM

3949401473

E

4	DEPARTMENT 03	8200		800		1,47813	8795	493	543		500
	OFFICE										
	THIS PAY TOTAL	44174	99307	4334			25014		2759		1,09707

5	DEPARTMENT 04										

6	WILLIAM DEARRELL JR 0115						521		367		05677
	599 85.00		8500			8500			187		7429

7	ETHEL ZUKERMAN 0118						521		187		05678
	599 85.00		8500			8500					7792

8	DEPARTMENT 04						1042		367		2
	SALES					17000					
	THIS PAY TOTAL		17000						374		15217

9	DEPARTMENT 05										

10	GARY ACKERMAN 0120	CR 3200	CR 1982		CR 800	CR 6708	CR 4972		CR 1000		*A0561C
	CANCELLED CHK MOO 10.5500	33760	31514		9120	81102	22369	1912			50849

11	GARY ACKERMAN 0120	CR 3200	CR 1982		CR 800	CR 6708	CR 4972		CR 1000		*A0561C
	MOO 10.5500	25320	31514		9120	81102	22369	1912			27607

12	HERBERT H CARTER 0121	3200	1982		800	6708	4972		1000	10000	*A00666
	MANUAL CHECK MO1 10.5500	33760	31514		9120	81102	20810				42536

13	HERBERT H CARTER 0121	4000	2421			6631	CR 4972			10000	05680
	MO1 10.5500	42200	38653			87484	23019				57512

14	JAMES R PORTER 0123	4000	2409			6483				7500	05681
	MCO 10.5500	42200	38303			86986	23546		1914		50275

15	JULIUS N ROBINSON JR 0124	3200	1722		800	4758					05682
	SO1 10.5500	33760	27380		9120	75019	21955		1650		48178

16	GEORGE SHELTON 0125	4000	1930			7250				3750	05683
	S00 10.5500	42200	30687			80137	24702	1998			44885

17	ANTHONY TURCO 0127	2400	1056			3510	2797			1000	*A00666
	MANUAL CHECK MO1 10.5500	25320	16790			45620	8191		1004	10000	22628

18	ANTHONY TURCO 0127	CR 2400	CR 1056		CR 3510		CR 2797		CR 1000		*A05616
	CANCELLED CHK MO1 10.5500	25320	16790			45620	8191		1004		32628

19	ANTHONY TURCO 0127	4000	2056			6766	5006			10000	05684
	MO1 10.5500	42200	32690			81656	20863		1796		43991

Samuel Zuberman & Co.
Meadow Lane, 1-95 Industrial Park
Bensalem, Pa, 19020

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RECEIVED AT THE FEC
CENTURY

82 DEC 20 AM

P.A. FD 921655 L

1962

CERTIFIED
MP3150012277
MAIL

MR. KENNETH A. GROSS
ASSOCIATE GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
1325 "K" STREET NORTHWEST
WASHINGTON D.C. 20463

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

203597

RECEIVED BY THE REC
Call 9/24
02 DEC 15 P 2: 27

LAW OFFICES

BLOOM, OCKS, FISHER AND ANDERSON

113 SOUTH 21ST STREET
PHILADELPHIA, PA 19103

AREA CODE 215
563-3200

HERMAN BLOOM
HERBERT L. OCKS
HERBERT K. FISHER
JOHN C. ANDERSON
EVAN A. BARSKY
SHARON L. FAYE
MICHAEL F. EICHERT
RICHARD SANDERS
THOMAS J. BASS
FRANK PALUMBO, JR.
ANTHONY J. MOLLOY, JR.
RICHARD G. FREEMAN
NAZARIO JIMENEZ, JR.

ATLANTIC CITY OFFICE:
21 S. NEW YORK AVENUE
ATLANTIC CITY, NJ 08401
(609) 344-8077

December 13, 1982

2 DEC 15 P 4: 24

Duane A. Brown, Esquire
Federal Election Commission
Washington, D. C. 20463

Re: Teamsters Local 500
MUR1466

Dear Mr. Brown:

Please be advised the undersigned is counsel for Teamsters Local 500. In response to the letter submitted on December 2, 1982, from Mr. Frank P. Reiche, the Chairman of the Commission, I respectfully request an additional ten (10) days within which to respond to the interrogatories that were attached to his letter.

The basis of this request is the fact that Herbert Fisher, the attorney who has worked on this matter, has been involved in a protracted murder trial and has been unable to respond to this matter. I thank you for your courtesy and cooperation in responding to this request.

Very truly yours,

Anthony J. Molloy Jr.
ANTHONY J. MOLLOY, JR.

kfh

cc: William O'Farrell

33040411751

113 SOUTH 21ST STREET
PHILADELPHIA, PENNSYLVANIA 19103

830401176

Duane A. Brown, Esquire
Federal Election Commission
Washington, D. C. 20463

PHILADELPHIA
DEC 3 1975
PA
4:27

02 APR 13 11:09

GCC #9088

December 10, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Kenneth A. Gross; Associate General Counsel
Federal Election Commission
Washington; D. C. 20463

Re: William O'Farrell/Teamsters Local #500.

DEC 13 11:38

Dear Sir:

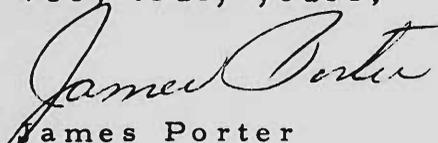
Attached is a photo/copy of the moral character of the person who directed that money be taken from my pay without my consent , written or verbal.

When the statement was issued that said money was taken by mistake; such statement is nothing more than a ploy, a deliberate statement to deceive and mislead.

The majority of companies under contract to local #500 would enjoin in a statement from the union hierarchy (?) in order to seek or remain in good graces.

William O'Farrell has caused the general membership of this local hundreds of thousands of dollar due to his method of operation, " RACKET - EERING ".

Very truly yours,


James Porter

33040441760

8 3 0 4 0 4 1 7 3



WEDNESDAY, OCTOBER 27, 1982

Our 177th Issue in Our 55th Year: © 1982, Philadelphia Daily News

Philadelphia Daily News Wednesday, Oct. 27, 1982 11

Feds: Teamster Took \$ to Stop Organizing Workers

By **JIM SMITH**
Daily News Staff Writer

A Teamsters Union official was indicted yesterday by a federal grand jury on charges of taking \$8,700 in bribes for a promise to stop organizing employees at a Kensington company.

William O'Farrell, president of Teamsters Local 500, was charged with two counts of unlawful receipt of payments by a union official. If convicted, O'Farrell, 44, of Knights Road near Byberry in Northeast

Philadelphia, could be jailed for two years and fined \$20,000.

According to the indictment, he demanded \$7,500 in cash from Neil Wolf, chief executive officer of Superior Paper Box Co., Butler and Sepviva streets.

The deal allegedly was made in April 1980, when O'Farrell was representing about 40 employees of Datafile Inc., a newly formed subsidiary of Superior. The FBI said O'Farrell gave up his organizing efforts after getting the money from Wolf. Local

285 of the Paperworkers Union eventually took over the job of representing Datafile workers.

In January 1981, according to the indictment, O'Farrell demanded another \$1,200 in cash from Stanley Grossman, then president of Superior. Grossman allegedly paid the money so O'Farrell would discourage a clerical employee at Datafile from joining Local 500. Datafile is located around the corner from Superior, on Butler Street near Aramingo Avenue. Local 500's contracts are much

more costly to businesses than Local 286's contracts, according to a federal source, so a company would benefit financially if an employee were kept out of Local 500.

If convicted, O'Farrell, president of Local 500 since January 1980, would be forced to give up all union office for five years. In addition to his duties with the local, O'Farrell heads the political action committee of Teamsters Joint Council 53 in Philadelphia, and has been active in raising funds for various political candidates, including Gov. Thornburgh.

Neither he, his lawyer, Gregory Magarity, nor Wolf returned calls concerning the indictment.

O'Farrell is the second Teamster official in Philadelphia to be indicted this year by a federal grand jury as the result of an FBI investigation.

Bernard J. Marcus, Local 169 secretary-treasurer, is due to go on trial next week in federal court for alleged extortion. He is charged with taking regular cash payments of \$300,000 over a period of more than 20 years from 19 separate employees in return for labor peace.

William O'Farrell: indicted

Porter
53 "K" St.
Phila. Pa. 19124

304317



FEDERAL ELECTION COMMISSION
WASHINGTON: D. C. 20463





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1982

Mr. James Porter
3953 K Street
Philadelphia, Pennsylvania 19124

Dear Mr. Porter:

This is to acknowledge receipt of your letter of November 22, 1982. As our letter to you dated September 14, 1982 indicates, a staff member has been assigned to analyze your allegation. You will be notified as soon as the Commission takes final action on your complaint.

Should you have any additional information you believe may be relevant to the Commission's analysis of this matter, please forward it to this office. If the Commission believes that it is necessary for you to answer interrogatories or to be deposed you will be notified. For your convenience, I have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kenneth A. Gross".

Kenneth A. Gross
Associate General Counsel

83040411766



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 7, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Zukerman
Samuel Zukerman & Co.
Meadow Lane I-95 Industrial Park
P.O. Box 100
Bensalem, Pennsylvania 19020

Re: MUR 1466

Dear Mr. Zukerman:

On September 20, 1982, you received notification of a complaint which alleges that the Teamsters Local #500 Political Action Fund may have obtained contributions from union members without the written or express authority of those members. We acknowledge receipt of your letter dated September 21, 1982. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission requires you to submit answers to the enclosed questions. You may consult with an attorney and have an attorney assist you in the preparation of your response. If you intend to be represented by counsel, please advise the Commission by completing the enclosed designation of counsel statement authorizing such counsel to receive any notifications and other communications from the Commission. It is requested that you submit your answers to the questions under oath and within ten days of your receipt of this letter. You are reminded that the investigation now being conducted is confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A).

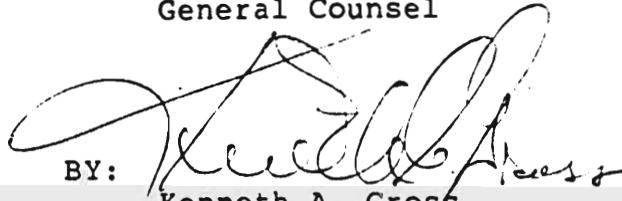
83040441757

Mark Zukerman
Page Two

If you have any questions, please contact Duane A. Brown,
the attorney assigned this matter at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 4 1 7 6 8

Enclosures
Questions
Designation of Counsel

12/7 Brown 1/66

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1. SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):

- Show to whom and date delivered
- Show to whom, date, and address of delivery
- RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL _____

2. ARTICLE ADDRESSED TO: Mark Zukerman
Madison Lane
1-0. Bryn Mawr, PA 19020

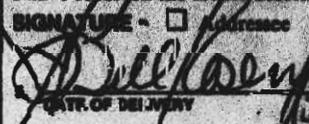
4. TYPE OF SERVICE:

- REGISTERED
- INSURED
- CERTIFIED
- COD
- EXPRESS MAIL

ARTICLE NUMBER: 58782h

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE - Addressee Authorized agent


5. ADDRESSEE'S ADDRESS (Only if required)

7. UNABLE TO DELIVER (BECAUSE: _____)

7a. EMPLOYEE'S INITIALS _____

BENEFICIAL BR. USPO

SAMUEL ZUKERMAN & CO.

MARK ZUKERMAN

INTERROGATORIES

1. It appears from your letter dated September 21, 1982, that you believe the agreement between the Zukerman Co. and Teamsters Local #500 requires the Zukerman Co. to deduct contributions designated for the union's Political Action Fund from all union members wages. Is this true?

2. Did the Zukerman Co. receive written authorizations from union members before deducting contributions for the union's Political Action Fund? If so, what were the number of such written authorizations and what was the total amount deducted from wages during the year January 1, 1980 through December 31, 1980?

3. If your answer to question #2 is yes, did James Porter sign such an authorization? If so, please attach a copy.

4. If James Porter did not sign an authorization card, please attach a copy of the authorization card in use during the period in question.

5. Did the Zukerman Co. during the 1980 calendar year deduct any contributions for the union's Political Action Fund without receiving written authorization from the contributor in advance? If so, how many contributions were made in this fashion and what was the total amount?

6. What is the procedure for obtaining authorizations from members of the union and who is responsible for obtaining those authorizations? Specifically, did the company have any contact with representatives of the union concerning deductions for contributions to the union's Political Action Fund, and, if so, with whom was such contact established?

83040441769



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 2, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anthony J. Molloy, Jr.
Attorney at Law
113 South 21st Street
Philadelphia, Pennsylvania 19103

Re: MUR 1466

Dear Mr. Molloy:

On November 2, 1982, the Federal Election Commission determined that there is reason to believe that your client, Teamsters Local #500, Political Action Fund violated 2 U.S.C. § 441b and 11 C.F.R. § 114.5(a) of the Federal Election Campaign Act of 1971, as amended ("the Act").

Under the Act, your client has an opportunity to demonstrate that no action should be taken against it. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Additionally, please have your client submit answers to the enclosed questions. It is required that your client submit the information under oath and do so within ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

8304041177

Anthony J. Molloy, Jr.
Page Two

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Chairman for the
Federal Election Commission

Enclosures
Questions
Procedures

83040441771

Brown (ms 1466)

SENDER: Complete Boxes 1, 2, and 3. Add your address in the "Return to" space on cover.

1. The following service is requested (check one.)

Show to whom and date delivered..... 0

Show to whom, date and address of delivery..... 0

RESTRICTED DELIVERY
Show to whom and date delivered..... 0

RESTRICTED DELIVERY.
Show to whom, date, and address of delivery..... 0

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
*Mr. Anthony J. Molloy, Jr.
Attorney at Law 18
113 South 21st Street
P.O. Box 15103*

3. ARTICLES DESCRIPTION

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>438671</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

P. C. Cooper

4. DATE OF DELIVERY

5. ADDRESS (Complete only if required)

6. UNABLE TO DELIVER BECAUSE

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U.S. MAIL SERVICE

Brown (ms 1466)

TEAMSTERS LOCAL #500

WILLIAM O'FARRELL

INTERROGATORIES

1. Please describe the authorization process by which monies are deducted from members' wages and subsequently contributed to the Teamsters Local #500 Political Action Fund.

2. Please explain whether members of Local #500 are required to sign a written authorization before contributions to the Political Action Fund are deducted. If so, what were the number of such written authorizations and what was the total amount deducted from wages during the year January 1, 1980 through December 31, 1980?

3. If your answer to question #2 is yes, did James Porter sign such an authorization? If so, please attach a copy.

4. If James Porter did not sign an authorization card, please attach a copy of the authorization card in use during the 1980 calendar year.

5. During the 1980 calendar year, were any contributions to the union's Political Action Fund deducted from union members' wages without having received written authorization from the contributor in advance? If so, how many contributions were made in this fashion and what was the total amount?

6. What is the procedure for obtaining authorizations from members of the union and who is responsible for obtaining those authorizations?

83040441773

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Teamsters Local #500) MUR 1466
Samuel Zuckerman & Co.)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on November 30, 1982, do hereby certify that the Commission decided by a vote of 6-0 to approve and authorize the sending of the letters and questions to the Teamsters Local #500 Political Action Fund and to the Zuckerman Co. as recommended in the General Counsel's report dated November 15, 1982.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

12-1-82

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

33040441775



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY RANSOM *JR*
DATE: NOVEMBER 17, 1982
SUBJECT: OBJECTION - MUR 1466 Memorandum to the Commission
dated November 15, 1982; Received in OCS,
11-15-82, 11:05

The above-named document was circulated to the Commission on
November 15, 1982 at 4:00.

Commissioner Harris submitted an objection at 11:37, November 17,
1982.

This matter will be placed on the agenda for the Executive
Session of Tuesday, November 30, 1982.

8304041177

November 15, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1466

Please have the attached Memo to the Commission distributed to the Commission on a 48 hour tally basis. Thank you.

Attachment

cc: Brown

8304041177



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS *MWE*
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: OCTOBER 27, 1982

SUBJECT: ADDITIONAL OBJECTION - MUR 1466 First General
Counsel's Report dated October 25, 1982;
Received in OCS, 10-25-82, 12:26

You were notified previously of an objection by
Commissioner Reiche and Commissioner Aikens.

Commissioner McDonald submitted an additional objection
at 3:22, October 27, 1982.

This matter will be discussed in executive session
on Tuesday, November 2, 1982.

83040441776



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY RANSOM *JR*
DATE: OCTOBER 26, 1982
SUBJECT: OBJECTION - MUR 1466 First General Counsel's Report
dated October 25, 1982

The above-named document was circulated to the Commission on
October 25, 1982 at 4:00.

Commissioner Reiche submitted an objection at 2:48, October 26,
1982.

This matter will be placed on the agenda for the Executive
Session of Tuesday, November 2, 1982. A copy of Commissioner
Reiche's vote sheet with comments is attached.

Attachment

83040441777



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 25, 1982

MEMORANDUM TO: Marjorie W. Emmons

FROM: George Demougeot *GD*

SUBJECT: MUR 1466

Please have the attached First General Counsel's Report distributed to the Commission on a 48 hour tally basis. Thank you.

Attachment

3304041178

ATTACHMENT 02653

6004 8907
RECEIVED AT THE FEC

82 SEP 7 P5:17

SEP 8 8:58

SEP 11 11:50

September 3, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Federal Election Commission
Washington; D. C. 20463

Re: Your letter dated August 26, 1982.

Dear Sir:

I swear that all information and the contents of my complaint are true.

I have never agreed to make any contributions, oral/written to any organization or funds.

I believe that mail fraud has been committed by persons taking money from my wages without my consent.

Very truly yours,

James Porter
James Porter

Caroline Selvaggi

CAROLINE SELVAGGI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 24, 1986

On September 3, 1982 James Porter has sworn and subscribed before me his complaint to be true.

Caroline Selvaggi

8304041779

1

ATTACHMENT I

RECEIVED
02 AUG 12 10:15

August 10; 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Federal Election Commission
Enforcement Division
1325 "K" Street
Washington; D. C. 20463

AUG 12 4:45 PM

Re: Teamsters Local #500/ William O'Farrell, taking money from my pay without my approval written or oral.

Possible mail fraud.

Dear Sir:

Attached are photo/copies of my pay stub and a letter from William O'Farrell, president of Teamsters Local #500 directing my employer to deduct \$10.00 from my pay check.

At no time have I ever agreed to have money taken from my pay regardless of the cause. I have never agreed to any collective bargaining agreement or do I know of any other member of this local agreeing to such an agreement.

The attached letter signed by William O'Farrell in my opinion contains a veiled threat, "Kindly include with your check a listing of each employee who has contributed to the Political Action Fund. "

Very truly yours,

James Porter
James Porter

Phone - 1-215-533-6923
1-609-492-1081

Teamsters Local #500
1200 East Lycoming St
Phila Pa 19124

Samuel Zuckerman + Co
I-95 Industrial Park
Cornwells Heights, Pa.

Caroline Selvaggi

CAROLINE SELVAGGI
NOTARY PUBLIC OF NEW JERSEY.
My Commission Expires Nov. 24, 1986

(2)

83040441780

82 AUG 12 AIO: 15

money taken without my authority

4
RE
BITING

651

STATEMENT OF EARNINGS
Samuel Zukerman & Co.



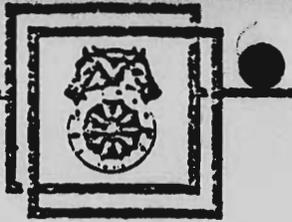
EARNINGS			TAXES AND DEDUCTIONS			YEAR TO DATE	
CRPT.	HOURS	AMOUNT	DESCRPT.	AMOUNT	DESCRPT.	AMOUNT	AMOUNT
FLAR	40.00	39000	FED WT	19013	BONCS	7500	GROSS 239958
RTME	24.15	35319	FICA	48170	OPT	1000	FED WT 58614
		4261	PENNA	1729			FICA 14712
			PHILA	3389			PENNA 5280
						11880	C5 C123
						PERIOD ENDING	EMPLOYEE NO.
9.7500		78580	MARRIED	28948	02 DEP	8500	NET PAY 41132

8304041173

3

TEAMSTERS LOCAL UNION No. 500
POLITICAL ACTION COMMITTEE

PHILADELPHIA AND VICINITY, PENNSYLVANIA
AND CAMDEN AND VICINITY, NEW JERSEY



92 AUG 12 10:15
1100 E. LYCOMING STREET
PHILADELPHIA, PA. 19124
PHONE 335-8266

September 24, 1980

SAMUEL ZUKERMAN CO.

Gentlemen:

The collective bargaining agreement between Local 500 and your Company contains authorization for deductions for the Teamsters Local 500 Political Action Fund.

Therefore, please deduct \$10.00 from the pay checks of the employees for the year 1980 and remit check payable to Teamsters Local 500 Political Action Fund during the month of October 1980. Kindly include with your check a listing of each employee who has contributed to the Political Action Fund.

Thank you.

Very truly yours,

William O'Farrell
President, Local 500

WOF/lrw

83040411733

4

ATTACHMENT II

RECEIVED AT THE FEC

CAH 8546

82 SEP 28 P 3: 17

Samuel Zukerman & Co.

WHOLESALE FOOD DISTRIBUTORS

MEADOW LANE I-95 INDUSTRIAL PARK

P. O. BOX 100

BENSALEM, PENNA. 19820

Phone (215) OR 7-9200

SEP 28 P 4: 11

September 21, 1982

Mr. Duane Brown
Federal Election Commission
1325 "K" Street
Washington, DC 20463

RE: MUR 1466

Dear Mr. Brown:

The complainant, James Porter, was, for good and proper reasons, fired from his job as a driver for this company some years ago. He was represented by Local 500 of the Teamsters. He was at that time and may still be a member of that union.

Whether or not he personally agreed with the contract under which he worked seems to us of little importance in the matter so long as it was ratified by a majority of his fellow Teamsters.

Obviously Mr. Porter has been kind enough to dig up a copy of the letter to us from Local 500, dated September 24, 1980, directing us to make the deductions from our drivers' paychecks.

At this point, therefore, we will refrain from bringing in our law firm, though, as things procede, should some charge against us seem less frivolous, we would certainly seek legal counsel.

SAMUEL ZUKERMAN & CO.


Mark Zukerman
Secretary/Treasure

MZ:s1

83040441735

5

DOM, OCKS, FISHER AND ANDERSON, J

113 SOUTH 21st STREET

PHILADELPHIA, PA 19103

AREA CODE 215
563-3200

ATTACHMENT III

ATLANTIC CITY OFFICE:
21 S. NEW YORK AVENUE
ATLANTIC CITY, NJ 08401
(609) 344-8077

HERMAN BLOOM
HERBERT L. OCKS
HERBERT K. FISHER
JOHN C. ANDERSON
EVAN A. BARSKY
SHARON L. FAYE
MICHAEL F. EICHERT
RICHARD SANDERS
THOMAS J. BASS
FRANK PALUMBO, JR.

September 29, 1982

0:11
P 3:08

Kenneth A. Gross, Esquire
Associate General Counsel
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1466

Dear Mr. Gross:

Please be advised that the undersigned is counsel to Teamsters Local Union No. 500. I am submitting this letter to you at the request of William O'Farrell, the President of Teamsters Local 500, for the purpose of giving you a full and complete understanding of the circumstances surrounding the above referenced complaint filed by a member of this organization.

Initially, it should be noted that the Local 500 Political Action Committee was not made aware of any problem concerning the deduction of the \$10.00 annual fee from Mr. Porter by Samuel Zuckerman, his employer, until Mr. O'Farrell received your letter of September 15, 1982. When the Political Action Committee was apprised of Mr. Porter's complaint by your letter, it followed its normal procedure, which is to remit a check to Mr. Porter covering the amount he did not authorize for a deduction from his pay.

As you are aware, the Wage Payment and Collection Law of the Commonwealth of Pennsylvania prohibits an employer from deducting any sums of money from the pay of an employee unless that employee specifically authorizes that deduction in writing. Under the terms of the Local 500 Agreement, specifically, Article II, Section 3 thereof, Zuckerman has agreed to deduct upon authorization \$10.00 from the salary of employees and remit that \$10.00 once each year to the Political Action Committee of the Local. This is precisely what was done in the instant case.

83040441734

(6)

For its parts, the Teamsters Local 500 Political Action Committee does not have in its possession copies of the Political Action Checkoff Authorization signed by all of the members. There are additional situations where an employee may have initially authorized such a deduction and thereafter revoked it prior to the time of year when the checkoff took place. Thus, as a practical matter, it is impossible for the Political Action Committee to totally scrutinize this procedure. Rather, the Committee depends in large part upon the employers. The assumption of the Committee is that if it is a violation of law for the employer to deduct without authorization, most deductions that are made and remitted to the Local are made in accordance with the law, i.e., they are specifically authorized.

For your convenience, I have attached a copy of the Collective Bargaining Agreement by and between Teamsters Local 500 and Samuel Zuckerman, Inc. This is a multi-employer Collective Bargaining Agreement between the Local and the Food Wholesalers Association of Delaware Valley, of which Samuel Zuckerman, Inc. is a member. I direct your attention to page 6, Section 3 thereof, which contains the Political Action Checkoff Authorization.

As I stated above, the \$10.00 annual deduction which was taken from Mr. Porter's pay and remitted to the Political Action Committee has been refunded to Mr. Porter. For my part, I cannot understand why Mr. Porter chose to invoke the jurisdiction of the Federal Election Commission, when the problem concerning the erroneous checkoff was made by Zuckerman; however, I assure you that the matter has been rectified.

I trust that the information contained in this letter is sufficient for your inquiry; however, in the event that you should have any other questions concerning this matter, please do not hesitate to contact me at any time.

Very truly yours,

Anthony J. Molloy Jr.
ANTHONY J. MOLLOY, JR.

Enc.
Kfh.

cc: William O'Farrell

7

81304041735
ATTACHMENT IV

**Section 2. Union Shop
Union Membership Required**

All present employees who are members of the Union on the effective date of this Agreement shall remain members of the Union in good standing as a condition of employment. All present employees who are not members of Union and all employees who are hired hereafter shall become and remain members in good standing of Union as a condition of continued employment on and after the thirty-first (31st) day following the beginning of their employment or on and after the thirty-first (31st) day following the effective date of this Agreement or the date of the execution of this Agreement, whichever is the later.

Section 3. Checkoff

The Employer agrees to deduct from the pay of all employees covered by this Agreement the dues, initiation fees and/or uniform assessments of Local 500 and agrees to remit to said Local 500 all such deductions on or before the 20th of the month, for which the deduction was made. Where laws require written authorization by the employee, the same is to be furnished in the form required. No deduction shall be made which is prohibited by applicable law.

The Union agrees to indemnify and save the Employer harmless against any and all claims, demands, suits or other forms of liability that might arise out of or by reason of action taken or not taken in respect to deduction of dues and initiation fees made pursuant to the provisions of this Agreement.

Upon receipt of a written authorization for deduction from wages, Employer agrees to deduct from the wages of employees their contribution to the Teamsters Local Union No. 500 Political Action Fund. Employer will make deductions on an annual basis and will forward the amounts deducted to Teamsters Local Union No. 500, 1100 East Lycoming Street, Philadelphia, Pennsylvania 19124, once each year.

No such authorization shall be recognized if it is in violation of State or Federal law. No deduction shall be made which is prohibited by applicable law.

If in the future Teamsters Local Union No. 500 creates or decides to participate in a Credit Union Fund, Employer agrees to make said deductions from the wages of the employees desiring to become members of said Credit Union Fund.

Section 4. New Employees

Subject to existing law, in response to any Employer's requests for men, Union shall at all times be obligated to supply competent and experienced help in a legal and non-discriminatory manner. In the event that men supplied by the Union are not hired for good and sufficient reasons satisfactory to an Employer, he may at his option request replacements from Union. In requesting employees from Union, the Employer shall have the right to request, and Union shall supply, a particular unemployed person willing to accept the work. Any Employer may hire new employees from any source but agrees to give preference to satisfactory employees with experience in food distribution in this area who are competent and qualified. The wages, hours, and other conditions of employment of any employee covered by this Agreement shall be as herein provided whether such employee has become a member of Union or not. In the event of a change in the law during the term of this Agreement making a closed shop legal, Association agrees to negotiate an appropriate closed shop clause.

Employer shall immediately upon employment notify the Shop Steward, or the Union if there is no Shop Steward, of the employment of any man who, under this Agreement, is required to be a member of the Union. Upon notice from the Union that any employee who has been employed for more than thirty (30) days has failed to tender the periodic dues and initiation fees uniformly required as a condition of acquiring and retaining membership, Employer agrees to discharge such employee within seven (7) days after receipt of written notice from

8

ATTACHMENT V



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Zukerman
Samuel Zukerman & Co.
Meadow Lane I-95 Industrial Park
P.O. Box 100
Bensalem, Pennsylvania 19020

Re: MUR 1466

Dear Mr. Zukerman:

On September 20, 1982, you received notification of a complaint which alleges that your company violated certain sections of the Federal Election Campaign Act of 1971, as amended. We acknowledge receipt of your letter dated September 21, 1982. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission requires you to submit answers to the enclosed Order to Answer Questions.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel and authorizing such counsel to receive any notifications and other communications from the Commission. It is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena and order.

In the absence of any additional information which demonstrates that no further action should be taken against you the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire.

8304041737

9

Mark Zukerman
Page Two

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Enclosures
Order
Procedures
Designation of Counsel Form

83040441738

10

SAMUEL ZUKERMAN & CO.

MARK ZUKERMAN

INTERROGATORIES

1. It appears from your letter dated September 21, 1982, that you believe the agreement between the Zukerman Co., and Teamsters Local #500 requires the Zukerman Co., to deduct contributions designated for the union's Political Action Fund from all union members wages. Is this true?

2. Did the Zukerman Co., obtain written authorizations from union members before deducting contributions designated for the union's Political Action Fund?

3. If your answer to question #2 is yes, did James Porter sign such an authorization? If so, please attach a copy.

4. If James Porter did not sign an authorization card, please attach a copy of the authorization card in use during the period in question.

5. What is the procedure for obtaining authorizations from members of the union and who is responsible for obtaining those authorizations?

83040441739

● ATTACHMENT VI ●



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anthony J. Molloy, Jr.
Attorney at Law
113 South 21st Street
Philadelphia, Pennsylvania 19103

Re: MUR 1466

Dear Mr. Molloy:

On October , 1982, the Federal Election Commission determined that there is reason to believe that your client Teamsters Local #500 violated 2 U.S.C. § 441b and 11 C.F.R. § 114.5(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act").

Under the Act, your client has an opportunity to demonstrate that no action should be taken against it. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Additionally, please have your client submit answers to the enclosed Order to Answer Questions. It is required that your client submit the information under oath and do so within ten days of your receipt of this subpoena and order.

In the absence of any additional information which demonstrates that no further action should be taken, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

33040441700

12

Anthony J. Molloy, Jr.
Page Two

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Enclosures
Order
Procedures

83040441771

13

TEAMSTERS LOCAL #500

WILLIAM O'FARRELL

INTERROGATORIES

1. Please describe the authorization process by which monies are deducted from members' wages and subsequently contributed to the Local's Political Action Fund.

2. Please explain whether members of Local #500 are required to sign a written authorization before contributions to the Political Action Fund are deducted.

3. If your answer to question #2 is yes, did James Porter sign such an authorization? If so, please attach a copy.

4. If James Porter did not sign an authorization card, please attach a copy of the authorization card in use during the period in question.

5. What is the procedure for obtaining authorizations from members of the union and who is responsible for obtaining those authorizations?

83040441792



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 NOV 15 All: 05

November 15, 1982

SENSITIVE

MEMORANDUM TO: The Commission
FROM: Charles N. Steele
General Counsel
BY: Kenneth A. Gross
Associate General Counsel
SUBJECT: MUR 1466

Attached for the Commission's approval are revised sets of questions and letters to the Teamsters Local #500 Political Action Fund and to the Samuel Zukerman Co. The questions attempt to determine the procedure used for deducting contributions to Teamsters Local #500 Political Action Fund from union members' wages and to ascertain the amount of activity involved.

Recommendation:

Approve and authorize the sending of the attached letters and questions to the Teamsters Local #500 Political Action Fund and to the Zuckerman Co.

Attachments:

1. Letter to Samuel Zukerman Co.
2. Letter to Teamsters Local #500 Political Action Fund

83043411793

①



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mark Zukerman
Samuel Zukerman & Co.
Meadow Lane I-95 Industrial Park
P.O. Box 100
Bensalem, Pennsylvania 19020

Re: MUR 1466

Dear Mr. Zukerman:

On September 20, 1982, you received notification of a complaint which alleges that the Teamsters Local #500 Political Action Fund may have obtained contributions from union members without the written or express authority of those members. We acknowledge receipt of your letter dated September 21, 1982. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission requires you to submit answers to the enclosed questions. You may consult with an attorney and have an attorney assist you in the preparation of your response. If you intend to be represented by counsel, please advise the Commission by completing the enclosed designation of counsel statement authorizing such counsel to receive any notifications and other communications from the Commission. It is requested that you submit your answers to the questions under oath and within ten days of your receipt of this letter. You are reminded that the investigation now being conducted is confidential in accordance with 2 U.S.C. § 437g(a) (4) (B) and § 437g(a) (12) (A).

3304041704

(2)

Mark Zukerman
Page Two

If you have any questions, please contact Duane A. Brown,
the attorney assigned this matter at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

Enclosures
Questions
Designation of Counsel

83040441795

SAMUEL ZUKERMAN & CO.

MARK ZUKERMAN

INTERROGATORIES

1. It appears from your letter dated September 21, 1982, that you believe the agreement between the Zukerman Co. and Teamsters Local #500 requires the Zukerman Co. to deduct contributions designated for the union's Political Action Fund from all union members wages. Is this true?

2. Did the Zukerman Co. receive written authorizations from union members before deducting contributions for the union's Political Action Fund? If so, what were the number of such written authorizations and what was the total amount deducted from wages during the year January 1, 1980 through December 31, 1980?

3. If your answer to question #2 is yes, did James Porter sign such an authorization? If so, please attach a copy.

4. If James Porter did not sign an authorization card, please attach a copy of the authorization card in use during the period in question.

5. Did the Zukerman Co. during the 1980 calendar year, deduct any contributions for the union's Political Action Fund without receiving written authorization from the contributor in advance? If so, how many contributions were made in this fashion and what was the total amount?

6. What is the procedure for obtaining authorizations from members of the union and who is responsible for obtaining those authorizations? Specifically, did the company have any contact with representatives of the union concerning deductions for contributions to the union's Political Action Fund, and, if so, with whom was such contact established?

83040441776

(4)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anthony J. Molloy, Jr.
Attorney at Law
113 South 21st Street
Philadelphia, Pennsylvania 19103

Re: MUR 1466

Dear Mr. Molloy:

On November 2, 1982, the Federal Election Commission determined that there is reason to believe that your client, Teamsters Local #500, Political Action Fund violated 2 U.S.C. § 441b and 11 C.F.R. § 114.5(a) of the Federal Election Campaign Act of 1971, as amended ("the Act").

Under the Act, your client has an opportunity to demonstrate that no action should be taken against it. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Additionally, please have your client submit answers to the enclosed questions. It is required that your client submit the information under oath and do so within ten days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

23040441777

Anthony J. Molloy, Jr.
Page Two

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Enclosures
Questions
Procedures

83040441778

TEAMSTERS LOCAL #500

WILLIAM O'FARRELL

INTERROGATORIES

1. Please describe the authorization process by which monies are deducted from members' wages and subsequently contributed to the Teamsters Local #500 Political Action Fund.

2. Please explain whether members of Local #500 are required to sign a written authorization before contributions to the Political Action Fund are deducted. If so, what were the number of such written authorizations and what was the total amount deducted from wages during the year January 1, 1980 through December 31, 1980?

3. If your answer to question #2 is yes, did James Porter sign such an authorization? If so, please attach a copy.

4. If James Porter did not sign an authorization card, please attach a copy of the authorization card in use during the 1980 calendar year.

5. During the 1980 calendar year, were any contributions to the union's Political Action Fund deducted from union members' wages without having received written authorization from the contributor in advance? If so, how many contributions were made in this fashion and what was the total amount?

6. What is the procedure for obtaining authorizations from members of the union and who is responsible for obtaining those authorizations?

8304041779

Acc# 9014

I Brown
MOR 1466

2 NOV 26 P 2: 37

November 22, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

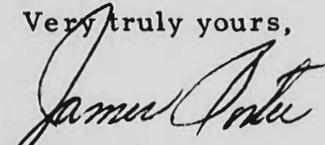
Kenneth A. Gross; Associate General Counsel
Federal Election Commission
Washington; D. C. 20463

Re: Teamsters Local #500/William O'Farrell
Involuntary Withholding Money From My Pay. / Mail Fraud.

Dear Sir:

Please inform me as to the status of my complaint (Re:).

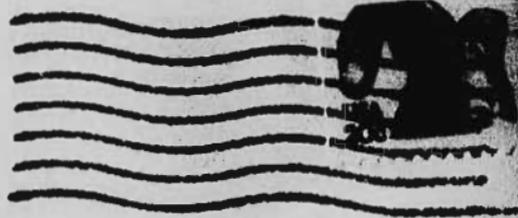
I am available to appear for a deposition or to anser interrogatories.

Very truly yours,

James Porter

83040411800

J. Porter

395 "K" St.
Phila. Pa. 19124



~~PER~~

KENNETH A. GROSS; Associate General Counsel
FEDERAL ELECTION COMMISSION

WASHINGTON, D. C. 20463

82 NOV 26 AID: 26

REC'D
NOV 26 1982

8304711101

1466

Exec # 8826

NOV 1 14:41

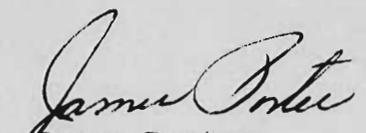
October 28, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington; D. C. 20463

Dear Sir:

The information I am sending to your office this date, has been sworn by me, signed by me in the presence of a notary public and has been notarized by same as required, under section 2u. s.c. S 437 g (a) (10).


James Porter

83040441800

October 28, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington; D. C. 20463

Re: William O'Farrell/ Teamsters Local #500

Dear Sir:

Attached is a photo/copy of a letter and check I received from William O'Farrell, stating that Samuel Zukerman Company withheld the money from my pay erroneously.

This is not the first time that Teamsters Local #500/William O'Farrell have conspired with Samuel Zukerman Company to lie, cheat and use the United States Mail for the purpose of intentional deception,, FRAUD.

Enclosed are four (4) photo/copies of such conspiracy by Samuel Zukerman Company and William O'Farrell.

Gary Ackerman (Teamsters Local #500, Lackey) was seen taking merchandise from a Samuel Zukerman Company truck illegally, taking such items into a store for his personal gain.

Private detectives hired by said company took pictures of his activities. In order to maintain labor peace the company had to overlook the fact that Gary Ackerman had committed a Federal Crime. Stealing from a cargo of INTERSTATE SHIPMENTS.

Please take note of the CERTIFIED MAIL dates, February 11, 81; the date of the first letter (marked #1) Letter dated January 28, 1981; was to be used by company and union for the public record.

Letter No. 2, so marked, with note attached to disregard previous notice dated 2-11-81, in order to complete the cover up for Mr. Ackerman and the conspiracy between company and union which other person had to pay the cost of their scheme.

83040411803

There was no margin of error on the part of the company or union in the taking money from my pay, I had informed all person involved that they were wrong,my letter of October 7,1982; states to the fact.

When I asked William O'Farrell for the return of my money, he (O'Farrell) stated, "Your always complaining, it's only \$10.00, your making plenty, everybody is giving your the only one making a beef."

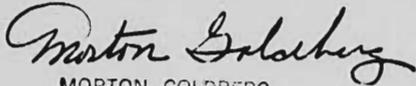
If Samuel Zukerman Company states that they made a mistake in taking the money from my pay, it's just an other cover up for William O'Farrell,the union, in order to keep labor peace.

Very truly yours,


James Porter

SWORN TO ME THIS DATE

10/28/82.



MORTON GOLDBERG

Notary Public, Phila., Phila. Co.

My Commission Expires Dec. 16, 1985

83040441800



Samuel Zukerman & Co.

WHOLESALE FOOD DISTRIBUTORS

January 28, 1981

MEADOW LANE 195 INDUSTRIAL PARK
P. O. BOX 85
CORNWELLS HILLS, PENNA. 19020

Phone (215) OR 79200

Mr. William O'Farrell
Local 500
1100 E. Lycoming
Philadelphia, PA 19124

CERTIFIED MAIL - RETURN REQUESTED

Dear Mr. O'Farrell:

Samuel Zukerman & Company is suspending Gary Ackerman for two (2) weeks effective February 2, 1981, through February 13, 1981, for delaying his truck load on October 21, 1980. This is a modification of our further investigation into the incidents with Kennedy Market on October 20, 1980.

Mr. Ackerman may report back to work effective the week of February 16, 1981, the day to depend on Zukerman's work load.

Sincerely,

SAMUEL ZUKERMAN & CO.

by
Ron Cocron,
Sr. Vice-President

RC:tjm

cc: Gary Ackerman
Thomas Sullivan, Shop Steward

83040441803

No-1

Samuel Zukerman & Co.

February 11, 1981

WHOLESALE FOOD DISTRIBUTORS

MEADOW LANE 195 INDUSTRIAL PARK
P. O. BOX 87
CORNWELLS HEIGHTS, PENNA. 19020

Phone (215) OR 79200

Mr. William O'Farrell
Local 500
1100 E. Lycoming
Philadelphia, PA 19124

CERTIFIED MAIL - RETURN REQUESTED

Dear Mr. O'Farrell:

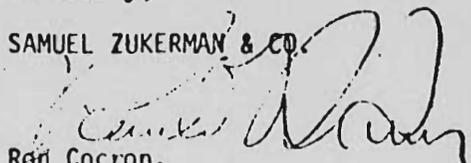
Samuel Zukerman & Company is suspending Gary Ackerman for two (2) weeks effective February 2, 1981, through February 13, 1981, for delaying his truck load on October 21, 1980. This is a modification of our further investigation into the incidents with Kennedy Market on October 20, 1980.

Mr. Ackerman may report back to work effective the week of February 16, 1981, the day to depend on Zukerman's work load.

Sincerely,

SAMUEL ZUKERMAN & CO.

by


Ron Cocron,
Sr. Vice-President

RC:tjm

cc: Gary Ackerman
Thomas Sullivan, Shop Steward

83040441806

No. 2

Sa.

Please disregard
your previous
notice dated

Janua

2-11-81

Mr. Wi
Local
1100 E
Philad

Thank you

Dear Mr

Samuel Zukerman & Company is suspending Gary Ackerman for two (2) weeks effective February 2, 1981, through February 13, 1981, for delaying his truck load on October 21, 1980. This is a modification of our further investigation into the incidents with Kennedy Market on October 20, 1980.

Mr. Ackerman may report back to work effective the week of February 16, 1981, the day to depend on Zukerman's work load.

Sincerely,

SAMUEL ZUKERMAN & CO.



by
Ron Cocron,
Sr. Vice-President

RC:tjm

cc: Gary Ackerman
Thomas Sullivan, Shop Steward

83040441807

8 3 0 4 0 4 1 1 8

Samuel Zuberman & Co.

Wholesale Food Distributors
17 Lane I-95 Industrial Park
P. O. Box 85
Cornwells Heights, Penna. 19020

CLAIM CHECK NO.

001796

HOLD

DATE

17 Feb

1ST NOTICE

2-22

2ND NOTICE

2-24-81

CERTIFIED MAIL
P10 2429857

MAIL

Mr. Gary Ackerman
22 Mosshill Lane
Willingboro, NJ 08046

Certified Mail - Return Requested



Samuel Zuberman & Co.

Wholesale Food Distributors
17 Lane I-95 Industrial Park
P. O. Box 85
Cornwells Heights, Penna. 19020

CLAIM CHECK NO.

999584

HOLD

DATE

17 Feb

1ST NOTICE

2ND NOTICE

RETURN

CERTIFIED MAIL
P10 2429952

MAIL

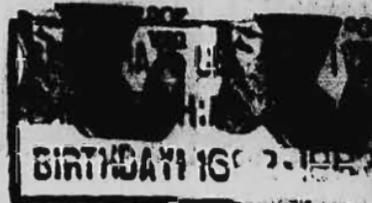


Mr. Gary Ackerman
22 Mosshill Lane
Willingboro, NJ 08046

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Detached from
PS Form 3800-A
May 1975

Joe Porter
3953 "K" St.
Phila. Pa. 19124



KENNETH A. CROSS
FEDERAL ELECTION COMMISSION
WASHINGTON: D.C. 20463

82 NOV 1 9:11:32

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RECEIVED AT THE FEC
6cc #8652
82 OCT 12 P 3: 13

October 7, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Federal Election Commission
Washington; D. C. 20463

82 OCT 12 P 4: 44

Re: Teamsters Local #500; directing that money be withheld from my pay-check for a political action fund.

Dear Sir:

Attached are two (2) photo/copies of letters issued by Teamsters local #500.

Letter dated September 24, 1980, is self explanatory, stating that the employer is to deduct \$ 10.00 from the pay of the employees for the year 1980.

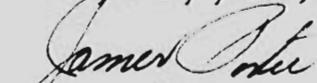
Said letter is misleading , dective; money cannot be deducted without authorization, this letter also contains a veiled threat due to the fact that Wm. O'Farrell asked for the names of each employee who has contributed.

I had complained to the company (Samuel Zuckerman & CO.) many, many, many time about said deduction, I was told repeatedly that, " WE WERE TOLD BY THE UNION AND O'FARRELL TO DEDUCT THE MONEY, WE DON'T WANT ANY TROUBLE FROM THE UNION AND WE ARE GOING TO DO AS THEY TELL US ".

As of this date I do not know if money has been taken from my pay without my knowledge prior to this issue.

In my opinion this is criminal and I want to prosecute.

Very truly yours,


James Porter

83040441810

**TEAMSTERS LOCAL UNION No. 500
POLITICAL ACTION COMMITTEE**

PHILADELPHIA AND VICINITY, PENNSYLVANIA
AND CAMDEN AND VICINITY, NEW JERSEY



1100 E. LYCOMING STREET
PHILADELPHIA, PA. 19124
PHONE 535-8866

RECEIVED AT THE FEC

82 OCT 12 P 3: 00

September 24, 1982

Mr. James Porter
3944 Lawndale Street
Phila., Pa. 19124

Dear Mr. Porter:

Enclosed please find check in the amount of
\$10.00 representing the Political Action withholding erroneously
deducted in 1980 by Samuel Zukerman Company, not by us.

Very truly yours,

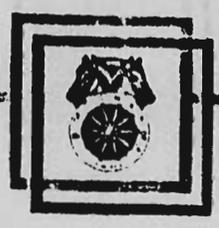
William O'Farrell

WOF/lmw
Enclosure

83040441811

TEAMSTERS LOCAL UNION No. 500
POLITICAL ACTION COMMITTEE

PHILADELPHIA AND VICINITY, PENNSYLVANIA
AND CAMDEN AND VICINITY, NEW JERSEY



RECEIVED AT THE FEC

82 OCT 12 P 3: 00
1100 E. LYCOMING STREET
PHILADELPHIA, PA. 19124
PHONE 535-8866

September 24, 1980

SAMUEL ZUKERMAN CO.

Gentlemen:

The collective bargaining agreement between Local 500 and your Company contains authorization for deductions for the Teamsters Local 500 Political Action Fund.

Therefore, please deduct \$10.00 from the pay checks of the employees for the year 1980 and remit check payable to Teamsters Local 500 Political Action Fund during the month of October 1980. Kindly include with your check a listing of each employee who has contributed to the Political Action Fund.

Thank you.

Very truly yours,

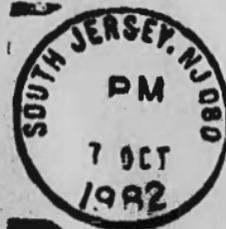
William O'Farrell
President, Local 500

WOF/lmw

83040441812

15

J. Porter
1953 "k" Street
Phila. Pa. 19124



830404118

FEDERAL ELECTION COMMISSION
% GENERAL COUNSEL
1325 " K " Street
Washington; D. C. 20463

LAW OFFICES
DOM, OCKS, FISHER & ANDERSON
113 SOUTH 21ST STREET
PHILADELPHIA, PENNA. 19109

Kenneth A. Gross, Esquire
Associate General Counsel
Federal Election Commission
Washington, D. C. 20463

RECEIVED AT THE FEC
02 OCT 1 12:45



CELEBRATING 100 YEARS OF
PHILADELPHIA'S 300TH
BIRTHDAY 1639-1982

Samuel Zuberman & Co.

Wholesale Food Distributors

Meadow Lane 1-95 Industrial Park

P. O. Box 100

Bensalem, Penna. 19020

RECEIVED BY THE FEC



CERTIFIED
PA 8042203
MAIL

Mr. Duane Brown
Federal Election Commission
1325 "K" Street
Washington, DC 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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RECEIVED AT THE FEC
CCT# 8513
82 SEP 22 AM: 35

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Bloom, Ocks, Fisher and Anderson
ADDRESS: 113 South 21st Street, Phila., Pa. 19103
TELEPHONE: 215-563-3200

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and
other communications from the Commission and to act on my
behalf before the Commission.

September 20, 1982

Date

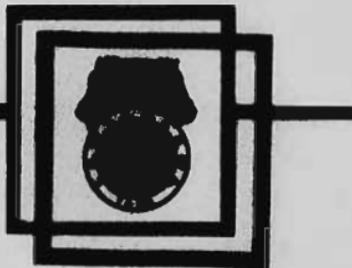

Signature

NAME: William O'Farrell, President, Teamsters Local 500 Political Action Fund
ADDRESS: 1100 E. Lycoming Street, Phila., Pa. 19124
HOME PHONE: 215-NE 7-1880
BUSINESS PHONE: 215-535-8866

83040411816

LOCAL 500 FOOD DRIVERS, HELPERS &
WAREHOUSEMEN EMPLOYEES,
PHILADELPHIA, CAMDEN AND VICINTY

100-25th E. Lycoming St. • Philadelphia, PA 19124



Federal Election Commission
Washington, D. C. 20463

830404118

RECEIVED
Ccc# 8306
82 AUG 23 11:12

August 21, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Federal Election Commission
Washington; D. C. 20463

12 AUG 24 9:08

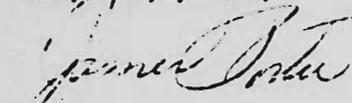
Re: Your letter dated 8/13/82:

Dear Sir:

The information that I had sent to your office August 10, 1982; has been sworn by me , signed by me in the presence of a notary public and has been notarized by same as required.

Section, 2u. s. c. S437 g (a) (1), has been completed as required; if other requirement are needed please inform me.

Very truly yours,



James Porter

83040411819



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 13, 1982

Mr. James Porter
3953 K Street
Philadelphia, PA 19124

Dear Mr. Porter:

We have received your letter of regarding the possibility of a violation of the Federal Election Campaign Act of 1971, as amended (the "Act").

The 1976 amendments to the Act and Commission regulations require that a complaint meet certain specified requirements. Since your letter does not meet these requirements, the Commission can take no action at this time to investigate this matter.

However, if you desire the Commission to look into the matter discussed in your letter of August 10, 1982 to determine if the FECA has been violated, a formal complaint as described in 2 U.S.C. § 437g(a)(1) must be filed. Requirements of this section of the law and Commission regulations at 11 C.F.R. § 111.4 which are a prerequisite to Commission action are detailed below:

- (1) A complaint must be in writing. (2 U.S.C. § 437g(a)(1)).
- * (2) Its contents must be sworn to and signed in the presence of a notary public and shall be notarized. (2 U.S.C. § 437g(a)(1)).
- (3) A formal complaint must contain the full name and address of the person making the complaint. (11 C.F.R. § 111.4).
- (4) A formal complaint should clearly identify as a respondent, each person or entity who is alleged to have committed a violation. (11 C.F.R. § 111.4).

83040411819

- (5) A formal complaint should identify the source of information upon which the complaint is based. (11 C.F.R. § 111.4).
- (6) A formal complaint should contain a clear and concise recitation of the facts describing the violation of a statute or law over which the Commission has jurisdiction. (11 C.F.R. § 111.4).
- (7) A formal complaint should be accompanied by supporting documentation if known and available to the person making the complaint. (11 C.F.R. § 111.4).

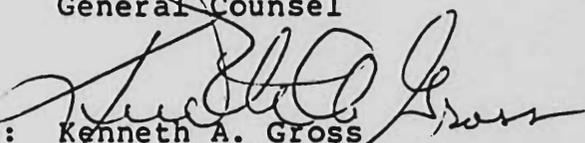
Finally, please include your telephone number, as well as the full names and addresses of all respondents.

Enclosed is a copy of Commission regulations, and your attention is directed to 11 C.F.R. §§ 111.4 through 111.10 that deal with preliminary enforcement procedures. Also, enclosed is a compilation of Federal Election Campaign Laws on which these regulations are promulgated. I trust these materials will be helpful to you should you wish to file a legally sufficient complaint with the Commission. The file regarding this correspondence will remain confidential for a fifteen day time period during which you may file an amended complaint as specified above.

If we can be of any further service, please do not hesitate to call Phyllis Kayson at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosures
Excerpts
Procedures

330404118:0

8255

RECEIVED

02 AUG 12 10:15

August 10; 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

2 AUG 12 5:45

Federal Election Commission
Enforcement Division
1325 "K" Street
Washington; D. C. 20463

Re: Teamsters Local #500/ William O'Farrell, taking money from my pay without my approval written or oral. *Possible mail fraud.*

Dear Sir:

Attached are photo/copies of my pay stub and a letter from William O'Farrell, president of Teamsters Local #500 directing my employer to deduct \$10.00 from my pay check.

At no time have I ever agreed to have money taken from my pay regardless of the cause. I have never agreed to any collective bargaining agreement or do I know of any other member of this local agreeing to such an agreement.

The attached letter signed by William O'Farrell in my opinion contains a veiled threat, "Kindly include with your check a listing of each employee who has contributed to the Political Action Fund. "

Very truly yours,

James Porter
James Porter

Phone - 1-215-533-6923
1-609-492-1081

*Teamsters Local #500
1200 East Locomot St
Phila Pa 19124*

*Samuel Zukerman + Co
I-95 Industrial Park
Cornwells Heights, Pa.*

Caroline Selvaggi

CAROLINE SELVAGGI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 24, 1986

8304041811

REC'D 20
82 AUG 12 10:15

money taken without my authority

STATEMENT OF EARNINGS
Samuel Zukerman & Co.



WCH
DRE
DSTIN

651

EARNINGS			TAXES AND DEDUCTIONS			YEAR TO DATE	
SCRIPT.	HOURS	AMOUNT	DESCRIPT.	AMOUNT	DESCRIPT.	AMOUNT	AMOUNT
GLAR	40.00	39000	FEC WT	19013	BONCS	7500	239998
RTME	24.15	35319	FICA	48170	PT	1000	58614
MM		4261	PENNA	1729	FICA		14712
			PHILA	3389	PENNA		5280
						11880	05 0123
						PERIOD ENDING	EMPLOYEE NO.
RATE		9.7500	78580	MARRIED	28948	02 DEP	8500
						NET PAY	41132

830404418

TEAMSTERS LOCAL UNION No. 500
POLITICAL ACTION COMMITTEE

PHILADELPHIA AND VICINITY, PENNSYLVANIA
AND CAMDEN AND VICINITY, NEW JERSEY



RECEIVED
92 AUG 22 AIO: 15
1100 E. LYCOMING STREET
PHILADELPHIA, PA. 19124
PHONE 535-8866

September 24, 1980

SAMUEL ZUKERMAN CO.

Gentlemen:

The collective bargaining agreement between Local 500 and your Company contains authorization for deductions for the Teamsters Local 500 Political Action Fund.

Therefore, please deduct \$10.00 from the pay checks of the employees for the year 1980 and remit check payable to Teamsters Local 500 Political Action Fund during the month of October 1980. Kindly include with your check a listing of each employee who has contributed to the Political Action Fund.

Thank you.

Very truly yours,

William O'Farrell
President, Local 500

WOF/lrw

83040441813

202873

RECEIVED AT THE FEC

Call 8546

82 SEP 28 P 3: 17

Samuel Zukerman & Co.

WHOLESALE FOOD DISTRIBUTORS

MEADOW LANE I-95 INDUSTRIAL PARK

P. O. BOX 100

BENSALEM, PENNA. 19820

Phone (215) OR 7-9200

SEP 28 P 4: 11

September 21, 1982

Mr. Duane Brown
Federal Election Commission
1325 "K" Street
Washington, DC 20463

RE: MUR 1466

Dear Mr. Brown:

The complainant, James Porter, was, for good and proper reasons, fired from his job as a driver for this company some years ago. He was represented by Local 500 of the Teamsters. He was at that time and may still be a member of that union.

Whether or not he personally agreed with the contract under which he worked seems to us of little importance in the matter so long as it was ratified by a majority of his fellow Teamsters.

Obviously Mr. Porter has been kind enough to dig up a copy of the letter to us from Local 500, dated September 24, 1980, directing us to make the deductions from our drivers' paychecks.

At this point, therefore, we will refrain from bringing in our law firm, though, as things procede, should some charge against us seem less frivolous, we would certainly seek legal counsel.

SAMUEL ZUKERMAN & CO.


Mark Zukerman
Secretary/Treasure

MZ:s1

83040418

acc # 8578

LAW OFFICES

BLOOM, OCKS, FISHER AND ANDERSON

113 SOUTH 21st STREET
PHILADELPHIA, PA 19103

AREA CODE 215
563-3200

HERMAN BLOOM
HERBERT L. OCKS
HERBERT K. FISHER
JOHN C. ANDERSON
EVAN A. BARSKY
SHARON L. FAYE
MICHAEL F. EICHERT
RICHARD SANDERS
THOMAS J. BASS
FRANK PALUMBO, Jr.

ATLANTIC CITY OFFICE:
21 S. NEW YORK AVENUE
ATLANTIC CITY, NJ 08401
(609) 344-8077

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9:08

September 29, 1982

Kenneth A. Gross, Esquire
Associate General Counsel
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1466

Dear Mr. Gross:

Please be advised that the undersigned is counsel to Teamsters Local Union No. 500. I am submitting this letter to you at the request of William O'Farrell, the President of Teamsters Local 500, for the purpose of giving you a full and complete understanding of the circumstances surrounding the above referenced complaint filed by a member of this organization.

Initially, it should be noted that the Local 500 Political Action Committee was not made aware of any problem concerning the deduction of the \$10.00 annual fee from Mr. Porter by Samuel Zuckerman, his employer, until Mr. O'Farrell received your letter of September 15, 1982. When the Political Action Committee was apprised of Mr. Porter's complaint by your letter, it followed its normal procedure, which is to remit a check to Mr. Porter covering the amount he did not authorize for a deduction from his pay.

As you are aware, the Wage Payment and Collection Law of the Commonwealth of Pennsylvania prohibits an employer from deducting any sums of money from the pay of an employee unless that employee specifically authorizes that deduction in writing. Under the terms of the Local 500 Agreement, specifically, Article II, Section 3 thereof, Zuckerman has agreed to deduct upon authorization \$10.00 from the salary of employees and remit that \$10.00 once each year to the Political Action Committee of the Local. This is precisely what was done in the instant case.

5304041819

For its parts, the Teamsters Local 500 Political Action Committee does not have in its possession copies of the Political Action Checkoff Authorization signed by all of the members. There are additional situations where an employee may have initially authorized such a deduction and thereafter revoked it prior to the time of year when the checkoff took place. Thus, as a practical matter, it is impossible for the Political Action Committee to totally scrutinize this procedure. Rather, the Committee depends in large part upon the employers. The assumption of the Committee is that if it is a violation of law for the employer to deduct without authorization, most deductions that are made and remitted to the Local are made in accordance with the law, i.e., they are specifically authorized.

For your convenience, I have attached a copy of the Collective Bargaining Agreement by and between Teamsters Local 500 and Samuel Zuckerman, Inc. This is a multi-employer Collective Bargaining Agreement between the Local and the Food Wholesalers Association of Delaware Valley, of which Samuel Zuckerman, Inc. is a member. I direct your attention to page 6, Section 3 thereof, which contains the Political Action Checkoff Authorization.

As I stated above, the \$10.00 annual deduction which was taken from Mr. Porter's pay and remitted to the Political Action Committee has been refunded to Mr. Porter. For my part, I cannot understand why Mr. Porter chose to invoke the jurisdiction of the Federal Election Commission, when the problem concerning the erroneous checkoff was made by Zuckerman; however, I assure you that the matter has been rectified.

I trust that the information contained in this letter is sufficient for your inquiry; however, in the event that you should have any other questions concerning this matter, please do not hesitate to contact me at any time.

Very truly yours,

Anthony J. Molloy Jr.
ANTHONY J. MOLLOY, JR.

Enc.
Kfh

cc: William O'Farrell

830404918

SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 OCT 25 P12: 26

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION: 10-25-82

MUR 1466
DATE COMPLAINT RECEIVED
BY OGC 09/07/82
DATE OF NOTIFICATION TO
RESPONDENT 09/14/82
STAFF MEMBER: Duane A. Brown

COMPLAINANT'S NAME: James Porter

RESPONDENT'S NAME: Teamsters Local #500
Samuel Zukerman & Co.

RELEVANT STATUTE: 2 U.S.C. § 441b
11 C.F.R. § 114.5

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

In a complaint received by the Commission on September 7, 1982, (Attachment I) James Porter ("complainant") alleges that his employer, Samuel Zukerman and Co., made a \$10.00 deduction from his paycheck dated January 18, 1980 which was a contribution to the political action fund of Teamsters Local #500. The complainant states that the deduction was made without his written or oral approval. The complainant further states that the deduction was made at the request of William O'Farrell, president of Teamsters Local #500. Complainant suggests that a "mail fraud" violation has occurred.

830404-1187

FACTUAL AND LEGAL ANALYSIS

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In response to the Commission's letter of notification, Mark Zukerman, responding on behalf of the Samuel Zukerman Co., states that, "whether or not [Porter] personally agreed with the contract under which he worked seems to us of little importance ... so long as it was ratified by a majority of his fellow teamsters...". (Attachment II). Mr. Zukerman appears to be saying that since Mr. Porter was a member of the bargaining unit, since a majority of the unit voted for the contract, and since Local #500 of the Teamsters directed his company to make deductions from the paychecks of all members in the bargaining unit, Samuel Zukerman Co. did what it was instructed and Mr. Porter has no recourse against it. At no time does Mr. Zukerman make the statement that he had authorization from Mr. Porter to deduct the \$10.00 contribution from Porter's paycheck.

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Also responding to the Commission's letter of notification was the Teamsters Local #500 through its attorney, Anthony Molloy. (Attachment III). Mr. Molloy states that the political action committee of Local #500 was not aware of any problem regarding the "deduction of the \$10.00 annual fee from Mr. Porter" before the filing of the complaint. When the PAC of Local #500 was notified of the complaint it reimbursed Mr. Porter the \$10.00.

Molloy continues by stating that the agreement between Zukerman and Co., and Local #500 specifically required Zukerman to deduct upon authorization \$10.00 from the salaries of employees and remit the same to the PAC of Local #500. Molloy states that since it is in violation of the Wage Payment and Collection Law of Pennsylvania to make such deductions without authorization, the assumption of Local #500 was that such deductions were made in accordance with the law and therefore authorized. Molloy conceded, however, that Local #500 does not possess copies of the PAC checkoff authorization signed by its members. He did, however, attach a copy of the Agreement between Zukerman Co. and Local #500. (Attachment IV).

2 U.S.C. § 441b(b)(3)(A) prohibits a separate segregated fund from obtaining contributions from union members which are not given voluntarily. The regulations at 11 C.F.R.

§ 114.5(a)(1) state in pertinent part that:

A separate segregated fund is prohibited from making a contribution or expenditure by utilizing money or anything of value secured by ... dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment.... For purposes of this section, fees or monies paid as a condition of acquiring or retaining membership or employment are monies required as a condition of membership or employment even though they are refundable upon request of the payor.

Further, the Act at 2 U.S.C. § 441b(b)(3)(B) and (C) and the regulations in 11 C.F.R. § 114.5(a) set forth guidelines for the solicitation of contributions from union members.

83040441819

It is unclear what procedures the PAC of Local #500 follows in obtaining authorization from its members for the deduction of contributions or if prior authorization is even obtained. If the \$10.00 was deducted from Mr. Porter's wages as a condition of membership in Local #500 or if Mr. Porter did not authorize the deduction of the contribution, a violation of 2 U.S.C. § 441b and 11 C.F.R. § 114.5 may have occurred. It is also possible that other union members had deductions made from their wages without their prior authorization.

Therefore, it is recommended that the Commission find reason to believe that the political action fund of Teamsters Local #500 violated 2 U.S.C. § 441b and 11 C.F.R. § 114.5(a)(1). It is further recommended that the Commission approve the attached interrogatories to the PAC of Local #500 and to the Samuel Zukerman Co. requesting information as to the system used for deducting political contributions from union members' wages.

RECOMMENDATIONS

1. Find reason to believe that the political action fund of Teamsters Local #500 violated 2 U.S.C. § 441b and 11 C.F.R. § 114.5(a).

83040441830

2. Approve and send the attached letters and interrogatories to the political action fund of Teamsters Local #500 and to the Samuel Zukerman Co.

October 22, 1982

Date

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

- I. Complaint
- II. Letter from Mark Zukerman
- III. Letter from Anthony Molloy
- IV. Labor Agreement
- V. Letter with interrogatories to Mark Zukerman
- VI. Letter with interrogatories to Anthony Molloy

83040441861



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 14, 1982

Mr. James Porter
3953 K Street
Philadelphia, PA 19124

Dear Mr. Porter:

This letter is to acknowledge receipt of your complaint of September 3, 1982, against Teamsters Local #500 and Samuel Zukerman & Company which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Steven Barndollar at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

A handwritten signature in cursive script, appearing to read "Kenneth A. Gross".

By Kenneth A. Gross
Associate General Counsel

Enclosure

83040411810



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 15, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Samuel Zuckerman & Company
I-95 Industrial Park
Cornwell Heights, PA

Re: MUR 1466

Dear Sir/Madam:

This letter is to notify you that on September 8, 1982, the Federal Election Commission received a complaint which alleged that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1466. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040418



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 15, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr, William O'Farrell
Teamsters Local #500
1200 East Lycoming Street
Philadelphia, PA 19124

Re: MUR 1466

Dear Mr. O'Farrell:

This letter is to notify you that on September 8, 1982, the Federal Election Commission received a complaint which alleged that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1466. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

830404118

If you have any questions, please contact Duane Brown the staff member assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

[Handwritten Signature]
By Kenneth A. Gross
Associate General Counsel

83040411836

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

1466 9/15

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):

- Show to whom and date delivered.....
- Show to whom, date, and address of delivery.....
- 2. RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:
William O'Farrell
Teamsters Local #500
Phil. PA

4. TYPE OF SERVICE: ARTICLE NUMBER

- REGISTERED REGISTERED
- CERTIFIED MAIL COD
- EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Signature]

5. DATE OF DELIVERY: 9/17/82

6. ADDRESSEE'S ADDRESS (Only if restricted)

7. UNABLE TO DELIVER BECAUSE:

8. EMPLOYEE'S INITIALS: 5.6 2425

POSTMARK: SEP 17 1982

202653

CCC# 8407
RECEIVED AT THE FEC

82 SEP 7 P 5: 07

82 SEP 8 A 8: 58

September 3, 1982.

James Porter
3953 "K" Street
Philadelphia; Penna. 19124

Federal Election Commission
Washington; D. C. 20463

Re: Your letter dated August 26, 1982.

Dear Sir:

I swear that all information and the contents of my complaint are true.

I have never agreed to make any contributions, oral/written to any organization or funds.

I believe that mail fraud has been committed by persons taking money from my wages without my consent.

Very truly yours,

James Porter
James Porter

Caroline Selvaggi

On September 3, 1982 James Porter has sworn and subscribed before me his complaint to be true.

Caroline Selvaggi

CAROLINE SELVAGGI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 24, 1986

330404187

3953 "K" St.
Phila. Pa. 19124

8304044103

RECEIVED AT THE EEO
SOUTH JERSEY, NJ
PM
3 02 SEP 7
1007

FEDERAL ELECTION COMMISSION

Washington; D. C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 26, 1982

Mr. James Porter
3953 K Street
Philadelphia, PA 19124

Dear Mr. Porter:

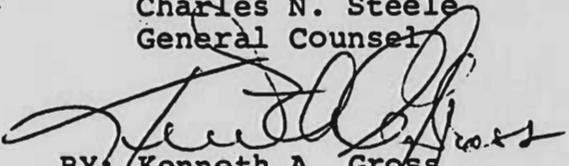
This is to acknowledge receipt of your letter of August 21, 1982. Your improper complaint of August 10, 1982, contained a notarization of your signature however there is no recitation that the contents of the complaint were sworn to.

You must swear before the notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. A statement by the notary that the complaint was sworn to and subscribed before him will be sufficient. We are sorry for any inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

If you have any questions concerning this matter, please feel free to call me at (202) 523-4175 or Steven Barndollar at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

83040441839



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1466

Date Filmed 12/22/83 Camera No. ---3

Cameraman JRL