



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE END OF TDR # 2110

Date Filmed 12/17/86 Camera No. --- 2

Cameraman AS

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FEDERAL ELECTION COMMISSION

4 File Indexes (5); Staff initial of letter (5); 7-12 Day Reports + Comment sheets (5); 8 Routing Slips (5); 8 Documents and/or unsigned conciliation agreements relating to Pre-Primary Caucus Conciliation (3 + 5); Pg. 203 of GC Report dated 11/3/86 (3); Pg. 3 of GC Report dated 8/26/86 (3); Pg. 3 of GC Report dated 8/26/86 (3); historical Complaint Verifications (5); ~~TRAID~~ ^{imposed} REAT memo (2) (5); 2 Staff Memos (5) + (5); 8 Commission Objectives (5) 1 withdrawn General Council's Report ^{not} including attachments) dated 5/21/86 (5);

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | | | |
|-------------------------------------|---|--------------------------|--|
| <input type="checkbox"/> | (1) Classified Information | <input type="checkbox"/> | (6) Personal privacy |
| <input checked="" type="checkbox"/> | (2) Internal rules and practices | <input type="checkbox"/> | (7) Investigatory files |
| <input checked="" type="checkbox"/> | (3) Exempted by other statute | <input type="checkbox"/> | (8) Banking Information |
| <input type="checkbox"/> | (4) Trade secrets and commercial or financial information | <input type="checkbox"/> | (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> | (5) Internal Documents | | |

Signed Patty Kelly
 date 12/2/86

FEC 9-21-77

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MUR # 2110

MERGED WITH

MICROFILM LOCATION

REEL/FRAME

REEL/FRAME

REEL/FRAME

COMPLAINANT NAMES

Ryan, Jeffrey A.

Continued

RESPONDENT NAMES

- (1) Tim Hunt Committee
- (2) Little, Maylor, as treasurer
- (3) International Brotherhood of Electrical Workers Local 584 Electro-PAC
- (4) Edwards, Gerald H, as treasurer
- (5) Engineers Political Education Committee, International Union of Operating Engineers Continued

MUR DATES

OPENED:

12/3/85

CLOSED:

11/17/86

U.S. CODE CITES

C.F.R. CITES

564 - 441a(a)(5)	1364 - 104.14(d)
560 441a(a)(2)(A)	1494 110.1(a)(2)(i)
578 441a(f)	105 - 103.3(b)
	100 - 102.9(e)
<input type="checkbox"/> Continued	<input type="checkbox"/> Continued

SUBJECT TERMS

97 - Affiliation

505 - limitations - exceeding limitations prohibited

510 - single contribution limit for affiliated political committees

Continued

Kathy Peckly 10/12/86
CODER (Name and Date)

[Signature] 10/12/86
SUPERVISOR (Name and Date)

VERIFIED BY AND SIGNED OFF (Name and Date)

MUR # 2110

MERGED WITH

MICROFILM LOCATION

REEL/FRAME

REEL/FRAME

REEL/FRAME

RESPONDENTS CONTINUED

(6) Hooley, Frank - treasurer

(7) International Union of Operating Engineers Local 68 PAC

(8) Giblin, Vincent, treasurer

(9) Communication Workers of America, Committee on Political Education, Political Contributions Committee

(10) Bove, James B. - treasurer

Continued

(11) Communication Workers of America Local 13000 Committee

(12) Maher, Edwin, J - treasurer

Continued

MUR DATES

OPENED:

CLOSED:

U.S. CODE CITES

C.F.R. CITES

Continued

Continued

SUBJECT TERMS

Continued

Patty Kelly 12/12/82
CODER (Name and Date)

SUPERVISOR (Name and Date)

VERIFIED BY AND SIGNED OFF (Name and Date)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 3, 1986

plm

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Ernest Avakian, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Va 22151

RE: MUR 2110

Dear Mr. Avakian:

This is in reference to the complaint you filed on behalf of your client with the Commission on December 3, 1985, alleging the below listed parties made excessive contributions to the Hunt Committee.

1. Jim Hunt Committee and Maylon E. Little, as treasurer ("Hunt Committee")
2. Engineers Political Education Committee/International Union of Operating Engineers and Frank Hanley, as treasurer ("EPEC/IUOE")
3. International Union of Operating Engineers Local 68 Political Action Committee and Vincent J. Giblin, as treasurer ("Local 68 PAC")
4. International Brotherhood of Electrical Workers Committee on Political Education and Jack Moore, as treasurer ("IBEW-COPE")
5. International Brotherhood of Electrical Workers Local 584 Electro-PAC and Gerald H. Edwards, as treasurer ("Electro-PAC")
6. Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer ("CWA-COPE")
7. Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer ("Local 13000 Committee")

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The Commission determined on June 3, 1986, that there was reason to believe IBEW-COPE violated 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I), 434(b)(6)(B)(i), as well as 11 C.F.R. § 104.14(d). On that date, the Commission made the same reason to believe findings regarding Electro-PAC, IBEW-COPE's affiliated committee. The Commission then closed the file regarding these violations.

Additionally, on June 3, 1986, the Commission determined that there was reason to believe EPEC/IUOE violated 2 U.S.C. § 441a(a)(2)(A), as well as 11 C.F.R. 104.14(d). On that date the Commission also made the same reason to believe findings regarding Local 68 PAC, EPEC/IUOE's affiliated committee. The Commission also closed the file on that date regarding these violations. Enclosed is the General Counsel's Report signed May 21, 1986 and the Commission's Certification dated June 4, 1986.

After conducting an investigation in this matter, the Commission determined that there was reason to believe CWA-COPE and Local 13000 Committee violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d). On August 25, 1986, the Commission voted to take no further action regarding this latter violation. On October 8, 1986, a conciliation agreement signed by respondents' counsel was accepted by the Commission. A copy of this agreement, and a copy of the General Counsel's Report dated August 20, 1986, in which the Commission voted to take no further action regarding violations of 11 C.F.R. § 104.14(d) are enclosed.

After conducting an investigation in this matter, the Commission determined that there was reason to believe the Hunt Committee violated 2 U.S.C. § 441a(f). On 1986, a conciliation agreement signed by respondents' counsel was accepted by the Commission, thereby concluding this matter. A copy of this agreement is enclosed for your information.

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Michael Ernest Avakian, Esquire
Page 3

The file number in this matter is MUR 2110. If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble (signature)

By: Lawrence M. Noble
Deputy General Counsel

Enclosures

General Counsel's Report (5/21/86)
Certification (6/04/86)
General Counsel's Report (8/20/86)
CWA-COPE Conciliation Agreement
Hunt Committee Conciliation Agreement

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plm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 3, 1986

James B. Coppess, Esquire
Communications Workers of America
Legal Department
1925 K Street, N.W.
Washington, D.C. 20006

- RE: MUR 2110
1. Communications Workers of America, Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer
 2. Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer

Dear Mr. Coppess:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M Noble (L7)

By: Lawrence M. Noble
Deputy General Counsel

85040621308



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 3, 1986

plm

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
& Counts, P.C.
1125 15th Street, N.W.
Suite 801
Washington, D.C. 20005

RE: MUR 2110

1. International Brotherhood of Electrical Workers Committee on Political Education and Jack Moore, as treasurer
2. International Brotherhood of Electrical Workers Local 584 Electro-PAC and Gerald H. Edwards, as treasurer

Dear Mr. Kurnick:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble (L97)
By: Lawrence M. Noble
Deputy General Counsel

Enclosures
General Counsel's Report (5/21/86)
Certification (6/4/86)

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plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 3, 1986

Frank Hanley, Treasurer
Engineers Political Education
Committee/International Union
of Operating Engineers
1125 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 2110
Engineers Political Education
Committee/International Union
of Operating Engineers and
Frank Hanley, as treasurer

Dear Mr. Hanley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble (LJZ)

By: Lawrence M. Noble
Deputy General Counsel

Enclosures
General Counsel's Report (5/21/86)
Certification (6/4/86)

86040621510

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 3, 1986

James Zazzali, Esquire
Zazzali, Zazzali & Kroll
One Gateway Center
Newark, NJ 07102-5311

RE: MUR 2110
International Union of Operating
Engineers Local 68 Political
Action Committee and Vincent J.
Giblin, as treasurer

Dear Mr. Zazzali:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble (Signature)

By: Lawrence M. Noble
Deputy General Counsel

Enclosures
General Counsel's Report (5/21/86)
Certification (6/4/86)

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nlm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 3, 1986

John R. Wallace, Esquire
Kirby, Wallace, Greech, Sarda
& Zaytoun
Washington Square
1020 Washington Street
Raleigh, North Carolina 27605

RE: MUR 2110
The Jim Hunt Committee and
Maylon E. Little, as treasurer

Dear Mr. Wallace:

On November 17, 1986, the Commission accepted the conciliation agreement signed by you on behalf of your clients and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(f), 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

Lawrence M. Noble (LH)

By: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

85040521512

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2110
The Jim Hunt Committee and)
 Maylon E. Little, as)
 treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Jeffrey A. Ryan. The Commission found reason to believe that the Jim Hunt Committee and Maylon E. Little, as treasurer ("Respondents") violated 2 U.S.C. §441a(f) by accepting excessive contributions, and an investigation was conducted.

NOW, THEREFORE, the Commission and the Respondents, 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 Respondents, 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent, the Jim Hunt Committee, is an authorized political committee of 1984 Senate Candidate Jim Hunt.
2. Respondent, Maylon E. Little, is the treasurer of

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the Jim Hunt Committee.

3. Respondents accepted the following contributions:
 - a. a total of \$10,100 in primary and general election contributions from the International Brotherhood of Electrical Workers Committee on Political Education ("IBEW-COPE") and International Brotherhood of Electrical Workers Local 584 Electro-PAC ("Electro-PAC"). Respondents 1984 July Quarterly Report reports the refund of \$100.00 to IBEW-COPE;
 - b. a total of \$5,250 in primary election contributions from Engineers Political Education Committee-International Union of Operating Engineers ("EPEC-IUOE") and International Union of Operating Engineers Local 68 Political Action Committee ("Local 68 PAC");
 - c. a \$3,900 contribution from the Communications Workers of America Committee on Political Education, Political Contributions Committee, ("CWA-COPE") at a time when the combined contribution total of CWA-COPE and its affiliate Committee, Communications Workers of America Local 13000, ("Local 13000") had reached the Act's contribution limitations.
- V. 1. Pursuant to 2 U.S.C. §441a(a)(2)(A), multicandidate political committees are limited to contributing

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\$5,000 per election to an authorized committee of a candidate.

2. Pursuant to 2 U.S.C. §§ 441a(a)(2)(A) and 441a(a)(5), affiliated multicandidate committees share a single contribution limitation of \$5,000 per election.
3. By accepting \$10,100 in primary and general election contributions from IBEW-COPE and Electro-PAC; \$5,250 in primary contributions from EPEC-IUOE and Local 68 PAC; and \$3,900 in contributions from CWA-COPE and Local 13000 after the date of their affiliation; Respondents violated 2 U.S.C. §441a(f).

- VI.
1. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Hundred Fifty Dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(A).
 2. Respondents have refunded \$250 to EPEC-IUOE and Local 68.
 3. Respondents have refunded \$3,900 to CWA-COPE and Local 13000.

VII. 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

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the District of Columbia.

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

IX. Respondents 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: Lawrence M. Noble (LJ) 12/3/86
Lawrence M. Noble Date
Deputy General Counsel

FOR THE RESPONDENTS:

John R. Wallace October 28, 1986
John R. Wallace Date
Counsel to the Jim Hunt Committee

PJW4312.001

86040621516

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2110
The Jim Hunt Committee)
and Maylon E. Little,)
as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 17, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 2110:

1. Approve the conciliation agreement proposed by the Jim Hunt Committee and Maylon E. Little, as treasurer, as recommended in the General Counsel's Report signed November 13, 1986.
2. Close the file in this matter.
3. Approve the letters, as recommended in the General Counsel's Report signed November 13, 1986.

Commissioners Aikens, Elliott, Josefaik, McDonald, McGarry and Thomas voted affirmatively for this decision.

Attest:

11-17-86
Date

Marjorie W Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Thurs.,	11-13-86,	11:41
Circulated on 48 hour tally basis:	Thurs.,	11-13-86,	4:00
Deadline for vote:	Mon.,	11-17-86,	4:00

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DAVID F. KIRBY
JOHN R. WALLACE
PAUL P. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

HIGHARD P. NORDAN

**KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN**

ATTORNEYS AT LAW
WASHINGTON SQUARE
1080 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27605

P. O. BOX 12085
(919) 681-4410

October 28, 1986

Mr. James B. Coppess
Adair, Scanlan, & McHugh, P.C.
Suite 411
1925 K Street, NW
Washington, DC 20006

RE: MUR 2110

Dear Mr. Coppess:

I enclose a check drawn on the account of the Hunt Committee made payable to CWA COPE in the amount of \$3,900.00. This check represents a refund of the contribution made to the Jim Hunt Committee arising out of the 1984 general election.

Should you have any question with regard to this matter, please contact me.

Sincerely,

KIRBY, WALLACE, CREECH, SARDA
ZAYTOUN & CASHWELL

John R. Wallace
John R. Wallace

JRW:kdp
PJW002.005

Enclosure

86040621521

JIM HUNT COMMITTEE		5306
P. O. BOX 28637		
RALEIGH, NC 27611		
		10-24-1986
PAY TO THE ORDER OF	CWA-COPE	\$ 3900 ⁰⁰
<i>Three thousand nine hundred & 00/100</i>		DOLLARS
BB&T		
BRANCH BANKING AND TRUST COMPANY		
RALEIGH, NORTH CAROLINA 27611		
ATTACH NEXT #20(1)		
<i>Robert A.</i>		

DAVID F. KIRBY
JOHN R. WALLACE
PAUL F. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

RICHARD P. NORDAN

KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN

ATTORNEYS AT LAW
WASHINGTON SQUARE
1000 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27605

P. O. BOX 18085
(919) 881-4410

October 29, 1986

Mr. Frank Hanley
Treasurer
Engineers Political Election Fund
1125 17th Street, N.W.
Washington, D. C. 20036

Re: MUR 2110

Dear Mr. Hanley:

I enclose a check drawn on the account of the Hunt Committee payable to EPEC-IUOE Local 68 PAC in the amount of \$250.00. This check represents a refund of the contribution made to the Jim Hunt Committee arising out of the 1984 election cycle.

Should you have any question with regard to this matter, please contact me.

Sincerely,

KIRBY, WALLACE, CREECH, SARDA
ZAYTOUN & CASHWELL

[Handwritten Signature]
John R. Wallace

JRW/efc
LLJW0002.009

Enclosure

85040521522

JIM HUNT COMMITTEE
P. O. BOX 29837
RALEIGH, NC 27611

5307

PAY TO THE ORDER OF

EPEC-IUOE - Local 68 PAC

10 24 86 ⁸⁸⁻¹¹² 81

250⁰⁰

DOLLARS

BBN

2(2)

[Handwritten Signature]

622#1903

DAVE F. KIRBY
JOHN R. WALLACE
PAUL P. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

**KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN**

ATTORNEYS AT LAW
WASHINGTON SQUARE
1000 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27606

P. O. BOX 18065
(919) 881-4416

RICHARD P. NORDAN

October 29, 1986

16 NOV 3 12:00

Ms. Patty Reilly, Esquire
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2110

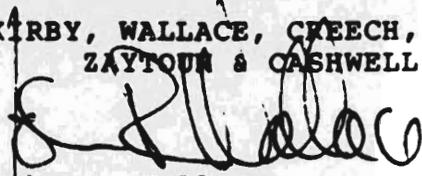
Dear Ms. Reilly:

I enclose a copy of the executed Conciliation Agreement along with copies of correspondence with representatives of EPEC-IUOE and CWA-COPE along with enclosed refund checks as required by our understanding. Also enclosed is a check payable to the United States Treasury in the amount of \$250.00.

Thank you for your assistance in the resolution of this matter. Should you have any questions with regard to this matter, please contact me.

Sincerely,

KIRBY, WALLACE, CREECH, SARDA
ZAYTOUN & CASHWELL


John R. Wallace

JRW/efc
LLJW0002.010

Enclosures

86040621523

ATTACHMENT # 311

JIM HUNT COMMITTEE
P. O. BOX 28637
RALEIGH, NC 27611

5305

10-24-1986 ⁶⁸⁻¹¹² ₆₃₁

PAY TO THE ORDER OF

US Treasury

\$ 250⁰⁰

Two hundred fifty & 00/100

DOLLARS

BB&T

BRANCH BANKING AND TRUST COMPANY
RALEIGH, NORTH CAROLINA 27611

FOR *Jim*

Ralph [Signature]

⑈00005305⑈ ⑆⑆053⑆0⑆1⑆2⑆1⑆⑆30⑆09983⑆⑈

MEMORANDUM

CCC#1903

604

TO: Debra A. Reed

TO: Judy Smith

FROM:

Judy Smith

FROM: Debra A. Reed

CHECK NO. 5305 (a copy of which is attached) RELATING

TO MUR 2110 AND NAME The Jim Hunt Committee and Maylon E. Little, as treas

AS RECEIVED ON 11/3/86. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

- BUDGET CLEARING ACCOUNT (#95F3875.16)
- / CIVIL PENALTIES ACCOUNT (#95-1099.160)
- / OTHER _____

SIGNATURE Debra A. Tringiew

DATE 11/4/86



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James B. Coppess, Esquire
Communications Workers of America
Legal Department
1925 K Street, N.W.
Washington, D.C. 20006

- RE: MUR 2110
1. Communications Workers of America, Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer
 2. Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer

Dear Mr. Coppess:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

ATTACHMENT A 4(1)

86040521525



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John R. Wallace, Esquire
Kirby, Wallace, Greech, Sarda
& Zaytoun
Washington Square
1020 Washington Street
Raleigh, North Carolina 27605

RE: MUR 2110
The Jim Hunt Committee and
Maylon E. Little, as treasurer

Dear Mr. Wallace:

On _____, 198____, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(f), 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: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

86040521526



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
& Counts, P.C.
1125 15th Street, N.W.
Suite 801
Washington, D.C. 20005

RE: MUR 2110

1. International Brotherhood of Electrical Workers Committee on Political Education and Jack Moore, as treasurer
2. International Brotherhood of Electrical Workers Local 584 Electro-PAC and Gerald H. Edwards, as treasurer

Dear Mr. Kurnick:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosures
General Counsel's Report (5/21/86)
Certification (6/4/86)

85040621527



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Frank Hanley, Treasurer
Engineers Political Education
Committee/International Union
of Operating Engineers
1125 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 2110
Engineers Political Education
Committee/International Union
of Operating Engineers and
Frank Hanley, as treasurer

Dear Mr. Hanley:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosures
General Counsel's Report (5/21/86)
Certification (6/4/86)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James Zazzali, Esquire
Zazzali, Zazzali & Kroll
One Gateway Center
Newark, NJ 07102-5311

RE: MUR 2110
International Union of Operating
Engineers Local 68 Political
Action Committee and Vincent J.
Giblin, as treasurer

Dear Mr. Zazzali:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosures
General Counsel's Report (5/21/86)
Certification (6/4/86)

85040521529



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Ernest Avakian, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Va 22151

RE: MUR 2110

Dear Mr. Avakian:

This is in reference to the complaint you filed on behalf of your client with the Commission on December 3, 1985, alleging the below listed parties made excessive contributions to the Hunt Committee.

1. Jim Hunt Committee and Maylon E. Little, as treasurer ("Hunt Committee")
2. Engineers Political Education Committee/International Union of Operating Engineers and Frank Hanley, as treasurer ("EPEC/IUOE")
3. International Union of Operating Engineers Local 68 Political Action Committee and Vincent J. Giblin, as treasurer ("Local 68 PAC")
4. International Brotherhood of Electrical Workers Committee on Political Education and Jack Moore, as treasurer ("IBEW-COPE")
5. International Brotherhood of Electrical Workers Local 584 Electro-PAC and Gerald H. Edwards, as treasurer ("Electro-PAC")
6. Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer ("CWA-COPE")
7. Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer ("Local 13000 Committee")

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The Commission determined on June 3, 1986, that there was reason to believe IBEW-COPE violated 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I), 434(b)(6)(B)(i), as well as 11 C.F.R. § 104.14(d). On that date, the Commission made the same reason to believe findings regarding Electro-PAC, IBEW-COPE's affiliated committee. The Commission then closed the file regarding these violations.

Additionally, on June 3, 1986, the Commission determined that there was reason to believe EPEC/IUOE violated 2 U.S.C. § 441a(a)(2)(A), as well as 11 C.F.R. 104.14(d). On that date the Commission also made the same reason to believe findings regarding Local 68 PAC, EPEC/IUOE's affiliated committee. The Commission also closed the file on that date regarding these violations. Enclosed is the General Counsel's Report signed May 21, 1986 and the Commission's Certification dated June 4, 1986.

After conducting an investigation in this matter, the Commission determined that there was reason to believe CWA-COPE and Local 13000 Committee violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d). On August 25, 1986, the Commission voted to take no further action regarding this latter violation. On October 8, 1986, a conciliation agreement signed by respondents' counsel was accepted by the Commission. A copy of this agreement, and a copy of the General Counsel's Report dated August 20, 1986, in which the Commission voted to take no further action regarding violations of 11 C.F.R. § 104.14(d) are enclosed.

After conducting an investigation in this matter, the Commission determined that there was reason to believe the Hunt Committee violated 2 U.S.C. § 441a(f). On 1986, a conciliation agreement signed by respondents' counsel was accepted by the Commission, thereby concluding this matter. A copy of this agreement is enclosed for your information.

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Michael Ernest Avakian, Esquire
Page 3

The file number in this matter is MUR 2110. If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosures

- General Counsel's Report (5/21/86)
- Certification (6/04/86)
- General Counsel's Report (8/20/86)
- CWA-COPE Conciliation Agreement
- Hunt Committee Conciliation Agreement

86040621532

4(8)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James B. Coppess, Esquire
Communications Workers of America
Legal Department
1925 K Street, N.W.
Washington, D.C. 20006

- RE: MUR 2110
1. Communications Workers of America, Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer
 2. Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer

Dear Mr. Coppess:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

85040521533



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 9, 1986

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

James B. Coppes, Esquire
Communications Workers of America
Legal Department
1925 K Street N.W.
Washington, D.C. 20006

RE: MUR 2110
Communications Workers of
America, Committee on
Political Education,
Political Contributions
Committee and James B. Booe,
as treasurer

Communications Workers of
America Local 13000
Committee and Edwin J.
Maher, as treasurer

Dear Mr. Coppes:

On October 8, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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 respondents and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

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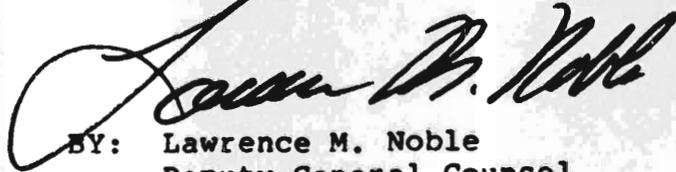
Alman

Please also note that this agreement requires you to request a refund from the Hunt Committee and to pay a \$600 civil penalty to the Commission within 30 days of the agreement's execution date.

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

Sincerely,

Charles N. Steele
General Counsel



BY: Lawrence M. Noble
Deputy General Counsel

85040621535

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Communications Workers of)
America Committee) MUR 2110
on Political Education,)
Political Contributions)
Committee and James B. Booe,)
as treasurer)
)
Communications Workers of)
America Local 13000 Committee)
and Edwin J. Maher, as treasurer)

CONCILIATION AGREEMENT

8 6 0 4 0 5 2 1 5 3 6
This matter was initiated by a signed, sworn, and notarized complaint by Jeffrey A. Ryan. The Commission found reason to believe that Communications Workers of America Committee on Political Education, Political Contributions Committee, and its Treasurer, and the Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(a)(2)(A) by making contributions exceeding the Act's limitations and an investigation was conducted.

NOW, THEREFORE, the Commission and Respondents, 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 Respondents, 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent, the Communications Workers of America Committee on Political Education, Political Contributions Committee ("CWA-COPE"), is a multi-candidate committee registered with the Federal Election Commission.
2. Respondent, James B. Booe, is currently the treasurer of CWA-COPE. Prior to July 16, 1985 the treasurer of CWA-COPE was Louis B. Knecht.
3. Respondent, Communications Workers of America Local 13000 Committee ("Local 13000 Committee") is an affiliated political committee of CWA-COPE and is registered with the Federal Election Commission. Prior to this affiliation, respondent was known as Federation of Telephone Workers of Pennsylvania Political Action Committee.
4. Respondent, Edwin J. Maher, is the treasurer of the Local 13000 Committee.
5. CWA and FTWP became affiliated on August 1, 1984. Once two committees become affiliated all pre-affiliation contributions to a candidate or committee are aggregated.
6. On the date of affiliation Respondents' combined contributions to the Jim Hunt for Senate

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Committee ("the Hunt Committee") had met the contribution limitations for the general election.

7. On September 20, 1984, CWA-COPE made an additional general election contribution of \$3,900 to the Hunt Committee.

8. Respondents contend that CWA-COPE took steps to make this contribution before August 1, 1984, but final delivery of the contribution to the Hunt Committee was inadvertently delayed until after that date.

V. 1. The Act limits multicandidate committees to contributing \$5,000 per election to authorized political committees. 2 U.S.C. § 441a(a)(2)(A).

2. Affiliated multicandidate political committees share a single contribution limitation of \$5,000 per election. 2 U.S.C. § 441a(a)(4).

3. Respondent CWA-COPE's \$3,900 contribution to the Hunt Committee after the date of CWA-COPE's and Local 13000's affiliation, constitutes an excessive contribution in violation of 2 U.S.C. § 441a(a)(2)(A).

VI. 1. Respondents will request a refund of \$3,900 from the Hunt Committee.

2. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Six Hundred Dollars (\$600), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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

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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.

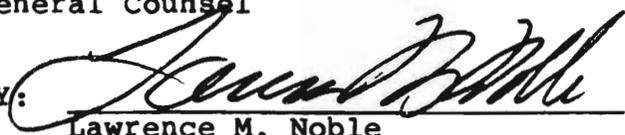
VIII. This agreement shall become effective as of the date all parties hereto have executed the same and the Commission has approved the entire agreement.

IX. Respondents 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

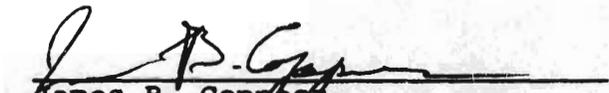
FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: 
Lawrence M. Noble
Deputy General Counsel

10/9/86
Date

FOR THE RESPONDENTS:


James B. Coppess
Attorney for Respondents

85040521539

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Communications Workers of America)	MUR 2110
Committee on Political Education)	
Political Contributions Committee)	
and James B. Booe, as treasurer)	
)	
Communications Workers of America)	
Local 13000 Committee and)	
Edwin J. Maher, as treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 8, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 2110:

1. Approve the agreement proposed by Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer, and Communications Workers of America Local 13000 and Edwin J. Maher, as treasurer, as recommended in the General Counsel's Report signed October 3, 1986.
2. Close the file as it pertains to these respondents.
3. Send the letter, as recommended in the General Counsel's Report signed October 3, 1986.

Commissioners Aikens, Elliott, Josefiak, McDonald and McGarry voted affirmatively for this decision; Commissioner Thomas did not cast a vote.

Attest:

10-8-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

85040621540

Communications
Workers of America
AFL-CIO

Legislative Department
Suite 4
202/728-2453

1925 K Street, N.W.
Washington, D.C. 20006

Reilly EC
CC # 1573
66 SEP 22 AM: 43

September 19, 1986

Patty Reilly, Esquire
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Dear Ms. Reilly:

Enclosed is a copy of the conciliation agreement containing the changes we discussed over the telephone on last Tuesday. I have signed the agreement on behalf of the union. Please notify me when the agreement has been approved by the Commission and send me a copy of the executed agreement.

Yours truly,


James Coppess

/vjl

Enclosure

85040521544

SEP 22 AM: 08

Attachment # 1(1)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

James B. Coppes, Esquire
Communications Workers of America
Legal Department
1925 K Street N.W.
Washington, D.C. 20006

RE: MUR 2110
Communications Workers of
America, Committee on
Political Education,
Political Contributions
Committee and James B. Booe,
as treasurer

Communications Workers of
America Local 13000
Committee and Edwin J.
Maher, as treasurer

Dear Mr. Coppes:

On _____, 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your clients, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437a(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondents and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

ATTACHMENT #2(1)

8 5 0 4 0 5 2 1 5 4 5

Please also note that this agreement requires you to request a refund from the Hunt Committee and to pay a \$600 civil penalty to the Commission within 30 days of the agreement's execution date.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

86040321546

Enclosure
Conciliation Agreement

MISSION

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

1. The following service is requested (check one.)
- Show to whom and date delivered.....
 - Show to whom, date and address of delivery.....
 - RESTRICTED DELIVERY
Show to whom and date delivered.....
 - RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
James B. Coppel, Esq.
1925 K St., N.W.
D.C. 20006

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>943714</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

4. *C.E. Copeland*
DATE OF DELIVERY

10 16 86

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

6 QUR 2110-PR

GPO : 1979-300-488

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

5 4 1

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Communications
Workers of America
AFL-CIO

Leg. Department
Sub 11
202/728-2453

1925 K Street, N.W.
Washington, D.C. 20006

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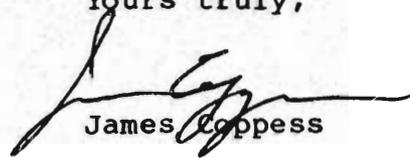
September 19, 1986

Patty Reilly, Esquire
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Dear Ms. Reilly:

Enclosed is a copy of the conciliation agreement containing the changes we discussed over the telephone on last Tuesday. I have signed the agreement on behalf of the union. Please notify me when the agreement has been approved by the Commission and send me a copy of the executed agreement.

Yours truly,



James Coppess

/vjl

Enclosure

86040621548

86 SEP 22 10:08

GENERAL COUNCIL



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 18, 1986

perm

John Wallace, Esquire
Kirby, Wallace, Greech, Sarda & Zaytown
Washington Square
1020 Washington Street
Raleigh, N.C. 27605

Re: MUR 2110
Jim Hunt Committee and Maylon E.
Little, as treasurer

Dear Mr. Wallace:

On June 3, 1986, the Commission found reason to believe that the Jim Hunt Committee and Maylon E. Little, as treasurer, violated 2 U.S.C. § 441a(f). At your request, the Commission determined on September 11, 1986, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble
BY: Lawrence M. Noble
Deputy General Counsel

Enclosures

9 5 4 0 2 1 5 4 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2110
The Jim Hunt Committee and)
)
Maylon E. Little, as)
)
treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 11, 1986, the Commission decided by a vote of 4-0 to take the following actions in MUR 2110:

1. Enter into conciliation prior to a finding of probable cause to believe with the Jim Hunt for Senate Committee and Maylon E. Little, as treasurer, as recommended in the General Counsel's Report signed August 26, 1986.
2. Approve the letter and proposed conciliation agreement, as recommended in the General Counsel's Report signed August 26, 1986.

Commissioners Aikens, Harris, Josefiak and McGarry voted affirmatively for this decision; Commissioners Elliott and McDonald did not vote.

Attest:

9-11-86
Date

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

Received in Office of Commission Secretary:	Tues.,	9-9-86,	10:38
Circulated on 48 hour tally basis:	Tues.,	9-9-86,	4:00
Deadline for vote:	Thurs.,	9-11-86,	4:00

85040321550

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

In the Matter of)
)
The Jim Hunt Committee and)
Maylon E. Little, as)
treasurer)

MUR 2110

86 SEP 9 AIO: 38

GENERAL COUNSEL'S REPORT

On June 3, 1986 the Commission found reason to believe the Jim Hunt Committee and Maylon E. Little, as treasurer, ("the Committee") violated 2 U.S.C. § 441a(f). Underlying the Commission's findings were the Committee's receipt of excessive contributions from three sets of affiliated committees: (1) a \$100 excessive contribution from the International Brotherhood of Electrical Workers, Committee on Political Education ("IBEW-COPE") and International Brotherhood of Electrical Workers Local 584 Electro-PAC ("Electro-PAC"); (2) a \$250 excessive contribution from Engineers Political Education Committee International Union of Operating Engineers ("EPEC/IUOE") and International Union of Operating Engineers Local 68 Political Action Committee ("Local 68 PAC");^{1/} and (3) a \$3,900 excessive contribution from Communications Workers of America Committee on Political Education, Political Contributions Committee ("CWA-COPE") and Local 13000 Communications Workers of America Committee ("Local 13000").^{2/}

1/ The Commission found reason to believe, took no further action, and closed the file regarding possible violations by the contributors of these first two sets of contributions.

2/ CWA-COPE and Local 13000 have also requested pre-probable cause conciliation.

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Responding to the Commission's reason to believe findings, the Hunt Committee does not dispute receiving these excessive contributions. Additionally, the Committee requests pre-probable cause conciliation. This Office recommends that the Commission grant this request.

II. LEGAL ANALYSIS

The Act limits contributions by multicandidate committees to an authorized committee of a candidate to \$5,000 per election. 2 U.S.C. § 441a(a)(2)(A). Affiliated multicandidate committees share a single contribution limitation. 2 U.S.C. § 441a(a)(5). Additionally, the Act prohibits a committee from accepting contributions exceeding the Act's limitations. 2 U.S.C. § 441a(f).

In the instant case, the Hunt Committee accepted a total of \$10,100 in general and primary election contributions from IBEW-COPE and Electro-PAC, thus exceeding the Act's contribution limitations. Additionally, the Hunt Committee accepted a total of \$5,250 in primary contributions from EPEC/IUOE and Local 68 PAC, thereby violating 2 U.S.C. § 441a(f).

The Hunt Committee also accepted a \$3,900 contribution from CWA-COPE after the date CWA-COPE and Local 13000 formerly merged. Prior to this merger, CWA-COPE and Local 13000 were not affiliated and each could make contributions without regard to contributions made by the other. After their formal affiliation, however, their pre-affiliation contributions were required to be aggregated with any post-affiliation contributions for purposes of the Act's contribution limitations. See A.O. 1985-27.

8 5 0 4 0 5 2 1 5 5 2

Because these two committees had contributed a total of \$6,100 to the Hunt Committee prior to their affiliation, CWA-COPE's \$3,900 post-affiliation contribution exceeded the Committees' shared limit.^{3/} Therefore, the Hunt Committee accepted a contribution from CWA-COPE and Local 13000 that exceeded the Act's contribution limitations.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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^{3/} As noted in CWA-COPE's request for pre-probable cause conciliation (attachment #2), CWA-COPE intended this contribution to be made prior to the August 1, 1984 affiliation. Its agent held the contribution check and cover letter (both dated July 27, 1984) for a two month period, and thus the contribution was not given to the Hunt Committee until September, 1984.

IV. RECOMMENDATIONS

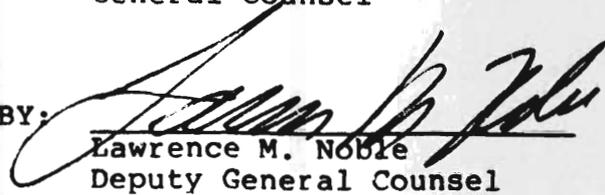
1. Enter into conciliation prior to a finding of probable cause to believe with the Jim Hunt for Senate Committee and Maylon E. Little, as treasurer.
2. Approve the attached letter and proposed conciliation agreement.

Charles N. Steele
General Counsel

Date

8/6/86

BY:


Lawrence M. Noble
Deputy General Counsel

Attachments

1. Hunt Committee Request for Conciliation
2. CWA COPE Request for Conciliation
3. Proposed Letter
4. Proposed Conciliation Agreement

8 5 0 4 0 6 2 1 5 5 4

VID P. KIRBY
HEN R. WALLACE
JUL P. CREECH
MITER J. SARDA
ROBERT E. ZAYTOUN
—
RICHARD P. NORDAN

KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN
ATTORNEYS AT LAW
WASHINGTON SQUARE
1000 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27608

REC'D
GCC#1103
26 AUG 4 8:43
Reilly
P. O. BOX 18088
(818) 881-4418

July 30, 1986

Ms. Patty Reilly
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2110
Jim Hunt Committee, Maylon E. Little,
Treasurer

Dear Ms. Reilly:

It is my understanding that you have completed your investigation of the allegations contained in MUR 2110. We also have completed appropriate inquiry into the allegations and would request the opportunity to engage in pre-probable cause concillation pursuant to 2 U.S.C. 437(g).

Please advise me upon your completion of a proposed concillation agreement, and I will make arrangements for a prompt resolution of this matter.

Sincerely,

KIRBY, WALLACE, CREECH
SARDA & ZAYTOUN

John R. Wallace
John R. Wallace

JRW/efc
LLJW0002.001

16 AUG 4 9:07

GENERAL COUNSEL

FEDERAL ELECTION COMMISSION

85040621555

Communications
Workers of America
AFL-CIO

Leg. Department
Suite 411
202/728-2453

1925 K Street, N.W.
Washington, D.C. 20006

Case # 970

Reilly

July 17, 1986

RECEIVED
FEB 23 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

The complaint in this matter alleges inter alia that CWA COPE and the Local 13000 Political Committee violated 2 U.S.C. Sec. 441a(a)(2) by making contributions to the Jim Hunt Committee for the 1984 general election which in aggregate exceeded \$5,000. Complaint 29-32. In particular, the complaint alleges that CWA COPE made contributions in February, March and July 1984 which totalled \$5,000, and that the Federation of Telephone Workers of Pennsylvania (FTWP) Political Action Committee made a \$5,000 contribution in July 1984. As we explained in our prior response filed on January 17, 1986, the FTWP affiliated with CWA on August 1, 1984, becoming CWA Local 13000. Therefore, on its face the complaint did not show a violation of the Act, since it alleged that each organization's committee contributed \$5,000 prior to their affiliation.

The Commission has now determined that there is reason to believe a violation occurred "when CWA/COPE made a \$3,900 general election contribution to the Hunt Committee after August 1, 1984, the date CWA/COPE and Local 13000 became affiliated."* In response to this determination we have

* Chairman Aiken's letter of June 17, 1986 announcing the Commission's determination also notes that "it appears that your clients and the Hunt Committee have reported inconsistent designations for your March 1984 and May 1984 contributions." We do not understand this comment to indicate that the Commission has found reason to believe a violation has occurred in this regard. However, we note that CWA COPE records completed at the time these contributions were made designate the contributions as being for the general election and this is the way they were reported by CWA COPE to the Commission.

ATTACHMENT #2(1)

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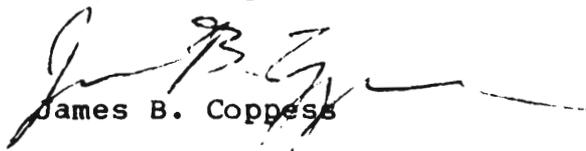
Charles N. Steele
July 18, 1986
Page 2

conducted an investigation to determine whether the \$3,900 contribution was made before or after August 1, 1984. Attached to this letter are copies of the check by which this contribution was made and the cover letter accompanying the check. Both the check and the cover letter are dated July 27, 1986. The CWA COPE report to the Commission of July 1984 contributions shows the date of this contribution as July 27, 1984; this report was filed on August 21, 1984. As a result of our recent investigation, however, we have just discovered that the CWA staff member who was to transmit the contribution to the Hunt Committee did not do so until some time in September 1984. Thus, it appears that a violation has occurred.

We submit that this is only a technical violation. CWA COPE clearly intended to make the contribution prior to August 1, 1984 and took steps to accomplish this end. The only reason the contribution was not made on the date intended is that the person charged with the ministerial act of delivering the check did not carry through on that assignment until some time later than planned. No purpose under the Act would be served by punishing CWA COPE for an inadvertent delay in making a contribution which would have been perfectly lawful if made at the time intended.

In light of the above, we hereby request pre-probable cause conciliation.

Respectfully submitted,


James B. Coppess

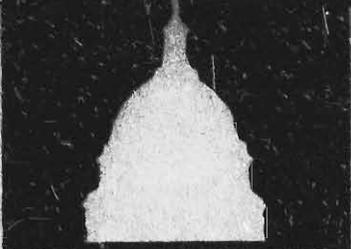
JBC/pab
Attachments

cc: Patty Reilly

85040621557

James B. Booe
Chairman

Louis B. Knecht
Treasurer



**CWA-COPE
Political
Contributions
Committee**

File: 1.34

July 27, 1984

Jim Hunt Committee
Post Office Box 25937
Raleigh, North Carolina 27611

Dear Friends:

Enclosed is check number 2235, in the amount of \$3,900.00, made payable to "Jim Hunt Committee."

This check represents individual contributions, therefore, it may be used for any proper political purpose.

Sincerely,

James B. Booe
Chairman

Enclosure

cc: L. Knecht
M. E. Nichols
R. B. Porch
G. Russo
L. Bowen
F. Hassen

213)
1925 K Street, N.W. Suite 211 Washington, D.C. 20006 (202) 728-2465

Paid for and authorized by CWA on behalf of a joint fundraising effort for CWA-COPE FCC and the AFL-CIO COPE FCC.

86040521558



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

John Wallace, Esquire
Kirby, Wallace, Greech, Sarda & Zaytown
Washington Square
1020 Washington Street
Raleigh, N.C. 27605

Re: MUR 2110
Jim Hunt Committee and Maylon E.
Little, as treasurer

Dear Mr. Wallace:

On June 3, 1986, the Commission found reason to believe that the Jim Hunt Committee and Maylon E. Little, as treasurer, violated 2 U.S.C. § 441a(f). At your request, the Commission determined on _____, 1986, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

Enclosures

ATTACHMENT # 3(1)

86040521560



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 27, 1986

James Coppes, Esquire
Communications Workers of America
Legal Department
Suite 111
1925 K Street N.W.
Washington, D.C. 20006

RE: MUR 2110

1. Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer
2. Communications Workers of America Committee Local 13000 Committee and Edwin J. Maher, as treasurer

Dear Mr. Coppes:

On June 3, 1986, the Commission found reason to believe that your clients violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d). At your request, the Commission determined on August 26, 1986, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Additionally, on this date, the Commission determined to take no further action regarding possible violations by your clients of 11 C.F.R. § 104.14(d).

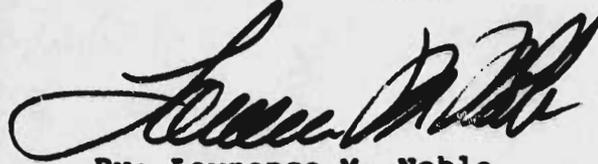
Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes

86040521561

in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel



By: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

86040521562

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Communications Workers of)
America Committee on)
Political Education,)
Political Contributions)
Committee and James B. Booe,)
as treasurer)
)
Communications Workers of)
America Local 13000 Committee)
and Edwin J. Maher, as treasurer)

MUR 2110

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 26, 1986, the Commission decided by a vote of 5-0 to take the following actions in MUR 2110:

1. Take no further action against the Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer, and Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer, for violations of 11 C.F.R. § 104.14(d).
2. Enter into conciliation with the Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe as treasurer, and Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer, prior to a finding of probable cause to believe.
3. Approve and send the letter and conciliation agreement, as recommended in the General Counsel's Report signed August 20, 1986.

Commissioners Aikens, Elliott, Harris, McDonald and McGarry voted affirmatively for this decision; Commissioner Josefiak did not vote.

Attest:

8-27-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

8 5 0 4 0 6 2 1 5 6 3

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

96 AUG 21 12:03

In the Matter of)
)
 Communications Workers of)
 America Committee) MUR 2110
 on Political Education,)
 Political Contributions)
 Committee and James B. Booe,)
 as treasurer)
)
 Communications Workers of)
 America Local 13000 Committee)
 and Edwin J. Maher, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 3, 1986, the Commission found reason to believe that both the Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer ("CWA-COPE") and the Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer, ("Local 13000") violated 2 U.S.C. § 441a(a)(2)(a), and 11 C.F.R. § 104.14(d). Underlying the Commission's determinations was a \$3,900 contribution reported by the Jim Hunt for Senate Committee as from CWA-COPE after CWA-COPE became affiliated with Local 13000. Pursuant to the Commission's determination in A.O. 1985-27, pre-affiliation contributions must be aggregated with any post-affiliation contributions for limitation purposes. In this instance, the two committees' combined general election contributions to the Hunt Committee prior to the date of their affiliation met the limitations of 2 U.S.C. § 441a(a)(2)(A), and so

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they were prohibited from making any further contributions. The Hunt Committee reported, however, that CWA-COPE contributed \$3,900 on September 20, 1984. Moreover, the Commission found that the Committees violated 11 C.F.R. § 104.14(d) because of inconsistent designations reported by the Committees and the Hunt Committee.

Responding to the Commission's findings, CWA-COPE explains that the \$3,900 contribution was intended by the CWA-COPE to be made on July 27, 1984, prior to the date of formal affiliation. However, CWA-COPE states that the check and cover letter (both dated July 27, 1984), were given to a staff member for delivery. The "CWA staff member who was to transmit the contribution to the Hunt Committee did not do so until some time in September, 1984. Thus it appears the violation has occurred." Response at 1. CWA-COPE further requests pre-probable cause conciliation. As developed below, this Office recommends that the Commission grant this request.

II. LEGAL ANALYSIS

The Act and Regulations impose a single contribution limitation on affiliated committees. Such committees are defined as being established, financed, maintained or controlled by any labor organization including any local unit of such labor organization. 2 U.S.C. § 441a(a)(5). Thus, affiliated multicandidate political committees are limited to contributing \$5,000 per election to the authorized committee of a candidate. 2 U.S.C. § 441a(a)(2)(A). Moreover, as previously noted, when

85040521565

committees become affiliated their contributions to date are aggregated with any post-affiliation contributions for purposes of the contribution limits. See A.O. 1985-27. Thus, the September 1984 contribution by CWA-COPE to the Hunt Committee resulted in a violation of 2 U.S.C. § 441a(a)(2)(A) by CWA-COPE and Local 13000.

The Commission also found reason to believe these Committees violated 11 C.F.R. § 104.14(d). This finding was premised on inconsistent designations of contributions as reported by the Hunt Committee and CWA-COPE. CWA-COPE maintains it correctly designated these contributions for the general election, but offers no evidence in support of this statement. In view of the small amounts of the disputed designations, (\$1,100) and the Committee's statement that its designations were accurate, this Office recommends that the Commission take no further action regarding possible violations of 11 C.F.R. § 104.14(d).

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTIES

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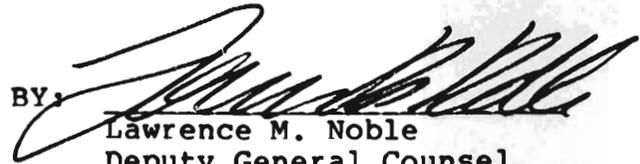
is appropriate.

IV. RECOMMENDATIONS

1. Take no further action against the Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer; and Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer, for violations of 11 C.F.R. § 104.14(d).
2. Enter into conciliation with the Communications Workers of American Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer, and Communications Workers of America Local 13000 Committee and Edwin J. Maher, as treasurer, prior to a finding of probable cause to believe.
3. Approve and send the attached letter and conciliation agreement.

Charles N. Steele
General Counsel

9/20/82
Date

BY: 
Lawrence M. Noble
Deputy General Counsel

Attachments

1. Request for Pre-probable Cause Conciliation
2. Proposed Letter
3. Proposed Conciliation Agreement

86040521567

200 # 970
Reilly

July 17, 1986

11:19 P2:33

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

The complaint in this matter alleges inter alia that CWA COPE and the Local 13000 Political Committee violated 2 U.S.C. Sec. 441a(a)(2) by making contributions to the Jim Hunt Committee for the 1984 general election which in aggregate exceeded \$5,000. Complaint 29-32. In particular, the complaint alleges that CWA COPE made contributions in February, March and July 1984 which totalled \$5,000, and that the Federation of Telephone Workers of Pennsylvania (FTWP) Political Action Committee made a \$5,000 contribution in July 1984. As we explained in our prior response filed on January 17, 1986, the FTWP affiliated with CWA on August 1, 1984, becoming CWA Local 13000. Therefore, on its face the complaint did not show a violation of the Act, since it alleged that each organization's committee contributed \$5,000 prior to their affiliation.

The Commission has now determined that there is reason to believe a violation occurred "when CWA/COPE made a \$3,900 general election contribution to the Hunt Committee after August 1, 1984, the date CWA/COPE and Local 13000 became affiliated."* In response to this determination we have

* Chairman Aikens' letter of June 17, 1986 announcing the Commission's determination also notes that "it appears that your clients and the Hunt Committee have reported inconsistent designations for your March 1984 and May 1984 contributions." We do not understand this comment to indicate that the Commission has found reason to believe a violation has occurred in this regard. However, we note that CWA COPE records completed at the time these contributions were made designate the contributions as being for the general election and this is the way they were reported by CWA COPE to the Commission.

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ATTACHMENT #1 (1)

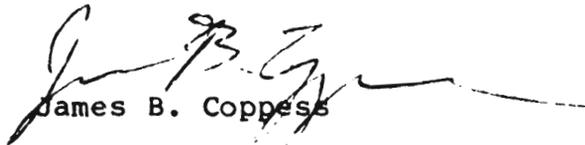
Charles N. Steele
July 18, 1986
Page 2

conducted an investigation to determine whether the \$3,900 contribution was made before or after August 1, 1984. Attached to this letter are copies of the check by which this contribution was made and the cover letter accompanying the check. Both the check and the cover letter are dated July 27, 1986. The CWA COPE report to the Commission of July 1984 contributions shows the date of this contribution as July 27, 1984; this report was filed on August 21, 1984. As a result of our recent investigation, however, we have just discovered that the CWA staff member who was to transmit the contribution to the Hunt Committee did not do so until some time in September 1984. Thus, it appears that a violation has occurred.

We submit that this is only a technical violation. CWA COPE clearly intended to make the contribution prior to August 1, 1984 and took steps to accomplish this end. The only reason the contribution was not made on the date intended is that the person charged with the ministerial act of delivering the check did not carry through on that assignment until some time later than planned. No purpose under the Act would be served by punishing CWA COPE for an inadvertent delay in making a contribution which would have been perfectly lawful if made at the time intended.

In light of the above, we hereby request pre-probable cause conciliation.

Respectfully submitted,


James B. Coppess

JBC/pab
Attachments

cc: Patty Reilly

85040521559

James B. Booe
Chairman

Louis B. Knecht
Treasurer



CWA-COPE
Political
Contributions
Committee

File: 1.34

July 27, 1984

Jim Hunt Committee
Post Office Box 25937
Raleigh, North Carolina 27611

Dear Friends:

Enclosed is check number 2235, in the amount of \$3,900.00, made payable to "Jim Hunt Committee."

This check represents individual contributions, therefore, it may be used for any proper political purpose.

Sincerely,

James B. Booe
Chairman

Enclosure

cc: L. Knecht
M. E. Nichols
R. B. Porch
G. Russo
L. Bowen
F. Hassen

1925 K Street, N.W. Suite 211 Washington, D.C. 20006 (202) 728-2465

Paid for and authorized by CWA on behalf of a joint fundraising effort for CWA-COPE PCC and the AFL-CIO COPE PCC.

(3)

85040521570



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James Coppes, Esquire
Communications Workers of America
Legal Department
Suite 111
1925 K Street N.W.
Washington, D.C. 20006

- RE: MUR 2110
1. Communications Workers of America Committee on Political Education, Political Contributions Committee and James B. Booe, as treasurer
 2. Communications Workers of America Committee Local 13000 Committee and Edwin J. Maher, as treasurer

Dear Mr. Coppes:

On June 3, 1986, the Commission found reason to believe that your clients violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d). At your request, the Commission determined on , 1986, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Additionally, on this date, the Commission determined to take no further action regarding possible violations by your clients of 11 C.F.R. § 104.14(d).

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes

ATTACHMENT # 2(1)

8 5 0 4 0 5 2 1 5 7 2

in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

8 5 0 4 0 5 2 1 5 7 3

CC#1903

DAVID F. KIRBY
JOHN R. WALLACE
PAUL F. GREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

**KIRBY, WALLACE, GREECH,
SARDA & ZAYTOUN**

ATTORNEYS AT LAW
WASHINGTON SQUARE
1080 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27605

P. O. BOX 12065
(919) 881-4416

RICHARD P. NORDAN

October 29, 1986

Ms. Patty Reilly, Esquire
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2110

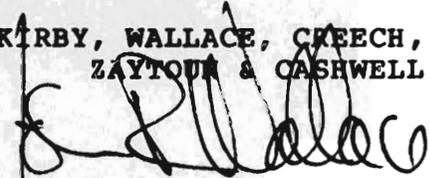
Dear Ms. Reilly:

I enclose a copy of the executed Conciliation Agreement along with copies of correspondence with representatives of EPEC-IUOE and CWA-COPE along with enclosed refund checks as required by our understanding. Also enclosed is a check payable to the United States Treasury in the amount of \$250.00.

Thank you for your assistance in the resolution of this matter. Should you have any questions with regard to this matter, please contact me.

Sincerely,

KIRBY, WALLACE, GREECH, SARDA
ZAYTOUN & CASHWELL


John R. Wallace

JRW/efc
LLJW0002.010

Enclosures

86 NOV 3 12: 00

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

86040321574

DAVID F. KIRBY
JOHN R. WALLACE
PAUL P. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

RICHARD P. NORDAN

KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN
ATTORNEYS AT LAW
WASHINGTON SQUARE
1080 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27605

P. O. BOX 18065
(919) 881-4410

October 29, 1986

Mr. Frank Hanley
Treasurer
Engineers Political Election Fund
1125 17th Street, N.W.
Washington, D. C. 20036

Re: MUR 2110

Dear Mr. Hanley:

I enclose a check drawn on the account of the Hunt Committee payable to EPEC-IUOE Local 68 PAC in the amount of \$250.00. This check represents a refund of the contribution made to the Jim Hunt Committee arising out of the 1984 election cycle.

Should you have any question with regard to this matter, please contact me.

Sincerely,

KIRBY, WALLACE, CREECH, SARDA
ZAYTOUN & CASHWELL

John R. Wallace
John R. Wallace

JRW/efc
LLJW0002.009

Enclosure

86040621575

JIM HUNT COMMITTEE
P. O. BOX 26937
RALEIGH, NC 27611

5307

10 29 1986

PAY TO THE ORDER OF EPEC - IUOE - Local 68 PAC

\$ 250.00

DOLLARS

BBW
Richard P. Nordan

JIM HUNT COMMITTEE
P. O. BOX 28937
RALEIGH, NC 27611

5305

10-24- 19 86 ^{66 # 112} ₆₃₁

PAY TO THE
ORDER OF

US Treasury

\$ 250⁰⁰

Two hundred fifty & 00/100

DOLLARS

BB&T

BRANCH BANKING AND TRUST COMPANY
RALEIGH, NC

86040621576

Communications
Workers of America
AFL-CIO

General Department
Room 411
202/728-2453

1925 K Street, N.W.
Washington, D.C. 20006

RECEIVED THE FEC
GDC # 1898
06 OCT 30 12:20

October 28, 1986

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Lawrence M. Noble
Deputy General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Noble:

In compliance with the Conciliation Agreement between the Commission and my clients, CWA COPE PCC et al., please find enclosed a check for \$600.00 to the Treasurer of the United States and a letter from me to the attorney for the Jim Hunt Committee confirming that CWA COPE PCC has requested a refund of its \$3,900.00 contribution and that the Jim Hunt Committee will make that refund.

Yours truly,

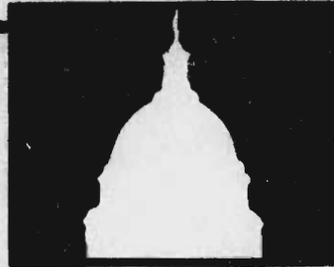

James B. Coppers

JBC/ver
Enclosures

9604031377

86 OCT 30 P12: 21

James B. Booe
~~SECRETARY~~
TREASURER



~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

CWA-COPE Political Contributions Committee

October 28, 1986

Treasurer of the United States
Washington, D. C. 20220

Dear Madam Treasurer:

Enclosed is check number 3607, in the amount of \$600.00 made payable to the "Treasurer of the United States."

This check represents individual contributions, therefore, it may be used for any proper political purpose.

Sincerely,

James B. Booe
James B. Booe
Treasurer

Attachment

cc: B. Easterling
J. Coppess
L. Bowen

1925 K Street, N.W. Suite 211 Washington, D.C. 20006 (202) 728-2465

Paid for and authorized by CWA on behalf of a joint fundraising effort for CWA-COPE PCC and the AFL-CIO COPE PCC.

86040621578

October 28, 1986

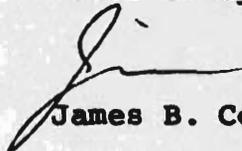
John R. Wallace
Kirby, Wallace, Creech, Sarda
& Zaytoun
P.O. Box 12065
Raleigh, North Carolina 27605

Re: MUR 2110

Dear Mr. Wallace:

This is to confirm our telephone conversation earlier today in which I requested on behalf of the CWA COPE PCC that the Jim Hunt Committee return the \$3,900.00 contribution made by CWA COPE PCC in September 1984. It is my understanding that the Jim Hunt Committee will be sending a check in that amount to CWA COPE PCC in the near future.

Yours truly,


James B. Coppess

JBC/ver

86040521579

A COPY OF OUR REPORT IS FILED WITH THE FEDERAL ELECTION COMM. AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMM., WASH., D.C.

26

COMMUNICATIONS WORKERS OF AMERICA

COPE - PCC

1925 K STREET, N.W.

WASHINGTON, D.C. 20006

No 3607

October 28 19 86

15-55/540

PAY TO THE ORDER OF Treasurer of the United States

\$ 600.00

EXACTLY 600 00 00 CTS

DOLLARS

AMERICAN SECURITY BANK, N.A.
15TH ST. & PENNA. AVE., N.W. WASHINGTON, D.C.

For

James B. Poole

054000551:43 863 67 810

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00 : 212 18130 91

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

DAVID F. KIRBY
JOHN R. WALLACE
PAUL P. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

RICHARD P. NORDAN

KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN
ATTORNEYS AT LAW
WASHINGTON SQUARE
1080 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27605

RECEIVED THE FEC
GCC#1103
06 AUG 4 9:43

P. O. BOX 12065
(919) 881-4416

July 30, 1986

Ms. Patty Reilly
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2110
Jim Hunt Committee, Maylon E. Little,
Treasurer

16 AUG 4 4:07

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

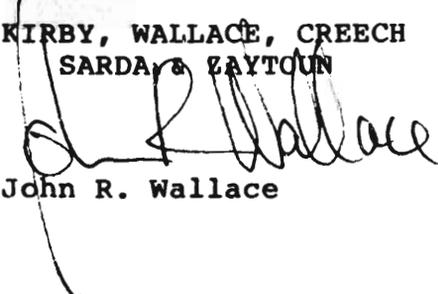
Dear Ms. Reilly:

It is my understanding that you have completed your investigation of the allegations contained in MUR 2110. We also have completed appropriate inquiry into the allegations and would request the opportunity to engage in pre-probable cause concillation pursuant to 2 U.S.C. 437(g).

Please advise me upon your completion of a proposed concillation agreement, and I will make arrangements for a prompt resolution of this matter.

Sincerely,

KIRBY, WALLACE, CREECH
SARDA & ZAYTOUN


John R. Wallace

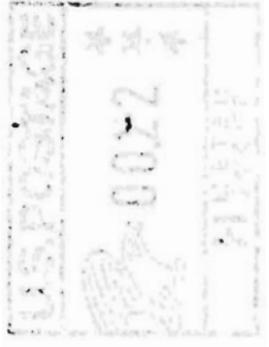
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LLJW0002.001

85040621581

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**KIRBY, WALLACE, GREECH,
SARDA & ZAYTOUN**

ATTORNEYS AT LAW
POST OFFICE BOX 12065
RALEIGH, NORTH CAROLINA 27605



Ms. Patty Reilly
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

00 AUG 3 4 3 5 : 4 3
REC

July 17, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

The complaint in this matter alleges inter alia that CWA COPE and the Local 13000 Political Committee violated 2 U.S.C. Sec. 441a(a)(2) by making contributions to the Jim Hunt Committee for the 1984 general election which in aggregate exceeded \$5,000. Complaint 29-32. In particular, the complaint alleges that CWA COPE made contributions in February, March and July 1984 which totalled \$5,000, and that the Federation of Telephone Workers of Pennsylvania (FTWP) Political Action Committee made a \$5,000 contribution in July 1984. As we explained in our prior response filed on January 17, 1986, the FTWP affiliated with CWA on August 1, 1984, becoming CWA Local 13000. Therefore, on its face the complaint did not show a violation of the Act, since it alleged that each organization's committee contributed \$5,000 prior to their affiliation.

The Commission has now determined that there is reason to believe a violation occurred "when CWA/COPE made a \$3,900 general election contribution to the Hunt Committee after August 1, 1984, the date CWA/COPE and Local 13000 became affiliated."* In response to this determination we have

* Chairman Aikens' letter of June 17, 1986 announcing the Commission's determination also notes that "it appears that your clients and the Hunt Committee have reported inconsistent designations for your March 1984 and May 1984 contributions." We do not understand this comment to indicate that the Commission has found reason to believe a violation has occurred in this regard. However, we note that CWA COPE records completed at the time these contributions were made designate the contributions as being for the general election and this is the way they were reported by CWA COPE to the Commission.

85040; 21583

RECEIVED
JUL 18 1986
P 2:33

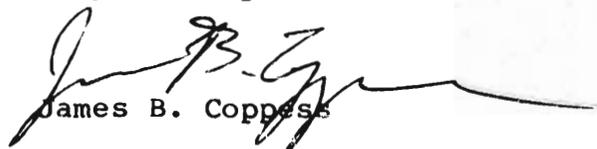
Charles N. Steele
July 18, 1986
Page 2

conducted an investigation to determine whether the \$3,900 contribution was made before or after August 1, 1984. Attached to this letter are copies of the check by which this contribution was made and the cover letter accompanying the check. Both the check and the cover letter are dated July 27, 1986. The CWA COPE report to the Commission of July 1984 contributions shows the date of this contribution as July 27, 1984; this report was filed on August 21, 1984. As a result of our recent investigation, however, we have just discovered that the CWA staff member who was to transmit the contribution to the Hunt Committee did not do so until some time in September 1984. Thus, it appears that a violation has occurred.

We submit that this is only a technical violation. CWA COPE clearly intended to make the contribution prior to August 1, 1984 and took steps to accomplish this end. The only reason the contribution was not made on the date intended is that the person charged with the ministerial act of delivering the check did not carry through on that assignment until some time later than planned. No purpose under the Act would be served by punishing CWA COPE for an inadvertent delay in making a contribution which would have been perfectly lawful if made at the time intended.

In light of the above, we hereby request pre-probable cause conciliation.

Respectfully submitted,

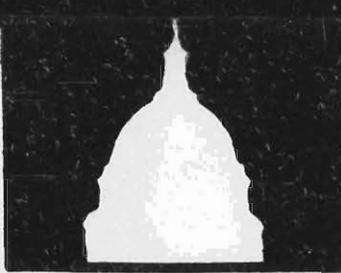

James B. Coppess

JBC/pab
Attachments

cc: Patty Reilly

83040621584

James B. Booe
Chairman



Louis B. Knecht
Treasurer

**CWA-COPE
Political
Contributions
Committee**

File: 1.34

July 27, 1984

Jim Hunt Committee
Post Office Box 25937
Raleigh, North Carolina 27611

Dear Friends:

Enclosed is check number 2235, in the amount of \$3,900.00, made payable to "Jim Hunt Committee."

This check represents individual contributions, therefore, it may be used for any proper political purpose.

Sincerely,

James B. Booe
Chairman

Enclosure

cc: L. Knecht
M. E. Nichols
R. B. Porch
G. Russo
L. Bowen
F. Hassen

1925 K Street, N.W. Suite 211 Washington, D.C. 20006 (202) 728-2465

Paid for and authorized by CWA on behalf of a joint fundraising effort for CWA-COPE PCC and the AFL-CIO COPE PCC.

85040321583

Mike Reilly

July 17, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

The complaint in this matter alleges inter alia that CWA COPE and the Local 13000 Political Committee violated 2 U.S.C. Sec. 441a(a)(2) by making contributions to the Jim Hunt Committee for the 1984 general election which in aggregate exceeded \$5,000. Complaint 29-32. In particular, the complaint alleges that CWA COPE made contributions in February, March and July 1984 which totalled \$5,000, and that the Federation of Telephone Workers of Pennsylvania (FTWP) Political Action Committee made a \$5,000 contribution in July 1984. As we explained in our prior response filed on January 17, 1986, the FTWP affiliated with CWA on August 1, 1984, becoming CWA Local 13000. Therefore, on its face the complaint did not show a violation of the Act, since it alleged that each organization's committee contributed \$5,000 prior to their affiliation.

The Commission has now determined that there is reason to believe a violation occurred "when CWA/COPE made a \$3,900 general election contribution to the Hunt Committee after August 1, 1984, the date CWA/COPE and Local 13000 became affiliated."* In response to this determination we have

* Chairman Aikens' letter of June 17, 1986 announcing the Commission's determination also notes that "it appears that your clients and the Hunt Committee have reported inconsistent designations for your March 1984 and May 1984 contributions." We do not understand this comment to indicate that the Commission has found reason to believe a violation has occurred in this regard. However, we note that CWA COPE records completed at the time these contributions were made designate the contributions as being for the general election and this is the way they were reported by CWA COPE to the Commission.

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GENERAL COUNSEL

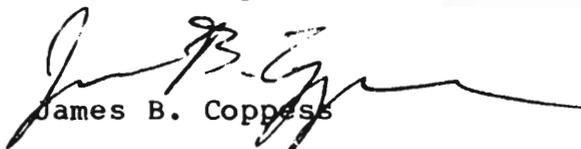
Charles N. Steele
July 18, 1986
Page 2

conducted an investigation to determine whether the \$3,900 contribution was made before or after August 1, 1984. Attached to this letter are copies of the check by which this contribution was made and the cover letter accompanying the check. Both the check and the cover letter are dated July 27, 1986. The CWA COPE report to the Commission of July 1984 contributions shows the date of this contribution as July 27, 1984; this report was filed on August 21, 1984. As a result of our recent investigation, however, we have just discovered that the CWA staff member who was to transmit the contribution to the Hunt Committee did not do so until some time in September 1984. Thus, it appears that a violation has occurred.

We submit that this is only a technical violation. CWA COPE clearly intended to make the contribution prior to August 1, 1984 and took steps to accomplish this end. The only reason the contribution was not made on the date intended is that the person charged with the ministerial act of delivering the check did not carry through on that assignment until some time later than planned. No purpose under the Act would be served by punishing CWA COPE for an inadvertent delay in making a contribution which would have been perfectly lawful if made at the time intended.

In light of the above, we hereby request pre-probable cause conciliation.

Respectfully submitted,


James B. Coppess

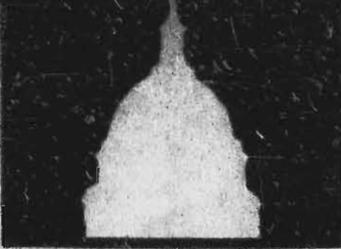
JBC/pab
Attachments

cc: Patty Reilly

86040621587

James B. Booe
Chairman

Louis B. Knecht
Treasurer



**CWA-COPE
Political
Contributions
Committee**

File: 1.34

July 27, 1984

Jim Hunt Committee
Post Office Box 25937
Raleigh, North Carolina 27611

Dear Friends:

Enclosed is check number 2235, in the amount of \$3,900.00, made payable to "Jim Hunt Committee."

This check represents individual contributions, therefore, it may be used for any proper political purpose.

Sincerely,

James B. Booe
Chairman

Enclosure

cc: L. Knecht
M. E. Nichols
R. B. Porch
G. Russo
L. Bowen
F. Hassen

1925 K Street, N.W. Suite 211 Washington, D.C. 20006 (202) 728-2465

Paid for and authorized by CWA on behalf of a joint fundraising effort for CWA-COPE PCC and the AFL-CIO COPE PCC.

86040621589

**Communications
Workers of America**
AFL-CIO

Legal Department
Suite 411

R 3040321591
1925 K Street, N.W.
Washington, D.C. 20006

16 JUL 18 P 2: 33

RECEIVED
GENERAL COUNSEL

Ch. Steele

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 27, 1986

John Wallace, Esquire
Kirby, Wallace, Greech,
Sandra & Zaytoun
Washington Square
1020 Washington Street
Raleigh, North Carolina

Re: MUR 2110
The Jim Hunt Committee and
Maylon E. Little, as treasurer

Dear Mr. Wallace:

Pursuant to our June 26, 1986 telephone conversation, enclosed is the February 6, 1986 letter to this Office from Mr. Craven, assistant treasurer of the Hunt Committee. Also enclosed are the attachments which accompanied this letter.

Please feel free to contact me if I may be of any further assistance.

Sincerely,

Patty Reilly
Patty Reilly

Enclosure:
February 6, 1986 letter

86040521592



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 26, 1986

James Coppess, Esquire
Communication Workers of America
Legal Department
Suite 111
1925 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2110
1. Communications
Workers of America
Local 1300 committee
and Edwin J. Maher,
as treasurer

2. Communications
Workers of America
Committee on
Political Education
Political
Contributions
Committee and James
B. Booe, as
treasurer

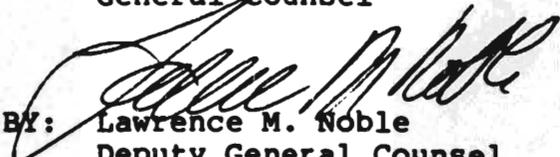
Dear Mr. Coppess:

This Office of the General Counsel is in receipt of your recent request for an extension of time in which to respond in the above-captioned matter. After considering the circumstances detailed in your letter, this Office will grant the requested extension. Accordingly, your response is due no later than July 18, 1986.

If you have any questions please direct them to Patty Reilly, the attorney assigned to this matter, at 376-8200.

Sincerely,

Charles N. Steele
General Counsel


BY: Lawrence M. Noble
Deputy General Counsel

86040621593

Communications
Workers of America
AFL-CIO

Labor Department
Suite 411
202/728-2453

1925 K Street, N.W.
Washington, D.C. 20006

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HAND DELIVERED

86 JUN 20 P. 3: 49

G'CC# 763

June 20, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

I request an extension of twenty days to and including July 18, 1986, to respond to the Commission's determination in the above matter that there is reason to believe that my clients, CWA COPE and CWA Local 13000, have violated the Act.

Our response will entail an investigation of the factual basis of the Commission's determination, and the current contract negotiations with a number of large telephone companies will slow this process within the Union. Moreover, in addition to my normal duties in advising the Union, I have a representation case hearing before the NLRB beginning on June 24, 1986, and a brief due in the Third Circuit shortly thereafter.

Yours truly,


James B. Coppess

JBC/ver

cc: Patty Reilly

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GENERAL COUNSEL

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86 JUN 20 P 3:49

June 20, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

I request an extension of twenty days to and including July 18, 1986, to respond to the Commission's determination in the above matter that there is reason to believe that my clients, CWA COPE and CWA Local 13000, have violated the Act.

Our response will entail an investigation of the factual basis of the Commission's determination, and the current contract negotiations with a number of large telephone companies will slow this process within the Union. Moreover, in addition to my normal duties in advising the Union, I have a representation case hearing before the NLRB beginning on June 24, 1986, and a brief due in the Third Circuit shortly thereafter.

Yours truly,


James B. Coppess

JBC/ver

cc: Patty Reilly

86040521595

**Communications
Workers of America**
AFL CIO

Legal Department
Suite 411

3 S 1925 K Street, N.W.
Washington, D.C. 20006
3 9 5

Ms. Patty Reilly
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 17, 1986

**Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 15th Street, N.W.
Suite 801
Washington, D.C. 20005**

RE: MUR 2110

- 1. International Brotherhood of
Electrical Workers Committee
on Political Education and
Jack Moore, as treasurer**
- 2. International Brotherhood of
Electrical Workers Local Union
584 ELECTRO-PAC and Gerald H.
Edwards, as treasurer**

Dear Mr. Kurnick:

On June 3, 1986, the Commission found reason to believe that your clients had violated 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I) and 434(b)(6)(B)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), as well as 11 C.F.R. § 104.14(d), a provision of the Commission's Regulations, in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action, and on June 3, 1986, closed its file as it pertains to your clients.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

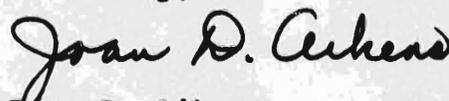
The Commission reminds you that your clients' combined contributions to the Hunt Committee, totalling \$10,100, nevertheless appear to be a violation of 2 U.S.C. § 441a(a)(2)(A). Moreover, inconsistent dates and identities were reported by your clients and the Hunt Committee regarding

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these contributions, in apparent violation of 2 U.S.C. § 434(b)(6)(B)(i). Additionally, your clients failed to report a refund made by the Hunt Committee on June 18, 1984, thus apparently violating 2 U.S.C. § 434(b)(2)(I). Finally, it appears your clients have failed to file "timely and complete" reports as required by 11 C.F.R. § 104.14(d). You should take immediate steps to insure that these activities do not occur in the future.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at 376-8200.

Sincerely,



Joan D. Aikens
Chairman

86040621598



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 17, 1986

**John R. Wallace, Esquire
Kirby, Wallace, Greech, Sarda &
Zaytoun
Washington Square
1020 Washington Street
Raleigh, N.C. 27605**

**RE: MUR 2110
The Jim Hunt Committee and
Maylon Little, as treasurer**

Dear Mr. Wallace:

The Federal Election Commission notified your clients on December 14, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act".) A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your clients, the Commission, on June 3, 1986, determined that there is reason to believe that your clients have violated 2 U.S.C. § 441a(f). Specifically, it appears that your clients accepted \$100 in excessive contributions from the International Brotherhood of Electrical Workers Committee on Political Education and its affiliated political committee, Electrical Workers Union Local 584 Electro PAC in violation of 2 U.S.C. § 441a(f). Additionally, it appears your clients accepted \$5,250 in primary contributions from the International Union of Operating Engineers and its affiliated committee, Engineers Political Education Committee/International Union of Operating Engineers Local 68 PAC in violation of 2 U.S.C. § 441a(f). Although your response stated that you had received a \$5000 general election contribution from these committees, their reports differ in this regard. Moreover, it appears the Hunt Committee violated 2 U.S.C. § 441a(f) by accepting a \$3,900 contribution from Communications Workers of America Committee on Political Education ("CWA/COPE"). That contribution, when added to previous contributions made by CWA/COPE and its affiliated committee, Local 1300 (formerly Telephone Workers of Pennsylvania Political Action Committee), exceeded the committees' combined contribution limitation for the general election.

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Your clients' response to the Commission's initial notification of this complaint did not provide complete information regarding the matters in question. You may submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

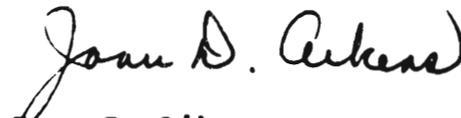
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 your clients wish the matter to be made public.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens
Chairman

Enclosures
Procedures

86040521500



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1986

James Coppess, Esquire
Communication Workers of America
Legal Department
Suite 111
1925 K Street, N.W.
Washington, D.C. 20006

- RE: MUR 2110
1. Communications Workers of America Local 1300 committee ("Local 1300") and Edwin J. Maher, as treasurer
 2. Communications Workers of America Committee on Political Education Political Contributions Committee ("CWA/COPE") and James B. Booe, as treasurer

Dear Mr. Coppess:

The Federal Election Commission notified your clients on December 19, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act".) Copies of the complaint were forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your clients, the Commission, on June 3, 1986, determined that there is reason to believe that your clients violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act, as well as 11 C.F.R. § 104.14(d), a provision of the Commission's regulations. Specifically, it appears that CWA/COPE and Local 1300 exceeded their shared contribution limit for the general election when CWA/COPE made a \$3,900 general election contribution to the Hunt Committee after August 1, 1984, the date CWA/COPE and Local 1300 became affiliated. Because your clients had reached the \$5,000 contribution limitation through the combined total of their

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contributions made as of the date of affiliation, they could not make any further contributions to the Hunt Committee for the general election. See AO 1985-27. Moreover, it appears that your clients and the Hunt Committee have reported inconsistent designations for your March 1984 and May, 1984 contributions.

You may submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed will not be entertained.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 your clients wish the matter to be made public.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at 376-8200.

Sincerely,



Joan D. Aikens
Chairman

Enclosures
Procedures

86040521602



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1986

Engineers Political Education Committee/
International Union of Operating Engineers
Frank Hanley, as treasurer
1125 17th Street, N.W.
Washington, D.C. 20036

RE: MUR 2110
Engineers Political
Education Committee/
International Union
of Operating
Engineers and Frank
Hanley, as treasurer

Dear Mr. Hanley:

On June 3, 1986, the Commission found reason to believe that the Engineers Political Education Committee/International Union of Operating Engineers and Frank Hanley, as treasurer, had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), as well as 11 C.F.R. § 104.14(d), a provision of the Commission's Regulations in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and on June 3, 1986, closed its file as it pertains to you and your committee.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

The Commission reminds you that the combined contributions of \$5,250 made by your committee and its affiliated committee nevertheless appear to be violations of 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d). You should take immediate steps to insure that this activity does not occur in the future.

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If you have any questions, please direct them to Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

8 5 0 4 0 5 2 1 6 0 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 17, 1986

James Zazzali, Esquire
Zazzali, Zazzali, & Kroll
One Gateway Center
Newark, NJ 07102-5311

RE: MUR 2110
International Union
of Operating
Engineers Local 68
Political Action
Committee and
Vincent J. Giblin,
as treasurer

Dear Mr. Zazzali:

On June 3, 1986, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), as well as 11 C.F.R. § 104.14(d), a provision of the Commission's Regulations in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission determined to take no further action and on June 3, 1986, closed its file as it pertains to your clients.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

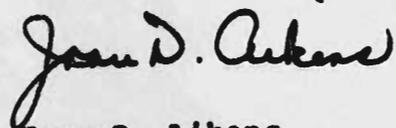
The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

The Commission reminds you that the combined contributions of \$5,250 made by your clients and its affiliated committee nevertheless appear to be violations of 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d). You should take immediate steps to insure that this activity does not occur in the future.

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If you have any questions, please direct them to Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens
Chairman

86040321606

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Jim Hunt Committee, et al.)

MUR 2110

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission executive session of June 3, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2110:

1. Find reason to believe and close the file with regard to the International Brotherhood of Electrical Workers Committee on Political Education and Jack Moore, as treasurer, for violations of 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I), and 434(b)(6)(B)(i), as well as 11 C.F.R. § 104.14(d).
2. Find reason to believe and close the file with regard to the International Brotherhood of Electrical Workers Local Union 584 Electro PAC and Gerald H. Edwards, as treasurer, for violations of 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I), and 434(b)(6)(B)(i), as well as 11 C.F.R. § 104.14(d).
3. Find reason to believe and close the file with regard to Engineers Political Education Committee International Union of Operating Engineers and Frank Hanley, as treasurer, for violations of 2 U.S.C. § 441a(a)(2)(A), as well as 11 C.F.R. § 104.14(d).
4. Find reason to believe and close the file with regard to the International Union of Operating Engineers Local 68 PAC and Vincent J. Giblin, as treasurer, for violations of 2 U.S.C. § 441a(a)(2)(A), as well as 11 C.F.R. § 104.14(d).

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5. Find reason to believe the Communications Workers of America Committee on Political Education and James B. Booe, as treasurer, and Communications Workers of America Local 1300 Committee and Edwin J. Maher, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d).
6. Find reason to believe the Jim Hunt for Senate Committee and Maylon E. Little, as treasurer, violated 2 U.S.C. §§ 441a(f).
7. Approve the appropriate letters.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald, and McGarry voted affirmatively for this decision.

Attest:

3 6 0 4 0 5 2 1 6 0 8
6-4-86

Date

Mary W. Dove
Mary W. Dove
Administrative Assistant

BEFORE THE FEDERAL ELECTION COMMISSION

ED
SENSITIVE

In the Matter of)
) MUR 2110
In the Matter of the Jim Hunt)
Committee, et al.)

00 MAY 22 All : 35

GENERAL COUNSEL'S REPORT

The Office of the General Counsel received a complaint on December 3, 1985 from Michael Ernest Avakian of the Center on National Labor Policy on behalf of his client, Jeffrey Ryan. The complaint alleges that both the Jim Hunt Exploratory Committee and the Jim Hunt Committee ("the Hunt Committee") and Maylon E. Little, as treasurer, violated 2 U.S.C. § 441a(f) by accepting contributions exceeding the Act's limitations. Additionally, the complaint alleges the following six committees and their treasurers were the sources of these excessive contributions, thus violating 2 U.S.C. § 441a(A)(2)(A): 1) Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE") and Frank Hanley, as treasurer; 2) International Union of Operating Engineers Local 68 Political Action Committee ("IUOE Local 68 PAC") and Vincent J. Giblin, as treasurer; 3) International Brotherhood of Electrical Workers Committee on Political Education ("IBEW/COPE") and Ralph A. Leigon, as treasurer^{1/}; 4) International Brotherhood of Electrical Workers Local 584 Electro-PAC ("Electro-PAC") and Gerald H. Edwards, as treasurer; 5) Communication Workers of America Committee on Political Education Political Contributions Committee

^{1/} Mr. Leigon is no longer treasurer of IBEW/COPE. The current treasurer is Mr. Jack Moore. IBEW/COPE filed an amended Statement of Organization reflecting this fact.

86040521609

("CWA/COPE") and Louis B. Knecht, Fred G. Hassen, and Ron Krouse, as treasurers^{2/}; and 6) Local 1300 Communication Workers of America, AFL-CIO ("Local 1300") and Edwin J. Maher, as treasurer. The complaint also names all of these treasurers in their individual capacities and alleges violations of 11 C.F.R. 104.14(d), as well as alleges a violation of 11 C.F.R. § 103.3(b) by the Hunt Committee. As discussed below, these allegations arise out of three sets of contributions.

FACTUAL AND LEGAL ANALYSIS

I. Contributions of IBEW-COPE and Electro PAC to the Hunt Committee

a. Allegations in the complaint.

The complaint alleges that the IBEW-COPE and Electro-PAC, affiliated political committees, made excessive contributions to the Hunt Committee. Drawing upon the reports of IBEW-COPE and Electro-PAC, the complaint at p. 16 notes the following contributions.

	<u>Date</u>	<u>Committee</u>	<u>Amount</u>	<u>Designation</u>
1.	10/12/83	IBEW-COPE	\$1000	primary
2.	02/29/84	Electro-PAC	\$ 100	primary
3.	04/12/84	IBEW-COPE	\$4000	primary
4.	04/12/84	IBEW-COPE	<u>\$5000</u>	primary
			Total: \$10,100	

Primary Date: May 8, 1984

The complaint thus alleges that the total of \$10,100 in contributions constitutes a \$5,100 excessive contribution to the primary election because of the affiliated relationship between these committees. Complaint at 17.

^{2/} Currently, the treasurer of CWA-COPE is James B. Booe, with James W. Gee and Lorretta Brown as assistant treasurers.

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b. An Excessive Contribution

1. The Facts

The reports filed by IBEW-COPE and Electro PAC report the above-noted contributions for the dates and amounts alleged in the complaint at page 16. The reports indicate that all of the contributions noted above (save for the \$100 contribution which was undesignated) were reported as primary election contributions.

Responding the complaint, IBEW-COPE states that the \$5000 contribution made on April 12, 1984 was intended for the general election, but IBEW-COPE "checked the wrong box on Schedule B," thus reporting a primary contribution. IBEW-COPE Response at 2. IBEW-COPE has provided supporting documentation that this \$5000 contribution was intended as a general election contribution. This documentation includes a copy of the transmittal letter sent with the checks stating IBEW-COPE was making a general election contribution; copies of the two checks dated April 12, 1984, one for \$4,000 bearing on its face a designation for the primary election, the other for \$5,000 bearing a designation for the general election; and internal documents indicating a \$5000 general contribution and a \$4000 primary contribution were intended on this date. IBEW-COPE also submitted a corrective amendment as part of its response. This amendment notes the \$5000 contribution made April 12, 1984 was intended for the general election. The Hunt Committee's reports correctly noted all contributions, except for the \$100 contribution discussed at

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page 5.

2. The Law

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The Act limits multicandidate political committees to contributing \$5,000 per election to any candidate or his political committee. 2 U.S.C. § 441a(a)(2)(A). All contributions made by political committees established, financed, maintained or controlled by a labor organization, including the local unit of such labor organization, shall be considered to have been made by the same political committee. 2 U.S.C. § 441a(a)(5). Affiliated multicandidate political committees share a common contribution limitation of \$5,000 per election. A contribution may be designated in writing for the primary or general election. 11 C.F.R. § 110.1(a)(2)(i). Political committees are required to report the dates of contributions and the identity of contributors. 2 U.S.C. § 434(b)(3)(A). Additionally, political committees are prohibited from accepting contributions exceeding the Act's limitations. 2 U.S.C. § 441a(f). Each treasurer of a political committee is personally responsible for the timely and complete filing of reports, and for the accuracy of information and statements contained within such reports. 11 C.F.R. § 104.14(d).

3. Violations of the Contribution Limitations

IBEW-COPE and Electro-PAC reported making primary contributions totalling \$10,100 to the Hunt Committee. As previously discussed, IBEW-COPE has provided evidence of a contemporaneous writing indicating that its \$5,000 April 12, 1984 contribution was made for the general election. Two

consequences thus flow. First, IBEW-COPE and Electro-PAC appear to have made \$5,100 in contributions to the primary election. Second, IBEW-COPE and Electro PAC incorrectly reported the designation of its April 12, 1984 contribution.^{4/} In light of this total of \$10,100 in contributions reported for the general and primary elections, IBEW-COPE and Electro PAC exceeded the maximum possible total contributions for these two elections.^{5/} Therefore, this Office recommends that there is reason to believe IBEW-COPE and Electro-PAC, and their treasurers, violated 2 U.S.C. § 441a(a)(2)(A). Additionally, there is reason to believe the Hunt Committee and its treasurer violated 2 U.S.C. § 441a(f). Moreover, because of the inconsistency of the designations as reported by the IBEW-COPE and Electro-PAC, and as discussed further at part IV, this Office further recommends that there is reason to believe these two committees and their treasurers violated 11 C.F.R. § 104.14(d).

c. Reporting Problems

1. The Facts

Problems also arise out of the \$100 contribution. It is undisputed that this contribution was made, however, confusion arises regarding the donor, date, and subsequent refund. IBEW-

^{4/} The Hunt Committee reports the designation of this contribution correctly, with minor variances in dates resulting from mailing time.

^{5/} As discussed further in Section C, the two committees disagree whether the \$100 contribution was designated for the primary or general election. It is undisputed that a total of \$10,100 was received and that this amount exceeds the combined permitted totals for these two elections.

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COPE states this undesignated contribution was made in February 1984 by Electro-PAC, despite instructions to local PACs not to make contributions without notifying IBEW-COPE. IBEW-COPE also has requested the Hunt Committee to refund the \$100. IBEW-COPE response at Attachment B. The Hunt Committee asserts it cannot locate any such \$100 contribution made in February, 1984. Instead, the Hunt Committee asserts there was a \$100 contribution from IBEW-COPE received on April 30, 1984, and refunded June 18, 1984. Additionally, the Hunt Committee reported this as a general election contribution. The Hunt Committee's 1984 July Quarterly Report notes both the receipt of this excessive April contribution and its subsequent refund.

2. The Law

A political committee is required to identify each political committee that makes a contribution to the reporting committee during the reporting period, along with the date and amount of such contribution. 2 U.S.C. § 434(b)(3)(B). Additionally, a political committee must report the name and address of each political committee it has contributed to as well as the date and amount of such contribution. 2 U.S.C. § 434(b)(6)(B)(i). Moreover, a committee receiving a refund is required to report such refund as a receipt. 2 U.S.C. § 434(b)(2)(I).

3. Reporting Violations

The responses from these committees indicate confusion regarding the date the \$100 contribution and identity of the

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contributor. In light of these inconsistencies, none of the representations of these committees regarding these particular contributions may be relied upon. Instead, this Office recommends that the Commission find reason to believe the Act was violated and conduct an investigation in order to obtain a copy of the disputed check. Therefore, this Office recommends that the Commission find reason to believe that the Hunt Committee and Maylon Little, as treasurer, violated 2 U.S.C. § 434(b)(3)(B). Further, this Office recommends that the Commission found reason to believe that IBEW-COPE and Electro PAC and their treasurers violated 2 U.S.C. § 434(b)(6)(B)(i).

A second violation arises from the Hunt Committee's refund to IBEW-COPE. Although the Hunt Committee made this refund on June 18, 1984, IBEW-COPE did not report this refund as required. Therefore, there is reason to believe IBEW-COPE and Jack Moore, as treasurer, and Electro-PAC and Gerald H. Edwards, as treasurer, violated 2 U.S.C. § 434(b)(2)(I).

In its response to the complaint, IBEW-COPE requested to enter into conciliation prior to a finding of probable cause to believe. Because of the need to resolve questions regarding contribution dates and refunds surrounding the \$100 contribution, this Office recommends that the Commission deny IBEW-COPE's request for conciliation at this time.

II. Possible Violations Arising From Contributions by EPEC/IUOE and IUOE Local 68 PAC

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a. Allegations in the Complaint

The complaint alleges EPEC/IUOE and IUOE Local 68 PAC, as affiliated political committees sharing a common contribution limitation, made excessive contributions to the Hunt Committee. Drawing upon the reports of these two committees, the complaint alleges, at page 8, that the Hunt Committee accepted a \$250 primary contribution from Local 68 PAC on May 8, 1984, and a \$5000 primary contribution from EPEC-IUOE on May 31, 1984. The complaint thus alleges that the total \$5,250 in primary contributions constitutes a \$250 excessive contribution.

b. Reports and Responses

Responding to the complaint, EPEC-IUOE admits that an excessive primary contributions was made to the Hunt Committee as alleged in the complaint. EPEC-IUOE states it relied upon the Hunt Committee's representations that its May 31, 1984 contribution would not result in an excessive contribution and thus argues that it is absolved from any violation. Additionally, the response of Local 68 PAC argues that its contribution was lawful at the time it was made, with a violation occurring only because of EPEC-IUOE's contribution. (EPEC-IUOE's contribution was accompanied by a cover letter designating it for the primary.)

The reports of the Hunt Committee reflect the contributions in question, except that the \$5000 contribution is designated as a general election contribution. The Hunt Committee's Response further asserts that the \$5000 contribution was received after

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the May 8, 1984 primary, and "therefore is properly designated as towards the general election." Hunt Response at Attachment #2. An additional response of the Hunt Committee states that as a general practice when contributions were received after the primary and designated for the primary, the contributor was contacted and "given a choice" of a refund or redesignation of the contribution. Supplemental Response at 1. The Hunt Committee states it is "apparent" that a redesignation occurred since no further general election contributions were received from these Committees. Nevertheless, the cover letter from EPEC/IOUE's May contribution, included in the supplemental response, states a \$5000 primary contribution was intended. Id. at 4.

c. Violations stemming from contributions by EPEC/IOUE and Local 68 PAC

The Act limits multicandidate committees to contributing \$5000 per election to an authorized committee of any candidate. 2 U.S.C. § 441a(a)(2)(A). All contributions made by political committees established, financed, maintained or controlled by a labor organization, including the local unit of such labor organization, shall be considered to be made by the same political committee. 2 U.S.C. § 441a(a)(5). Thus, affiliated multicandidate committees share a \$5,000 contribution limitation. 2 U.S.C. § 441a(a)(2)(A). A contribution may be designated in writing for the primary or general election. If a primary contribution is made after the date of the primary election, such

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a designation must be in writing and the donee committee must have a primary debt. 11 C.F.R. § 110.1(a)(2)(i).

The Office of General Counsel maintains the position that the recipient committee cannot, without contemporaneous, written designations from the contributor, treat a contribution received before the primary as a general election contribution or after the primary as a primary contribution. (See 11 C.F.R. § 110.1(a)). Although 11 C.F.R. § 102.9(e) (which requires separate accounting to distinguish between primary and general election contributions received before the primary) refers to "contributions . . . designated by the candidate or his or her authorized committee(s) for use in connection with the general election," this phrase should not be construed as permission for the recipient committee to assign contributions to a particular election. Such independent designation by the recipient committee, in this instance the Hunt Committee, could contravene the contributor's intent as well as the rules for designated and undesignated contributions at 11 C.F.R. § 110.1(a)(2).

The Commission has supported the view that despite the confusing language of 11 C.F.R. § 102.9(e), this regulation should not be interpreted to mean that the recipient can determine election designations. However, in application, the Commission has declined to proceed against a recipient committee which had accepted contributions for the primary or general election in a manner that ensured compliance with 2 U.S.C. § 441a. In MUR 1648 (the Riegle case), MUR 1696 (the Sarbanes

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Committee) and in MUR 1637 (the Kennedy Committee), the Commission found reason to believe and subsequently, based on 11 C.F.R. § 102.9(e), closed the file rather than find probable cause against the recipient candidate committees.

In the instant case, 11 C.F.R. § 102.9(e) does not come into play because the contribution involved was accompanied by a designation from the contributor. EPEC/IUOE and Local 68 PAC contributed \$5,250 to the primary election. EPEC-IUOE's post primary contribution was contemporaneously designated for the primary, therefore, the Hunt Committee was required to accept it as a primary contribution. Thus, this Office recommends that there is reason to believe EPEC/IUOE and Frank Hanley, as treasurer, and Local 68 PAC and Vincent J. Giblon, as treasurer violated 2 U.S.C. § 441a(a)(2)(A). Because the Hunt Committee accepted the contribution this Office recommends that the Commission find reason to believe the Hunt Committee violated 2 U.S.C. § 441a(f)

III. Possible Violations Arising from Contributions from CWA/COPE and LOCAL 1300 to the Hunt Committee

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The complaint alleges that CWA/COPE and Local 1300 made excessive contributions to the Hunt Committee.^{6/} Drawing upon a review of the Hunt Committee's reports, the complaint at page 12 alleges the below-noted contributions:

	<u>Date</u>	<u>Donor</u>	<u>Amount</u>	<u>Donor Designation</u>	<u>Hunt Designation</u>
1.	03/27/84	CWA/COPE	\$ 500	G	P&G
2.	05/08/84	CWA/COPE	600	G	P
3.	07/25/84	FTWP-PAC	5,000	G	none
4.	09/20/84	CWA/COPE	3,900	G	none

a. The Affiliation Issue

Responding to the complaint, both CWA-COPE and Local 1300 (formerly FTWP-PAC) admit making the contributions in question (although disputing the designations). Further, the Hunt Committee acknowledges the receipt of these amounts, but states it had no actual knowledge of any affiliated status at the time these contributions were made. Accordingly, the Hunt Committee accepted and reported these contributions as made by two distinct, non-affiliated political committees. Moreover, CWA/COPE and Local 1300 deny that they were affiliated political committees within the meaning of the Act. As developed below, it appears CWA-COPE and Local 1300 were not affiliated at the time

^{6/} As discussed at length below, Local 1300 was formerly registered with the Commission as the Federation of Telephone Workers of Pennsylvania Political Action Committee ("FTWP-PAC"). Upon the merger of its connected organization with the Communications Workers of America, this committee filed an amended statement of organization reflecting both its new name and its affiliated status.

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of the July, 1984 contributions.

1. The merger of FTWP with CWA

It is clear that at some point FTWP-PAC and CWA-COPE were independent multicandidate political committees whose parent unions decided to merge. In October, 1983, delegates to the FTWP convention voted to recommend a merger with CWP to FTWP's members. The vote on this proposal occurred in February 1984, with members of FTWP accepting the proposed merger. At that time, the merger was to "be completed officially at the CWA annual convention August 11, 1984. Complaint at Attachment p. 1-2, (BNA's Daily Labor Report, 10-28-83). Subsequently, at the April, 1984 CWA Executive Board meeting, it was resolved " [t]hat the Executive Board of CWA hereby establishes CWA District 13 ...effective August 1, 1984." CWA-COPE Response at Exhibit 6. By letter dated July 18, 1984, the Secretary Treasurer of CWP-COPE informed the president of Bell Pennsylvania that the "[FTWP] has merged with the [CWA] effective August 1, 1984." Id. at Exhibit 7. By letter dated July 26, 1984 (and received July 26, 1984) CWA-COPE informed the Commission that CWA-COPE and FTWP-PAC intended to "officially merge" effective August 1, 1984, noting "...as of August 1, 1984 the political committees of each of the unions will be affiliated per the definition of 11 C.F.R. 100.5(g) (i) (B)."

2. Factual Responses

In the face of this official August 1, 1984 merger, FTWP-PAC made a \$5,000 contribution to the Hunt Committee. FTWP-PAC dates

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this contribution as July 18, 1984, while the Hunt Committee notes the contribution as made on July 25, 1984. In any event, at a time immediately preceeding the official merger date, FTWP-PAC gave the maximum permitted contribution of \$5,000 to the general election. CWA-COPE denies that it was affiliated with FTWP-PAC at the time of FTWP-PAC's contribution. Instead, it argues the two committees could not possibly have been affiliated prior to August 1, 1984. Three reasons are said to support this contention.

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First, CWA-COPE notes that FTWP-PAC and CWA-COPE were each governed by their own constitutions prior to the August 1, 1984 formal date of affiliation. Second, CWA asserts Local 1300 did not exist until this date of formal merger, because it was not until then that FTW constitution was replaced, its former members began paying dues to CWA, and a new geographic region was created to accomodate the new local. Moreover, CWA argues that it was a legal impossibility for the two unions to be affiliated prior to August 1, 1984 because the CWA constitution dues requirements for membership were not met until that date.^{7/} In sum, CWA-COPE asserts that an agreement to merge at a future date does not make two political committees affiliated and thus subject to the single contribution limitation of one political committee. Id. at 3.

^{7/} The CWA constitution limits membership to persons who are members of one of its locals and who pay dues to CWA.

3. Affiliation Under the Act and Regulations

The Act and Regulations impose a single contribution limitation on affiliated committees. Such committees are defined as being established, financed, maintained or controlled by any labor organization including any local unit of such labor organization. 2 U.S.C. § 441a(a)(5). Thus, affiliated multicandidate political committees are limited to contributing \$5,000 per election to the authorized committee of a candidate. 2 U.S.C. § 441a(a)(2)(A).

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The Commission has not specifically addressed the question whether an agreement to merge two unions on a specified date is enough to make their separate funds affiliated, but its recent decision in AO 1985-27 is enlightening. In this AO the Commission reviewed a situation involving R.J. Reynolds and Nabisco, two corporations that had separate segregated funds. The corporations reached an agreement to merge on June 1, 1985. Pursuant to the agreement, Reynolds made a tender offer for Nabisco's stock. On July 2, 1985, Reynolds received 50.2% of Nabisco's outstanding stock. On September 10, 1985 Nabisco held a shareholders meeting to approve the merger.

The Commission rejected the contention that the separate segregated funds do not become affiliated until the date of formal merger. Instead they looked at "a broader set of circumstances" to see when the one entity actually had a controlling interest

over the other and decided that July 2, 1985, the date on which Reynolds received the majority of Nabisco's outstanding stock, was the date the separate segregated funds became affiliated.

In the instant case, there was no passing of control until the actual date of the merger. Prior to that date, the organizations were independently governed by their own constitutions. Furthermore, it was not until then that Local 1300 came into existence and its members began paying dues to CWA. Consequently, as it appears that, as CWA did not control Local 1300 until August 1, 1984, the two political committees were not affiliated until that date. On that date, however, the committees became affiliated, afterwhich their pre-affiliation contributions had to be aggregated with any post-affiliation contributions for purposes of the contribution limits. See A.O. 1985-27. Because CWA/PAC and FTWP-PAC (Local 1300's predecessor) had contributed a total of \$6,100 to the Hunt Committee for the general election prior to their affiliation, CWA/COPE's \$3,900 post-affiliation contribution exceeded the committees' shared limit. Consequently, this Office recommends that the Commission find reason to believe CWA/COPE and Local 1300 violated 2 U.S.C. § 441a(a)(2)(A) and the Hunt Committee violated 2 U.S.C. § 441a(f).

b. Designation Problems

It appears that Hunt Committee, and CWA-COPE have inconsistently reported the designations of two of these contributions. The Hunt Committee reports the March 1984

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contribution for the primary and general election; CWA-COPE reports this as a general election contribution. CWA-COPE's May 1984 contribution is reported by the Hunt Committee as a primary contribution; CWA-COPE notes this as a general contribution. Thus, the Hunt Committee reports \$850 in primary contributions and \$4,150 in general election contributions from CWA-COPE. CWA-COPE reports \$5,000 in general election contributions.

Each treasurer of a political Committee is personally responsible for the timely and complete filing of reports, and for the accuracy of information and statements contained in such reports. 11 C.F.R. § 104.14(d). The above-noted discrepancies, in the absence of contemporaneous writing, provide a sufficient basis for this Office to recommend that the Commission find reason to believe the committees and their treasurers violated 11 C.F.R. § 104.14(d).^{8/}

IV. Other Violations

The complaint further alleges that personal liability should be imposed on the treasurers and assistant treasurers pursuant to 11 C.F.R. § 104.14(d). Complaint at 5. It is the policy of the Commission ordinarily to make findings of possible violations of 11 C.F.R. § 104.14(d) only to the treasurer of record in his or her official capacity. Consistent with this policy, and in light of the reporting irregularities in the foregoing, this Office recommends that there is reason to believe

^{8/} It is unclear why the Hunt Committee designated this contribution for both elections. Under the time frames set forth in § 110.1 the entire contribution should have been attributed to the primary, and, at the time the contribution was made, would not have resulted in an excessive contribution.

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that the Hunt Committee and Maylon E. Little, as treasurer; the EPEC/IUOE and Frank Hanley, as treasurer; Local 68 PAC and Vincent Giblin, as treasurer; IBEW/COPE and Jack Moore, as treasurer; Electro-PAC and Gerald H. Edwards, as treasurer; CWA-COPE and James B. Booe, as treasurer; Local 1300 and Edward Maher, as treasurer, violated 11 C.F.R. § 104.14(d).

The complaint also alleges that the Hunt Committee violated 11 C.F.R. § 103.3(b) by failing to refund excessive contributions. This section states, in part, that contributions which appear to be illegal shall, within 10 days, either be returned to the contributor or deposited into the campaign depository and reported. If deposited ... the treasurer shall make ... best efforts to determine the legality of the contribution. When a contribution cannot be determined to be legal, refunds shall be made within a reasonable time.

This regulation provides a method whereby a committee's diligent attention to receipts and prompt efforts to determine their legality can minimize instances of inadvertent acceptance of illegal contributions (such as those prohibited by the Act at §§ 441a and 441b).

A committee's failure to follow 11 C.F.R. § 103.3(b) and promptly to refund illegal receipts may result in a violation of the Act, but this Office would not recommend that the Commission find reason to believe that a violation of 11 C.F.R. § 103.3(b) also occurred.

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That regulation was designed to provide a mechanism whereby recipient committees could avoid a violation of the Act, but no separate violation of 11 C.F.R. § 103.3(b) results from a committee's failure to take advantage of the regulatory provisions for prevention of statutory violations. Therefore, in this Matter Under Review, our recommendations concentrate on violations of the Act and other regulations.

RECOMMENDATIONS

1. Find reason to believe the International Brotherhood of Electrical Workers Committee on Political Education and Jack Moore, as treasurer, violated 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I), and 434(b)(6)(B)(i), as well as 11 C.F.R. § 104.14(d).
2. Find reason to believe the International Brotherhood of Electrical Workers Local Union 584 Electro PAC and Gerald H. Edwards, as treasurer, violated 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I), and 434(b)(6)(B)(i), as well as 11 C.F.R. § 104.14(d).
3. Find reason to believe Engineers Political Education Committee International Union of Operating Engineers and Frank Hanley, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A), as well as 11 C.F.R. § 104.14(d).
4. Find reason to believe the International Union of Operating Engineers Local 68 PAC and Vincent J. Giblin, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A) as well as 11 C.F.R. § 104.14(d).
5. Find reason to believe the Communications Workers of America Committee on Political Education and James B. Booe, as treasurer, and Communications Workers of America Local 1300 Committee and Edwin J. Maher, as treasurer, violated 2 U.S.C. § 441a(a)(2)(A) and 11 C.F.R. § 104.14(d).
6. Find reason to believe the Jim Hunt for Senate Committee and Maylon E. Little, as treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b)(3)(B), and 11 C.F.R. § 104.14(d).
7. Decline to enter into conciliation prior to a finding of

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probable cause to believe with IBEW/COPE and Electro-PAC at this time.

10. Approve the attached letters and questions.

Charles N. Steele
General Counsel

May 21, 1986
Date

BY:

Kenneth A. Gross
General Counsel

Attachments

1. Initial Response of Hunt Committee
2. Response of Hunt Committee (1/27/86)
3. Supplemental Response of the Hunt Committee (2/6/86)
4. IBEW-COPE Response
5. Local 68 PAC Response
6. CWA-COPE Response
7. EPEC/IUOE Response
8. Proposed Letters
9. Questions

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GCC# 9436

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P. O. BOX 12066
(919) 881-4416

January 13, 1986

FEDERAL EXPRESS

The Honorable Joan D. Aikens, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110
Response of James B. Hunt, Jr.,
Jim Hunt Committee, Jim Hunt
Exploratory Committee, and Maylon
E. Little, Treasurer, Jim Hunt
Committee

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RECEIVED
GENERAL COUNSEL

Dear Commissioner Aikens:

We have received and examined the complaint in Matter Under Review #2110. Our firm represents each of the foregoing named parties and will forward under separate cover the executed statements of designation of counsel. Additionally, the Committee is preparing and will deliver to the Office of General Counsel photocopies of the pertinent pages of the contribution reports and of the refund reports of the Committee.

The complaint alleges the receipt by the Jim Hunt Committee, FEC Identification #C-00-169-193, of excessive contributions from the named respondent contributors. An examination of the contribution reports of the Hunt Committee demonstrates that each of the contributions reported by the Hunt Committee and attributed to the primary campaign was, in fact, received and deposited on or prior to May 8, 1984, the date upon which the North Carolina primary election occurred. Contributions received and deposited after that date have been, in each instance, properly attributed to the General Election. The Jim Hunt Committee, therefore, denies the receipt of any excess contribution in either the primary period or the General Election period except such contributions as have been received and refunded and reported as having been refunded.

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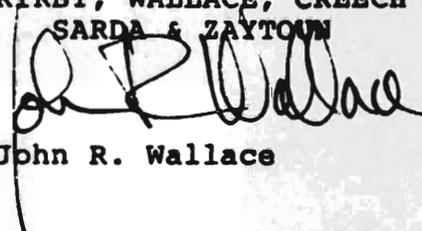
ATTACHMENT # 1 (1)

The Honorable Joan D. Aikens, Chairman
January 13, 1986
Page Two

As indicated above, additional documentation in support of this response of the Jim Hunt Committee and the other related respondents will be delivered to the Office of General Counsel.

Sincerely,

KIRBY, WALLACE, CREECH
SARDA & ZAYTOUN


John R. Wallace

JRW/efc

cc: Patty Reilly, Esq.
Office of General Counsel

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 2110

NAME OF COUNSEL: Kirby, Wallace, Creech, Sarda & Zaytoun

ADDRESS: P.O. Box 12065

Raleigh, North Carolina 27605

Mr. John Wallace and Mr. David Kirby

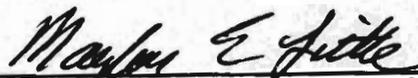
TELEPHONE: (919) 821-4416

The above-named individuals ^{are} hereby designated as my counsel and ^{are} authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Date

1-27-86
Date

Signature James B. Hunt


Signature Maylon E. Little

RESPONDENT'S NAME: James B. Hunt, Candidate

ADDRESS: Maylon E. Little, Treasurer

Jim Hunt Committee, Jim Hunt Exploratory Committee

P.O. Box 25937, Raleigh, NC 27611

HOME PHONE: (919) 828-4236 (Contact - John E. Craven)

BUSINESS PHONE: (919) 821-4011 (Contact - John E. Craven)

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James B. Hunt, Jim Hunt Committee
Jim Hunt Exploratory Committee
Maylon E. Little, Treasurer
Post Office Box 25937
Raleigh, North Carolina 27611

January 27, 1986

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Ms. Patty Reilly

RE: Mur 2110

Dear Ms. Reilly:

Attached you will note a statement of Designation of Counsel (attachment number 1) and Treasurer's response (attachment number 2) to the Mur # 2110. After reviewing the attached documentation any further questions and correspondence should be directed to Messrs John Wallace or David Kirby in their capacity of counsel.

It is the position of the committee that all contributions were reported properly as to their designation as primary or general election and further that any excess amounts were properly refunded. The complaintant was advised of our position prior to the filing of the complaint on November 27, 1985 as shown in attachment number 3. Correspondence from the Federal Election Commission and the actual complaint are included as attachments numbers 4 and 5 respectively.

Please accept our apologies for the delay in making our response. As you are aware, the committee no longer operates an office, nor employs any personnel and has disposed of all our data processing equipment. All files are in print-out form which are maintained at a storage facility. In addition, the complaint was received during the holiday season and our response occurs as we are preparing our January 31 report, and other payroll and tax reports. We regret the delay, but due to timing and our dormant status, our reply is as timely as the circumstances permit.

Sincerely,

Maylon E. Little

Maylon E. Little, Treasurer

John E. Craven
John E. Craven, Assistant

Attachments

1. Statement of Designation of Counsel
2. Treasurer's Reponse and Exhibits
3. Response to letter on National Labor Policy
4. Letter from Federal Election Committee
5. Complaint # Mur 2110

Page 1 of 1
Page 1 thru 21
Page 1 of 1
Page 1 thru 2
Page 1 thru 25

these
are
omitted
herein

ATTACHMENT #2 (3)

95040521632

TREASURER'S REPONSE

Item 1 EPEC/IUOE LOCAL 68 PAC

Contributions from the above committee were properly received, designated, and reported by the Jim Hunt Committee as follows:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
5/8/84	IUOE Local 68 PAC	\$ 250.00	Primary
5/31/84	EPEC/IUOE	5,000.00	General

The complaintant contends that the contribution of May 31, 1984 should be designated as a primary contribution, however, this is incorrect as the contribution was received after the primary election and therefore is properly designated as toward the general election. Therefore, the above contributing committee did not exceed the primary or general limitations. Documentation is attached showing the Treasurer's running total of the contributions as shown in the Jim Hunt Committee PAC Master Register. Additionally, pages from the Jim Hunt Committee periodic reports to the Federal Election Committee are included as documentaion of our reporting.

86040521633

ATTACHMENT 2

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63

- 1- PCOTHR
- 2- C 1000
- 3-
- 4-
- 5-
- 6-

MARION EDEY

-----DETAIL-----
 TYPE DATE AMOUNT
 PCOTHR 8/02/84 250.00

5003057 LOCAL 68 IUOE PAC
 11 FAIRFIELD PLACE
 WEST ORANGE NJ 7006-0000

TYPE	TITLE	CONTACT PERSON
1- PCLABR		UNKNOWN
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----
 TYPE DATE AMOUNT
 PCLABR 5/08/84 250.00

5001132 LOCOMOTIVE ENGINEERS LEGIS. LEAGUE
 1128 ENGINEERS BUILDING
 CLEVELAND OH 44114-0000

TYPE	TITLE	CONTACT PERSON
1- PCLABR	CHAIRMAN	JOHN F. SYSTMA
2- C 1000	VICE-PRES.	EDWARD L. MCCULLOCH
3-	NC CONTACT	J.W. WARD
4-		44 PATTON PLACE, ASHEVILLE 28805
5-		
6-		

-----DETAIL-----
 TYPE DATE AMOUNT
 PCLABR 2/01/84 2,500.00
 PCLABR 8/08/84 2,500.00
 PCLABR 9/14/84 500.00

ID NAME AND ADDRESS

5003067 ENGINEERS POLITICAL EDUCATION COMMITTEE
1125 17TH STREET, N.W.

WASHINGTON DC 20035-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCLABR	CHAIRMAN	J.C. TURNER
2-	C 1000	TREASURER	FRANK HANLEY
3-			
4-			
5-			
6-			

-----DETAIL-----

	TYPE	DATE	AMOUNT	
**	PCLABR	5/31/84	5,000.00	**

5003260 EPIC PAC
5201 LEESBURG PIKE
SUITE 1600
FALLS CHURCH VA 22041-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCBUSN		UNKNOWN
2-	C 1000		
3-			
4-			
5-			
6-			

-----DETAIL-----

	TYPE	DATE	AMOUNT
	PCOTHR	9/26/84	250.00

5003329 ERICKSON AND SEDERSTRGM FEDERAL PAC
10330 REGENCY PARKWAY DRIVE

OMAHA NE 68114-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCBUSN		J. RUSSELL DERR
2-	C 1000		
3-			
4-			
5-			
6-			

-----DETAIL-----

	TYPE	DATE	AMOUNT
	PCOTHR	10/30/84	25.00

ATTACHMENT 2
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115

8504062469350

SCHEDULE A ITEMIZED RECEIPTS
FOR PERIOD 4/19/84 TO 6/30/84

MASSACHUSETTS AND PROFESSIONAL WOMEN'S PAC
MASSACHUSETTS AVE N.W.
WASHINGTON DC 20036

TOTAL 1,000.00 ALL TOTAL 1,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 1,000.00 5/07/84

VALLEY PAC
LANE
NY 10952

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/08/84

CORP. EMPLOYEES FUND FOR BETTER GOVERNMENT
OCEAN STREET
AMES IA 50336

TOTAL 500.00 ALL TOTAL 500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 500.00 5/08/84

NATIONAL ORGANIZATION FOR WOMEN PAC
BOX 317
WASHINGTON DC 20044

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/08/84

AL 68 IUOE PAC
FAIRFIELD PLACE
ORANGE NJ 07006

TOTAL 250.00 ALL TOTAL 250.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 250.00 5/08/84

GEORGIA CITIZENS FOR GOOD GOVERNMENT
P.O. BOX 20285
ATLANTA GA 30325

TOTAL 10,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/08/84
5,000.00 6/01/84

ATTACHMENT 2
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CITIZENSHIP FUND
KINDBERG BOULEVARD
BRISMO 63167

TOTAL 75.00 ALL TOTAL 75.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 75.00 5/30/84

ERS POLITICAL EDUCATION COMMITTEE
7TH STREET, N.W.
ETON DC 20036

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/31/84

AL-POLITICAL ACTION COMMITTEE
7TH STREET
FLOOR
RK NY 10019

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/26/84

LIPFERT, BERNHARD AND MCPHERSON PAC
STREET, N.W.
100
INGTON DC 20036

TOTAL 500.00 ALL TOTAL 500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 500.00 6/01/84

RICAN SEED TRADE ASSOC. SEED PAC
15TH STREET, N.W.
INGTON DC 20005

TOTAL 500.00 ALL TOTAL 500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 500.00 6/01/84

PAC
BOX 299008
USTON TX 77299

TOTAL 100.00 ALL TOTAL 100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 50.00 6/01/84
50.00 6/11/84

ATTACHMENT 2
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93040521637

Item 2 IBEW COPE - IBEW LOCAL UNION 584 ELECTRO PAC

The following contributions were properly received and reported from the above contributing committee:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
11/3/83	IBEW-COPE	\$ 1,000.00	Primary
4/18/84	IBEW-COPE	4,000.00	Primary
4/30/84	IBEW-COPE	100.00	Not designated-Refunded
5/31/84	IBEW-COPE	5,000.00	General
	Total	<u>\$10,100.00</u>	(\$5,000.00 primary, \$5,000.00 general and \$100.00 refunded as excess)

The complainant alleges that the contribution of 5/31/84 was received on April 12, 1984 which is incorrect as to date and designation. The date of receipt in the treasurer's office as shown as May 31, 1984 is proper and the Jim Hunt Committee designation on the contribution toward the general election is correct.

Additionally, the complainant alleges that a \$100.00 contribution from the IBEW Local 584 was received on February 29, 1984 and not reported by the Jim Hunt Committee. The Jim Hunt Committee has no record of such a receipt on February 29, 1984, however, the committee reported and refunded a \$100.00 contribution from the IBEW-COPE received on 4/30/84. The refund was properly made upon a periodic review of the contributions on June 18, 1984. The complaint again is incorrect as to date and designation of the alleged violations. Copies of the Jim Hunt Committee PAC Master Register and Schedule A and B are attached as documentation of our position.

2 (9)

5C03297 BRIGGS AND MORGAN PAC
2200 1ST NATIONAL BANK BLDG

ST. PAUL MN 55101-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCBUSN	CONTACT	ROBERT G. SHARP
2-	C 1000	TREASURER	STEVE A. BRAND
3-			
4-			
5-			
6-			

-----DETAIL-----

TYPE	DATE	AMOUNT
PCBUSN	10/23/84	50.00

5C00006 BROTHERHOOD OF ELECTRICAL WORKERS COPE
1125 15TH STREET, N.W.

WASHINGTON DC 20005-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCLABR	SEC. TREAS.	RALPH A. LEIGON
2-	C 1000		JOE CAVANAGH
3-			
4-			
5-			
6-			

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	11/03/83	1,000.00
PCLABR	4/13/84	4,000.00
PCLABR	4/30/84	100.00
PCLABR	5/31/84	5,000.00

Refunded - SEE ATTACHED

5C03272 BROWARD CONGRESSIONAL COMMITTEE
P.O. BOX 17335

FORT LAUDERDALE FL 33318-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCJWSH	PRESIDENT	MARTIN LIPNACK
2-	C 1000		
3-			
4-			
5-			
6-			

-----DETAIL-----

TYPE	DATE	AMOUNT
PCJWSH	9/26/84	1,000.00

ATTACHMENT 2

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FIRST UNION EMPLOYE GOOD GOVERNMENT "F" FUND
FIRST UNION BANK
CHARLOTTE NC 28288

PTD TOTAL 1,850.00 ALL TOTAL 1,850.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 9/06/83
500.00 11/03/83
100.00 11/16/83
100.00 12/12/83
50.00 12/30/83
100.00 12/31/83

INTERNATIONAL LADIES GARMENT WORKERS UNION CAMPAIGN COMMITTEE
1710 BROADWAY
NEW YORK NY 10019

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 4,000.00 11/03/83
1,000.00 12/15/83

SIERRA CLUB COMMITTEE ON POLITICAL EDUCATION
530 BUSH STREET
SAN FRANCISCO CA 94108

PTD TOTAL 2,000.00 ALL TOTAL 2,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 11/03/83
1,000.00 11/04/83

UNITED RUBBER, CORK, LINOLEUM & PLASTIC WORKERS UNION PAC
87 S. HIGH STREET
AKRON OH 44308

PTD TOTAL 1,000.00 ALL TOTAL 1,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 11/03/83

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS COPE
1125 15TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 1,000.00 ALL TOTAL 1,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 11/03/83

ATTACHMENT 2
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BROTHERHOOD OF ELECTRICAL WORKERS COPE
125 15TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 4,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 4,000.00 4/18/84

JOINT ACTION COMM. POLITICAL AFFAIRS
P.O. BOX 105
HIGHLAND PARK IL 60035

PTD TOTAL 5,000.00 ALL TOTAL 10,000.00 -- GENERAL PRIMARY OTHER

RECEIPT HISTORY- 5,000.00 4/16/84

ROUNDABLE POLITICAL ACTION COMMITTEE
66 FIFTH AVENUE
7TH FLOOR
NEW YORK NY 10103

PTD TOTAL 1,000.00 ALL TOTAL 3,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 1,000.00 4/18/84

DRIVE POLITICAL FUND
15 LOUISIANA AVENUE, N.W.
WASHINGTON DC 20001

PTD TOTAL 1,500.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 1,500.00 4/16/84

NATIONAL ACTION COMMITTEE
6781 N.W. 14TH STREET
THIRD FLOOR
MIAMI FL 33126

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 5,000.00 4/11/84

COMMITTEE ON LETTER CARRIERS POLITICAL EDUCATION
100 INDIANA AVENUE, N.W.
WASHINGTON DC 20001

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 5,000.00 4/18/84

ATTACHMENT 2
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69193

RUBBER, CORK WORKERS PAC
HIGH STREET
OH 44308

TOTAL 1,500.00 ALL TOTAL 2,500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 1,500.00 5/07/84

BROTHERHOOD OF ELECTRICAL WORKERS COPE
15TH STREET, N.W.
WASHINGTON DC 20005

TOTAL 5,100.00 ALL TOTAL 10,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 100.00 4/30/84 → REFUNDED 6-18-84
5,000.00 5/31/84
SEE SCHEDULE B
LINE 20C

COMMUNICATIONS WORKERS OF AMERICA COPE
STREET, N.W.
211
WASHINGTON DC 20006

TOTAL 600.00 ALL TOTAL 6,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 600.00 5/08/84

PAC
STREET, N.W.
WASHINGTON DC 20036

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 6/28/84

DEMOCRATS FOR THE 80'S
BOX 3797
WASHINGTON DC 20007

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/21/84

UNITED PAPERWORKERS INTERNATIONAL PAC
WEST BROAD STREET
MOND VA 23230

TOTAL 2,500.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 2,500.00 5/01/84

ATTACHMENT 2
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2(1^B)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 20-C
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Jim Hunt Committee

35040621643

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
International Brotherhood of Electrical Workers 1125 157th St. N.W. Washington, D.C.	Refund of Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	6-18-84	100.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			100.00

ATTACHMENT 2
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Item 3 CWA - COPE PAC AND FEDERATION OF TELEPHONE WORKERS OF PENNSYLVANIA
POLITICAL ACTION COMMITTEE

The following contributions were properly received and reported by the Jim Hunt Committee:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
11/3/83	CWA-COPE	\$ 5,000.00	Primary
3/27/84	CWA-COPE	500.00	General
5/8/84	CWA-COPE	600.00	General
9/20/84	CWA-COPE	3,900.00	General
	Total	<u>\$10,000.00</u>	(\$5,000.00 primary and \$5,000.00 general)

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
7/25/84	Fed. Of Telep Workers-PA	\$5,000.00	General

The Jim Hunt Committee properly reported all contributions from the above committees. Any contributions made prior to the date of primary election was designated as general election contributions and were held in escrow accounts which were transferred and used after the primary election. Copies of the PAC Master Register and Schedules A are attached as documentaion of our position.

It is the position of the Jim Hunt Committee that the \$5,000.00 accepted from the Federation of Telephone Workers of Pennsylvania PAC was not in violation of FEC regulations. The committee was unaware of the pending merger of the two organizations at the time of the receipt of the contributions. The subsequent merger did not prohibit the PAC from making the contribution as the merger was not official until August 1986 as shown in the attachment to the complaint, included again in our response for your consideration. While the Jim Hunt Committee had no knowledge of the impending merger, this fact is irrelvant as the contribution was received prior to the consumation of the merger. Again the allegations included in the complaint are incorrec and the Jim Hunt Committee is not in violation of FEC regulations.

85040521644

ID NAME AND ADDRESS

5C03007 COMMUNICATIONS WORKERS OF AMERICA COPE
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20006-0000



TYPE	TITLE	CONTACT PERSON
1- PCLABR	CHAIRMAN	JAMES B. BOGE
2- C 1000	TREASURER	LOUIS B. KNECHT
3-	STATE CONTAC	DELBERT GCRDCN
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMCUNT
PCLABR	11/03/83	5,000.00
PCLABR	3/27/84	500.00
PCLABR	5/08/84	600.00
PCLABR	9/20/84	3,900.00

5C03302 CONGRESSIONAL ACTION COMMITTEE OF TEXAS
5701 WOODWAY, SUITE 332

HOUSTON TX 77057-0000

TYPE	TITLE	CONTACT PERSON
1- PCJWSH		LIVINGSTON KOSBERG
2- C 1000		R. ALAN RUDY
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMCUNT
PCJWSH	10/25/84	2,000.00

5C03344 CONGRESSIONAL AGENDA: '80S
3148 O STREET, N.W.

WASHINGTON DC 20007-0000

TYPE	TITLE	CONTACT PERSON
1- PCOTHR	TREASURER	JOHN R. WAGLEY
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMCUNT
PCOTHR	11/08/84	500.00

5040621645

2 (16)

COMMUNICATIONS WORKERS OF AMERICAN COMMITTEE POLITICAL EDUCATION
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20006

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

RAILWAY AND AIRLINE CLERKS RESPONSIBLE CITIZENS POLITICAL LEAGUE
3 RESEARCH PLACE
ROCKVILLE MD 20850

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

BRICKLAYERS AND ALLIED CRAFTSMEN POLITICAL ACTION COMMITTEE
815 15TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

NORTH CAROLINA CAMPAIGN FUND
P.O. BOX 12547
RALEIGH NC 27605

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

AFL-CIO COMMITTEE ON POLITICAL EDUCATION
815 15TH STREET, N.W.
WASHINGTON DC 20006

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

AFSCME POLITICAL ACTION COMMITTEE
1625 L STREET, N.W.
WASHINGTON DC 20036

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

35040521646

FIRST UNION 5000 GOVERNMENT "B" FUND
ONE FIRST UNION PLAZA
CHARLOTTE NC 28298

PTD TOTAL 1,300.00 ALL TOTAL 3,150.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 100.00 2/15/84
100.00 2/23/84
100.00 3/01/84
1,000.00 3/09/84

COMMUNICATIONS WORKERS OF AMERICA COPE
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20005

PTD TOTAL 500.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 500.00 3/27/84

WASHINGTON POLITICAL ACTION COMMITTEE
400 N. CAPITOL STREET
SUITE 168
WASHINGTON DC 20001

PTD TOTAL 2,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 2,000.00 3/15/84

AMERICAN POSTAL WORKERS UNION PAC
817 14TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 3,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 3,000.00 3/20/84

PLANTERS BANK FEDERAL PAC
P.O. BOX 1220
ROCKY MOUNT NC 27801

PTD TOTAL 750.00 ALL TOTAL 1,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 750.00 3/30/84

THE JIM HUNI COMMITTEE
SCHEDULE A ITEMIZED RECEIPTS
FOR PERIOD 4/19/84 TO 6/30/84

PAGE 1 OF 13
LINE 11C

RUBBER, CORK WORKERS PAC
HIGH STREET
PH 44308

TOTAL 1,500.00 ALL TOTAL 2,500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 1,500.00 5/07/84

BROTHERHOOD OF ELECTRICAL WORKERS COPE
15TH STREET, N.W.
WASHINGTON DC 20005

TOTAL 5,100.00 ALL TOTAL 10,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 100.00 4/30/84 → REFUNDED 6-18-84
5,000.00 5/31/84
SEE SCHEDULE B
LINE 20-C

UNICATIONS WORKERS OF AMERICA COPE
STREET, N.W.
WASHINGTON DC 20006

TOTAL 600.00 ALL TOTAL 6,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 600.00 5/08/84

PAC
STREET, N.W.
WASHINGTON DC 20036

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 6/28/84

ATS FOR THE 80'S
BOX 3797
WASHINGTON DC 20007

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/21/84

PAPERWORKERS INTERNATIONAL PAC
WEST BROAD STREET
FOND VA 23230

TOTAL 2,500.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 2,500.00 5/01/84

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2(19)

1(18)

FIRST UNION GOOD GOVERNMENT "F" FUND
ONE FIRST UNION PLAZA
CHARLOTTE NC 28288

PTD TOTAL 2,100.00 ALL TOTAL 5,250.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 100.00 7/13/84
2,000.00 8/23/84

NA

ILGWU CAMPAIGN COMMITTEE
1710 BROADWAY
NEW YORK NY 10019

PTD TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 4,000.00 8/15/84
1,000.00 9/26/84

NA

COMMUNICATIONS WORKERS OF AMERICA COPE
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20006

PTD TOTAL 3,900.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 3,900.00 9/20/84

NA

RESPONSIBLE CITIZENS POLITICAL LEAGUE (RAILWAY & AIRLINE CLERKS)
3 RESEARCH PLACE
ROCKVILLE MD 20850

PTD TOTAL 3,000.00 ALL TOTAL 8,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 2,000.00 8/24/84
1,000.00 9/14/84

NA

BRICKLAYERS AND ALLIED CRAFTSMEN PAC
815 15TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 5,000.00 9/19/84

NA

AFL-CIO COPE
815 16TH STREET, N.W.
WASHINGTON DC 20006

PTD TOTAL 2,500.00 ALL TOTAL 7,500.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 2,500.00 9/20/84

NA

ID

NAME AND ADDRESS

5003299 FEDERAL UNION OF SCIENTISTS & ENGINEERS PAC
15 CHERYL AVENUE

PORTSMOUTH RI 2871-0000

TYPE	TITLE	CONTACT PERSON
1- PCBUSN		DOMINICK LEPSORE
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	10/25/84	250.00

5000037 FEDERATION OF GOVERNMENT EMPLOYEES PAC
1325 MASSACHUSETTS AVE N.W.
SUITE 606
WASHINGTON DC 20005-0000

TYPE	TITLE	CONTACT PERSON
1- PCLABR		BETSY REIC
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	12/30/83	5,000.00

5003189 FEDERATION OF TELEPHONE WORKERS OF AMERICA
1410 CHESTNUT STREET

PHILADELPHIA PA 19102-0000

TYPE	TITLE	CONTACT PERSON
1- PCLABR		UNKNOWN
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	7/25/84	5,000.00

530 216 530 0.5 216 530



THE JIM HUNT COMMITTEE
SCHEDULE A ITEMIZED RECEIPTS
FOR PERIOD 7/01/84 TO 9/30/84

DATE 10/10/84

PAGE 13 of 18
LINE 11C

AMERICAN HEALTH CARE ASSOC. PAC
15TH STREET, N.W.
WASHINGTON DC 20005

TOTAL 1,500.00 ALL TOTAL 1,500.00 -- GENERAL -- PRIMARY -- OTHER

RECEIPT HISTORY- 1,000.00 7/25/84
500.00 9/14/84

NA

COMMITTEE FOR A DEMOCRATIC CONSENSUS
17TH STREET, N.W.
WASHINGTON DC 20036

TOTAL 1,000.00 ALL TOTAL 1,000.00 -- GENERAL -- PRIMARY -- OTHER

RECEIPT HISTORY- 1,000.00 7/25/84

NA

NATIONAL UNION OF TELEPHONE WORKERS OF AMERICA
CHESTNUT STREET
PHILADELPHIA PA 19102

TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL -- PRIMARY -- OTHER

RECEIPT HISTORY- 5,000.00 7/25/84

NA

FLOOR VOLUNTARY POLITICAL FUND
PARK AVENUE
FLOOR
NEW YORK NY 10043

TOTAL 1,000.00 ALL TOTAL 1,000.00 -- GENERAL -- PRIMARY -- OTHER

RECEIPT HISTORY- 1,000.00 7/26/84

NA

NY PAC
BOX 1130
NEW YORK NY 10001

TOTAL 1,500.00 ALL TOTAL 1,500.00 -- GENERAL -- PRIMARY -- OTHER

RECEIPT HISTORY- 1,500.00 7/30/84

NA

NATIONAL LONGSHOREMEN'S ASSOC. COPE
BATTERY PLACE
NEW YORK NY 10004

TOTAL 2,000.00 ALL TOTAL 2,000.00 -- GENERAL -- PRIMARY -- OTHER

RECEIPT HISTORY- 2,000.00 7/13/84

NA

19 of 21

(1121 2122)

**PENNSYLVANIA UNION DECIDES TO JOIN CWA;
BELL SYSTEM CHANGES CITED AS KEY REASON**

An independent telephone union in Pennsylvania votes overwhelmingly to join the Communications Workers of America. A vote among members of the Federation of Telephone Workers of Pennsylvania produced 7,624 ballots in favor of the merger and only 951 opposed.

The merger, which will be completed officially at the CWA annual convention in August, will add 12,250 members to CWA's current membership of about 650,000.

CWA President Glenn E. Watts called it "a great day for both unions," recalling that the two had been united in the old National Federation of Telephone Workers prior to 1947.

Under the merger agreement, the former FTWP members will become members of a new CWA local, Local 13000, which will be one of the largest in the union. CWA also will create a new district, District 13, consisting of members in Pennsylvania and Delaware. Former FTWP members will make up about 75 to 80 percent of this district.

FTWP Secretary Frank S. Wentzel told BNA that FTWP will hold a special convention in June to make necessary changes in bylaws and dues arrangements to prepare for transformation into a CWA local. Elections for local officers and delegates to the CWA convention then will be held.

FTWP President William E. Wallace plans to run for director of District 13, which would make him a CWA vice president, and FTWP Vice President Vincent J. Maisano plans to run for president of Local 13000.

The decision to affiliate with CWA was approved at the FTWP convention in Atlantic City last fall (1983 DLR 206: A-1). Convinced that the merger was a necessity, the union leadership campaigned for three months for approval among the rank and file. FTWP members had been hostile to merger suggestions in the past, spurning proposed ties with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers.

Affiliation with the Telecommunications International Union, an alliance of several independent unions with about 50,000 members, was approved in 1976, but FTWP members withdrew in 1981 because of dissatisfaction with TIU. TIU currently is embroiled in a dispute over possible merger with the American Federation of State, County and Municipal Employees (1984 DLR 32: A-1).

FTWP leaders told their members that merger was necessary because the Bell System divestiture threatened the union's survival. Writing in the current issue of *FTWP News*, union president Wallace noted that Bell of Pennsylvania is now part of Bell Atlantic and that half of the new company's employees are in CWA.

While successorship agreements protect FTWP through its first contract with Bell Atlantic, "the company says that if multiple unions and multiple contracts become burdensome, they will ask the unions to straighten that out," Wallace wrote. "If the unions do not, the company promised to petition the NLRB for a unit clarification."

Furthermore, Wallace continued, FTWP would face an even greater danger from competing unions which might have gone to NLRB for a unit clarification or with an election petition. Because FTWP is an independent, it would not be protected by AFL-CIO no-raiding policies. The situation would be especially critical in AT&T Information Systems where FTWP's 3,000 members would be "a small minority in a nationwide company," he said.

Wallace defended the merger agreement, pointing out that FTWP would have one of the 13 vice president seats on the CWA executive board and that it would wield considerable influence as a large local. Wallace also commented that he had been part of the CWA bargaining team last summer and was satisfied with the results.

- 0 -

Attachment - Page Two

2(23)

Page 20 of 21

95040521652

Conclusion

After reviewing the complaint filed with the commission designated as Mur 2110, the Jim Hunt Committee contends that all alleged violations cited in the action are incorrect and without basis. The Jim Hunt Committee at all times maintained a running log of all contributions and periodically reviewed year to date totals to detect any excess contributions which inadvertently were accepted. Prompt refunds were made upon detection of any such excessive contribution. The committee in the course of its existence, raised in excess of 9 million dollars from over 138,000 contributors. While receipt of some excess contributions were inevitable, the committee believes this to be extremely rare and that all were properly refunded upon detection.

We trust that our response will answer any and all questions arising from the complaint and that further action will be unnecessary. Again, any further correspondence should be directed to our counsel, Messrs John Wallace and David Kirby.

8 6 0 4 0 6 2 1 6 5 3

the Jim Hunt Committee
P. O. Box 25937
Raleigh, North Carolina 27611

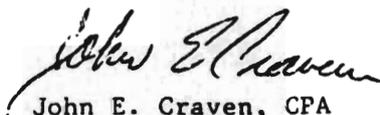
November 27, 1985

Mr. Michael E. Avakian, General Counsel
The Center on National Labor Policy, Inc.
5211 Port Regal Road, Suite 400
North Springfield, Virginia 22151

Dear Mr. Avakian:

Thank you for your letter of November 13, 1985, in regards to discrepancies in the reporting of certain contributions by our campaign and the contributing committees. To the best of our knowledge all such contributions were reported correctly, however, we will review the matter and take all appropriate actions.

Sincerely,


John E. Craven, CPA
Assistant Treasurer

85040521654

ATTACHMENT 3

2(25)

(1024)

000 # 9072

FEC

HAND DELIVERED
06 FEB 7 12:27

Jim Hunt Committee
Post Office Box 25937
Raleigh, North Carolina 27611

06 FEB 7
3:30

Mr. Charles N. Steele, Esq., General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

February 6, 1986

Att: Ms. Patty Reilly:

RE: Mur 2110

Dear Ms. Reilly:

Enclosed you will find additional information received after my reply of January 27, 1986, relating to contributions from EPEC/IUOE Local 68 PAC and IBEW-Local Union 584 Electro PAC. Our position remains the same in that the Jim Hunt Committee never intentionally accepted excess contributions from either contributor. Correspondence received after the date of my response is attached and our position regarding the contributions is as follows:

Item 1 EPEC/IUOE Local 68 PAC

In the attached letter from Mr. Frank Hanley regarding a \$5,000.00 contribution dated by the EPEC on May 18, 1984 and received by the Jim Hunt Committee on May 31, 1984, our position is unchanged. According to Ms. Jan Parker to whom the letter was addressed, all such primary contributions received after the primary election were referred to Mr. Mark Moskowitz the PAC contact for the Committee. In all cases, the contributing PAC was contacted and advised of the situation. The contributor was given a choice of a refund or redesignation toward the general election limitation. It is apparent that the EPEC/IUOE redesignated their contribution toward the general election, as we neither received nor accepted any further contributions. If the May 18, 1984 contribution is deemed a general contribution the Local 68 PAC contribution of \$250.00 would not be in excess of the primary limitation.

Item 2 IBEW/COPE - IBEW Local Union 584 Electro PAC

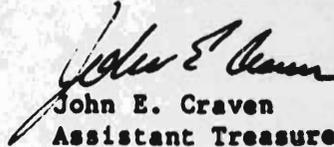
The committee received the enclosed letter from Mr. Jack F. Moore, the treasurer of IBEW-COPE dated January 2, 1986. As explained in our reply of January 27, 1986, the committee did accept a contribution on April 30, 1984 which exceeded the primary election limitation from the IBEW. However, upon detection, the contribution was promptly refunded on June 18, 1984. As explained in my letter of January 27, 1986, a contribution from IBEW local union 584 PAC was never received nor accepted by the Jim Hunt Committee.

85040621655

ATTACHMENT #3 (26)

Upon receiving the enclosed correspondence, I attempted to contact Mr. Frank Hanley concerning the \$5,000.00 contribution from EPEC. Both Mr. Hanley and Counsel for the EPEC are attending a conference in Miami and will return on Monday February 10, 1986. I am hopeful that the problem concerning the contributions can be resolved at that. If you have any further questions, please contact Mr. Wallace or Mr. Kirby, our designated counsel.

Sincerely,


John E. Craven
Assistant Treasurer

JEC/lf

cc: Mr. Frank Hanley, Treasurer
Engineers Political Election Fund
1125 Seventeenth Street, N.W.
Washington, D.C. 20036

Mr. Michael Fanning, Counsel
Engineers Political Election Fund
1125 Seventeenth Street, N.W.
Washington, D.C. 20036

Mr. Jack F. Moore, Secretary/Treasurer
IBEW-COPE
1125 Fifteenth Street, N.W.
Washington, D.C. 20025

LARRY DUGAN JR.
Chairman

FRANK HANLEY
Treasurer

1125 Seventeenth Street, N.W.
Washington, D.C. 20036
202-429-9100

Engineers Political Education Committee



January 6, 1986

Mr. Maylon E. Little, Treasurer
Jim Hunt Committee
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611

Dear Mr. Little:

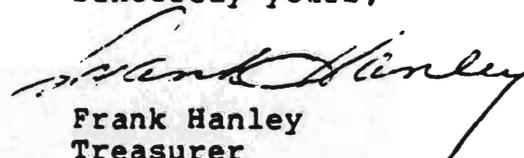
We have recently been served with a Complaint styled MUR 2110 which has been filed with the Federal Election Commission by Jeffrey W. Ryan.

The Complaint alleges that EPEC/IUOE, and its affiliated Committee the IUOE Local 68 PAC, contributed a total of \$5,250 to the 1984 primary election campaign of Governor Hunt. Enclosed is a copy of the cover letter of EPEC/IUOE which accompanied our \$5,000 contribution of May 18, 1984.

Would you please review your records to determine whether our May 18 contribution, together with those received from any other committees of IUOE Local Unions in connection with the 1984 primary election, exceeded the applicable federal limitations and, if so, refund such excess to EPEC/IUOE forthwith.

Your cooperation is appreciated.

Sincerely yours,


Frank Hanley
Treasurer

FH/jlw

Enclosure

Chairman

FRANK HANLEY
Treasurer

1125 Seventeenth Street, N.W.
Washington, D.C. 20036
202-429-9100

Engineers Political Education Committee



May 18, 1984

Ms. Jan Parker, Treasurer
JIM HUNT COMMITTEE
P. O. Box 25937
Raleigh, North Carolina 27611

Dear Ms. Parker:

Attached hereto is our check #0001359 in the amount of \$5,000.00 as a contribution from the Engineers Political Education Committee of the International Union of Operating Engineers for Governor Hunt's 1984 Primary Election campaign for the United States Senate from the State of North Carolina.

If this check together with any other contributions from our Local Unions exceeds the amount provided by Federal Law, please advise.

Sincerely,

J. C. Turner
J. C. Turner
CHAIRMAN

Frank Hanley
Frank Hanley
TREASURER

JCT:FH/kmg

Enc. (1)

3(29)

85040621558



1125 Fifteenth Street, N.W.
Washington, D.C. 20006

January 2, 1986

Mr. James B. Hunt, Jr.
215 Hillsborough Street
P. O. Box 25937
Raleigh, North Carolina 27611

Dear Mr. Hunt:

We have received a letter from the Federal Election Commission concerning our 1984 campaign contributions to you.

The FEC received a complaint from a Jeffery W. Ryan of 4757 Parkman Court, Annandale, Virginia 22003 - Complaint MUR No. 2110, wherein he alleged that IBEW-COPE made excessive contributions to your campaign in 1984.

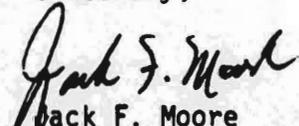
In reviewing our files we find that we did, in fact, inadvertently contribute \$100.00 over the maximum allowable amount in the 1984 General Election.

I, therefore, request that you refund to IBEW-COPE the amount of \$100.00 in order that we may be in compliance with the law.

I am sorry for the inconvenience this has caused you and thank you for your immediate attention to this matter.

With all good wishes.

Sincerely,


Jack F. Moore
Secretary-Treasurer
IBEW-COPE

JFM/ct
opeiu #2
cc: Federal Election Commission

3(30)

95040521659

Reilly

REC
60049402

26 JAN 10 8:15

LAW OFFICES

SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P. C.

1125 FIFTEENTH STREET, N. W.

SUITE 801

WASHINGTON, D. C. 20005

LOUIS SHERMAN (RET.)
THOMAS X. DUNN (RET.)
LAURENCE J. COHEN
ELIHU I. LEIFER
JOHN P. COUNTS
TERRY R. YELLOG
RICHARD M. RESNICK
ROBERT D. KURNICK

VICTORIA L. BOR
MARY E. VOGEL
DAVID H. POTTS-DUPRE

AREA CODE 202
785-9300

January 7, 1986

36 JAN 10 A10:22

GENERAL COUNSEL

Mr. Charles Steele, General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: FEC MUR 2110

Dear Mr. Steele:

This letter constitutes the response of the International Brotherhood of Electrical Workers Committee on Political Education (IBEW COPE) and IBEW COPE Treasurer, Jack F. Moore^{1/}, to your letters of December 19, 1985 stating that the Commission has received a complaint alleging that IBEW COPE and its treasurer may have violated the Federal Election Campaign Act of 1971 (the Act). The complaint, which the Commission has numbered MUR 2110, alleges that IBEW COPE, IBEW Local Union 584 Electro PAC and their respective treasurers violated §441a(a)(2)(A) by making contributions to candidate James B. Hunt Jr.'s 1984 primary election campaign which in the aggregate totalled \$10,100.00.

IBEW COPE's contribution records reflect that on October 12, 1983 IBEW COPE contributed \$1,000.00 to the Jim Hunt Exploratory Committee for the primary campaign. On April 12, 1984 IBEW COPE contributed \$4,000.00 to Jim Hunt Committee for the primary election and \$5,000.00 to the Jim Hunt Committee for the general election campaign.

^{1/} The complaint lists Ralph A. Leigon as Treasurer of IBEW COPE. Mr. Leigon, however, has retired and since October 1985 Jack F. Moore has been the treasurer of IBEW COPE.

85040521560

ATTACHMENT #4 (31)

Charles Steele
January 7, 1986
Page - 2 -

The check by which IBEW COPE contributed \$5,000.00 to Hunt's general election campaign stated on its face that it was a contribution for the "1984 [g]eneral" election. (See Attachment A) IBEW COPE also recorded that contribution as a contribution for the general election campaign in its internal ledger of contributions. (See Attachment B) And, the cover letter from the Secretary-Treasurer of IBEW COPE to the IBEW International Representative who actually presented the check to the Hunt Committee described the check as a contribution for Hunt's general election campaign. (See attachment C) As indicated in the complaint in this case, the Hunt Committee apparently treated and reported that check from IBEW COPE as a contribution for the general election campaign.

Despite the fact that the \$5,000.00 check was a contribution to Hunt's general election campaign, IBEW COPE inadvertently checked the wrong box on Schedule B of its Report of Receipts and Disbursements and thereby incorrectly described the contribution as one to the primary election campaign. IBEW COPE has, however, filed an amended report correcting that error. (See Attachment D)

In addition, IBEW COPE recently discovered that IBEW Local Union 584 Electro PAC, a separate segregated fund established by an IBEW local union, contributed \$100.00 to the Jim Hunt Committee in February 1984.^{2/} This amount was contributed despite the fact that the IBEW had instructed its local unions not to make contributions to federal candidates through separate segregated funds without notifying IBEW COPE. IBEW COPE has specifically instructed IBEW Local Union 584 that such contributions cannot be made without notification to IBEW COPE and has requested a reimbursement of \$100.00 from the Jim Hunt Committee. (See Attachment E)

We submit that under the circumstances of this case no action should be taken against IBEW COPE or its treasurer. IBEW COPE did not, as the complaint alleges, contribute \$10,000 to Jim Hunt Jr.'s primary election campaign. Rather, it contributed

^{2/} The contribution was not designated as one for the primary or the general election campaign.

95040521661

Charles Steele
January 7, 1986
Page - 3 -

\$5,000.00 to the primary and \$5,000 to the general election campaign. The \$5,000.00 check of April 12, 1984, which complaint alleges was a contribution to Hunt's primary election campaign, was explicitly marked and recorded by IBEW COPE as a contribution for the general election and was utilized by Hunt in his general election campaign. The inadvertant clerical error on which the complaint is based has already been corrected.

Accordingly, the only contribution that exceeded the limit established by 2 U.S.C. §441a(a)(2)(A) was the \$100.00 contribution by IBEW Local 584 Electro PAC. Although we do not consider this matter trivial, we note that the amount involved is not great, that the contribution was made despite the existence of an IBEW policy requiring notification of such contributions to IBEW COPE, that steps have already been taken to ensure that such an inadvertant error will not be made again, and that IBEW COPE has already sought to bring itself into compliance with the Act by seeking a refund of the \$100.00 excess contribution. Under these circumstances, the policies of the Federal Election Campaign Act will not be furthered by taking any action against IBEW COPE or its treasurer in response to the complaint. Should, however, the commission decide to proceed further we request that the matter be handled through voluntary informal conciliation.

Sincerely,



Robert D. Kurnick
Counsel for International Brotherhood
of Electrical Workers Political
Action Committee and Jack F. Moore

85040621662



Riilly

1125 Fifteenth Street, N.W.
Washington, D.C. 20005

January 2, 1986

Mr. James B. Hunt, Jr.
215 Hillsborough Street
P. O. Box 25937
Raleigh, North Carolina 27611

Dear Mr. Hunt:

We have received a letter from the Federal Election Commission concerning our 1984 campaign contributions to you.

The FEC received a complaint from a Jeffery W. Ryan of 4757 Parkman Court, Annandale, Virginia 22003 - Complaint MUR No. 2110, wherein he alleged that IBEW-COPE made excessive contributions to your campaign in 1984.

In reviewing our files we find that we did, in fact, inadvertently contribute \$100.00 over the maximum allowable amount in the 1984 General Election.

I, therefore, request that you refund to IBEW-COPE the amount of \$100.00 in order that we may be in compliance with the law.

I am sorry for the inconvenience this has caused you and thank you for your immediate attention to this matter.

With all good wishes.

Sincerely,

Jack F. Moore
Secretary-Treasurer
IBEW-COPE

JFM/ct
opeiu #2
cc: Federal Election Commission

4(34)

ATTACHMENT B

96040521663



HUNT
n.c.

1125 Fifteenth Street, N.W.
Washington, D.C. 20005

April 13, 1984

Mr. James R. McInnis
International Representative
12th District, IBEW
2501 Denise Drive
Greensboro, North Carolina 27407

Dear Sir and Brother:

You will find enclosed two checks representing voluntary contributions to Governor Hunt's Senate campaign; \$4,000.00 to his primary campaign and \$5,000.00 for his general election campaign.

Please see that he receives the above mentioned checks.

With all good wishes.

Sincerely and fraternally,

Ralph A. Leigon
Secretary-Treasurer
IBEW-COPE

RAL:pod
cc: John A. Hightower, I.V.P.

86040521664

ck. # 1635
Primary - \$4,000.-
4-12-84

ck. # 1636
General \$5,000 -
4-12-84

4(35)

ATTACHMENT C

I. B. E. W. - C. O. P. E.
1125 - 15TH STREET, NW.
WASHINGTON, DC 20005

1635

4/12/84

19

15-419
5-0

PAY
TO THE
ORDER OF

JIM HUNT COMMITTEE

\$ 4,000.00

REGISTERED
BN191219 4000 DOLS 00 CTS

DOLLARS

1st AMERICAN
FIRST AMERICAN BANK, NA, WASHINGTON, DC
15TH STREET OFFICE 20005

1984 Primary

Rahh A. Feijan

⑈001635⑈ ⑆⑆054000043⑆

3 178 307⑈

FOR

5
6
0
4
0
5
2

I. B. E. W. - C. O. P. E.
1125 - 15TH STREET, NW.
WASHINGTON, DC 20005

1636

4/12/84

19

15-419
5-0

PAY
TO THE
ORDER OF

JIM HUNT COMMITTEE

\$ 5,000.00

REGISTERED
BN191219 5000 DOLS 00 CTS

DOLLARS

1st AMERICAN
FIRST AMERICAN BANK, NA, WASHINGTON, DC
15TH STREET OFFICE 20005

1984 General

Rahh A. Feijan

⑈001636⑈ ⑆⑆054000043⑆

3 178 307⑈

FOR

4136)

ATTACHMENT A

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

International Brotherhood of Electrical
Workers Committee on Political
Education

Address (Number and Street)

1125 - 15th Street, N. W.

City, State and ZIP Code

Washington D. C. 20005

Check here if address is different than previously reported.

2. FEC Identification Number

C00027342

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report

July 15 Quarterly Report January 31 Year End Report

July 31 Mid Year Report (Non-Election Year Only)

Monthly Report for May 1984

Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

Thirtieth day report following the General Election

on _____ in the State of _____

Termination Report

(b) Is this Report an Amendment?

YES

NO

Page 3 of the Itemized
Disbursements on Jim Hun
and D'Amour's.

SUMMARY

5. Covering Period 4/01/84 through 4/30/84

6. (a) Cash on hand January 1, 1985

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and
Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee
(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee
(Itemize all on Schedule C or Schedule D)

COLUMN A
This Period

COLUMN B
Calendar Year-to-Date

	\$ 492,446.21
\$ 572,843.08	
\$ 62,870.98	\$ 228,526.12
\$ 635,714.06	\$ 720,972.33
\$ 71,100.00	\$ 156,358.27
\$ 564,614.06	\$ 564,614.06
\$ -0-	
\$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Jack F. Moore

Type or Print Name of Treasurer

Jack F. Moore

SIGNATURE OF TREASURER

1/6/86

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202-523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

				4(37)			
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FEC FORM 3X (3/80)

ATTACHMENT D

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full) **International Brotherhood of Electrical
Workers Committee on Political Education**

Report Covering the Period

From: **4/01/84**

To: **4/30/84**

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees	\$ 62,870.98	\$228,526.12	11(a)
(a) Individuals/Persons Other Than Political Committees (Memo Entry Unitized \$ _____), \$62,883.23			
(b) Political Party Committees	(12.25)*		11(b)
(c) Other Political Committees	\$62,870.98		11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))			11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			12
13. ALL LOANS RECEIVED			13
14. LOAN REPAYMENTS RECEIVED			14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES			16
7 AND OTHER POLITICAL COMMITTEES			
17. OTHER RECEIPTS (Dividends, Interest, etc.)			17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	\$ 62,870.98	\$228,526.12	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES			19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND	\$ 65,900.00	\$145,855.87	21
OTHER POLITICAL COMMITTEES			
22. INDEPENDENT EXPENDITURES (use Schedule E)		20,200.07	22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES			23
(2 U.S.C. § 441 e(d)) (Use Schedule F)			
24. LOAN REPAYMENTS MADE			24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees			26(a)
(b) Political Party Committees		(\$ 500.00)	26(b)
(c) Other Political Committees			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			26(d)
27. OTHER DISBURSEMENTS . . . (Non-Federal Candidates)	\$ 5,200.00	11,002.40	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	\$71,100.00	\$156,358.27	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	\$62,870.98	\$228,526.12	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)			30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	\$62,870.98	\$228,526.12	31
32. TOTAL OPERATING EXPENDITURES from Line 19			32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15			33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			34

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 27
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

NON

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code Delegates for Mondale 28 W. Laughhead Avenue Boothwynn, PA 19061	Purpose of Disbursement Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) Get out to vote	Date (month, day, year) 4/12/84	Amount of Each Disbursement This Period \$ 200.00
B. Full Name, Mailing Address and ZIP Code LCLA TEXAS for GOTV Project c/o J. Otero Brac 815 - 16th Street, N. W., #511 Washington D. C. 20006	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period 5,000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			\$5,200.00
TOTAL This Period (last page this line number only)			\$5,200.00

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(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (In Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Foglietta in 1984 Committee S. E. Corner, 8th Fitzwater Philadelphia, PA 19147	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/04/84	\$1,000.00
B. Full Name, Mailing Address and ZIP Code Yatron for Congress Committee 1908 Hessian Road Reading, PA 19602	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/04/84	200.00
C. Full Name, Mailing Address and ZIP Code Larry Ann Willis for Congress Route 2, Box 2574 Vale, OR 97918	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
D. Full Name, Mailing Address and ZIP Code Durbin for Congress Committee P. O. Box 2345 Washington D. C. 20013	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
E. Full Name, Mailing Address and ZIP Code Friends of Senator Carl Levin 420 C Street, N. E. Washington D. C. 20002	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
F. Full Name, Mailing Address and ZIP Code Boucher for Congress 306 S. Columbus Street Alexandria, VA 22314	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
G. Full Name, Mailing Address and ZIP Code Harrison for Congress Committee 15 S. Franklin Street, 9th Floor Wilkes Barre, PA 18701	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
H. Full Name, Mailing Address and ZIP Code Committee to elect Esteban Torres for Congress P. O. Box 2884 Washington D. C. 20013	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
I. Full Name, Mailing Address and ZIP Code Dan Kubiak for Congress P. O. Box 272 Rockdale, TX 76567	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
SUBTOTAL of Disbursements This Page (optional)			\$3,950.00
TOTAL This Period (last page this line number only)			

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(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)			
International Brotherhood of Electrical Workers Committee on Political Education			
A. Full Name, Mailing Address and ZIP Code McCloskey for Congress P. O. Box 76566 Washington D. C. 20013	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	\$ 250.00
B. Full Name, Mailing Address and ZIP Code Levin for Congress Committee P. O. Box 2884 Washington D. C. 20013	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
C. Full Name, Mailing Address and ZIP Code Paul Simon for Senate 30 W. Washington, Room 615 Chicago, IL 60602	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Ratchford for Congress P. O. Box 334 Danbury, CT 06810	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
E. Full Name, Mailing Address and ZIP Code Volkmer for Congress Committee P. O. Box 991 Hannibal, MO 63401	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	1,000.00
F. Full Name, Mailing Address and ZIP Code Friends of Bob Carr Committee 303 C. Street, S. E. Washington D. C. 20003	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
G. Full Name, Mailing Address and ZIP Code Mavroules for Congress Committee P. O. Box 37274 Washington D. C. 20013	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
H. Full Name, Mailing Address and ZIP Code Friends of Jim Young P. O. Box 1581 Erie, PA 16507	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
I. Full Name, Mailing Address and ZIP Code Friends of Alfred Gore, Jr. P. O. Box 2757 Nashville, TN 37219	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	2,500.00
SUBTOTAL of Disbursements This Page (optional)			\$6,750.00
TOTAL This Period (last page this line number only)			

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SCHEDULE B

ITEMIZED DISBURSEMENTS

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

0 5 0 4 0 2 1 5 7 1

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Friends of Albert Gore, Jr. P. O. Box 2517 Nashville, TN 37219	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	\$5,000.00
B. Full Name, Mailing Address and ZIP Code Citizens for Harkin 3213 S. West, 9th Street Des Moines, IA 50315	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	1,300.00
C. Full Name, Mailing Address and ZIP Code Citizens for Harkin 3213 S. West, 9th Street Des Moines, IA 50315	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
D. Full Name, Mailing Address and ZIP Code D'Amours for Senate Committee 1087 Elm Street, #408 Manchester, NH 03101	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	3,400.00
E. Full Name, Mailing Address and ZIP Code D'Amours for Senate Committee 1087 Elm Street, #408 Manchester, NH 03101	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
F. Full Name, Mailing Address and ZIP Code Jim Hunt Committee 215 Hillboroughs Street P. O. Box 25937 Raleigh, NC 27611	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	4,000.00
G. Full Name, Mailing Address and ZIP Code Jim Hunt Committee 215 Hillboroughs Street P. O. Box 25937 Raleigh, NC 27611	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
H. Full Name, Mailing Address and ZIP Code Winter for Senate Committee P. O. Box 23148 Jackson, MS 39225	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
I. Full Name, Mailing Address and ZIP Code Winter for Senate Committee P. O. Box 23148 Jackson, MS 39225	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00

SUBTOTAL of Disbursements This Page (optional) \$38,700.00

TOTAL This Period (last page this line number only)

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SCHEDULE B

ITEMIZED DISBURSEMENT.

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Kenneth D. Spalding for Congress P. O. Box 25175 Durham, NC 27701	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Fitzgerald for Congress P. O. Box 584 Fort Dodge, IA 50501	Purpose of Disbursement Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	250.00
C. Full Name, Mailing Address and ZIP Code Friends of Senator Carl Levin 420 C Street, N. E. Washington D. C. 20002	Purpose of Disbursement Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Gus Savage for Congress 1984 P. O. Box 757 Chicago, IL 60690	Purpose of Disbursement Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	500.00
E. Full Name, Mailing Address and ZIP Code AFL-CIO COPE-PCC 815 - 16th Street, N. W. Washington D. C. 20006	Purpose of Disbursement Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Joint-Fund	4/16/84	1,500.00
F. Full Name, Mailing Address and ZIP Code Lloyd Doggett Campaign Fund 406 W13th Street Austin, TX 78701	Purpose of Disbursement raising Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/19/84	450.00
G. Full Name, Mailing Address and ZIP Code Bustamante for Congress Committee P. O. Box 15077 San Antonio, TX 78212	Purpose of Disbursement Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/19/84	250.00
H. Full Name, Mailing Address and ZIP Code Greater Washington Americans for Democratic action 1411 K Street, N. W., #850 Washington D. C. 20005	Purpose of Disbursement Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Fund-raising	4/23/84	100.00
I. Full Name, Mailing Address and ZIP Code Dan McGrath for Congress Committee P. O. Box 711 Ottawa, IL 61350	Purpose of Disbursement Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
SUBTOTAL of Disbursements This Page (optional)			\$4,800.00
TOTAL This Period (last page this line number only)			

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(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kenneth D. Spaulding for Congress P. O. Box 25175 Durham, N.C. 27701	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Norm Dicks for Congress Committee P. O. Box 1663 Tacoma, WA 98401	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
C. Full Name, Mailing Address and ZIP Code Flannery for Congress Committee 8847 N. Tazewell Street Arlington, VA 22207	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
D. Full Name, Mailing Address and ZIP Code McGlennon in 1984 Committee P. O. Box 1492 Williamsburg, VA 23187	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
E. Full Name, Mailing Address and ZIP Code Friends of Max Baucus P. O. Box 216 Helena, MT 59624	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
F. Full Name, Mailing Address and ZIP Code Dowdy for Congress Committee P. O. Box 713 McComb, MS 39648	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
G. Full Name, Mailing Address and ZIP Code Bruce A. Morrison for Congress Committee P. O. Box 303 New Haven, CT 06502-0303	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
H. Full Name, Mailing Address and ZIP Code Soash for Congress P. O. Box 2854, Mystic Route Steamboat Springs, CO 80477	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
I. Full Name, Mailing Address and ZIP Code Wachob for Congress Committee P. O. Box 53 Johnsonburg, PA 15845	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
SUBTOTAL of Disbursements This Page (optional)			\$5,250.00
TOTAL This Period (last page this line number only)			

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 6 of 7 for
 LINE NUMBER 28
 (Use separate schedules for each
 category of the Detailed
 Summary Page)

(CONTRIBUTIONS FOR FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
McCloskey for Congress P. O. Box 70 Bloomington, IN 47402	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Committee for Congressman C. Rose P. O. Box 1891 Fayetteville, N. C. 28302	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
C. Full Name, Mailing Address and ZIP Code Alan Mollohan for Congress Committee 304 Devey Bldg. Fairmont, WV 26554	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
D. Full Name, Mailing Address and ZIP Code Committee to re-elect Senator Huddleston P. O. Box 76404 Washington D. C. 20013	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
E. Full Name, Mailing Address and ZIP Code Oakar for Congress Committee P. O. Box 2884 Washington D. C. 20013	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
F. Full Name, Mailing Address and ZIP Code Friends of George Miller 350 38th Street Richmond, CA 94805	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	200.00
G. Full Name, Mailing Address and ZIP Code Simon for Senate Committee 30 W. Washington, Room 615 Chicago, IL 60602	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	1,000.00
H. Full Name, Mailing Address and ZIP Code Barry Hobbins for Congress P. O. Box 4118, Station A Portland, ME 04101	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	250.00
I. Full Name, Mailing Address and ZIP Code Bustamante for Congress Committee P. O. Box 15077 San Antonio, TX 78212	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	2,000.00
SUBTOTAL of Disbursements This Page (optional)			\$5,950.00
TOTAL This Period (last page this line number only)			4,450

SCHEDULE B

ITEMIZED DISBURSEMENTS

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Dorgan for Congress P. O. Box 871 Bismarck, ND 58502	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	4/30/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			\$ 500.00
TOTAL This Period (last page this line number only)			\$65,900.00

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NEW JERSEY

3-13-84	- Howard for Congress Committee (P)	1,000.00
3-20-84	- James J. Florio Campaign Fund, Inc.	250.00
5-1-84	- Bill Bradley for U. S. Senate	1,000.00
6-4-84	- Hedden for Congress (P)	500.00
6-4-84	- Citizens for Rodino	1,000.00
6-8-84	- Citizens for Minish (G)	500.00
7-3-84	- Torricelli Congress Committee (G)	1,000.00
8-7-84	- James J. Florio Campaign Fund, Inc. (G)	500.00
8-7-84	- Guarini for Congress Committee (G)	500.00
8-7-84	- Rinaldo for Congress Committee (G)	500.00
9-21-84	- Hedden for Congress (G)	2,000.00
9-21-84	- Howard for Congress Committee (G)	2,000.00

MEXICO (N.J. cont'd. on page 6a)

5-31-84	- Asbury for Congress (P)	500.00
6-7-84	- New Mexicans for Bill Richardson	500.00
7-3-84	- Asbury for Congress (G)	500.00
8-7-84	- Asbury for Congress (G)	500.00
8-7-84	- ...Judy Pratt for U.S. Senate (G)	500.00
8-7-84	- New Mexicans for Bill Richardson (G)	500.00
9-12-84	- Asbury for Congress (G)	2,000.00
9-12-84	- ...Judy Pratt for U.S. Senate (G)	2,000.00
9-12-84	- New Mexicans for Bill Richardson (G)	2,000.00
S 10-11-84	- New Mexico Democratic Party	1,000.00
10-24-84	- Asbury for Congress (G)	1,000.00

NEW YORK

5-9-84	- Comm. to Elect George K. Arthur	1,000.00	E
28-84	- Ferraro for Congress 1984	1,000.00	
3-9-84	- Peyser for Congress (P)	250.00	
3-22-84	- Friends of Peyser (P)	500.00	
4-30-84	- Concord Printing Co., INC.	1,703.86	E
5-4-84	- Citizens for Downey	1,000.00	
5-4-84	- People for Mrazek (P)	1,000.00	
5-16-84	- Towns '84 (P)	500.00	
5-21-84	- Friends of Peyser (P)	400.00	
6-4-84	Ackerman for Congress stop Payment 1-13-85	1,000.00	
6-8-84	- Stan Lundine for Congress Committee (P)	500.00	

(cont'd. next line)

(New York cont'd.)

7-3-84	- ...Cong. Joseph P. Addabbo (P)	2,500.00	
8-7-84	- Friends of Ham Fish, Jr. (P)	100.00	
8-7-84	- Citizens for Gilman (P)	1,000.00	
8-7-84	- Friends of Matt McHugh (P)	1,000.00	
8-7-84	- Peyser for Congress (P)	500.00	
8-21-84	- ...Cong. Joseph P. Addabbo (P)	1,900.00	
S 8-30-84	- People to Elect Bob Dandrea	250.00	E
8-30-84	- Stan Lundine for Congress (P)	1,500.00	
9-10-84	- People for Mrazek (P)	2,500.00	
9-12-84	- Rangle for Cong. Comm. (G)	1,000.00	
9-21-84	- ...Cong. Joseph P. Addabbo (G)	2,000.00	
9-21-84	- ...Re-Elect Robert Garcia (G)	2,000.00	

NORTH CAROLINA (N.Y. cont'd. on page 6a)

2-28-84	- Britt for Congress (P)	250.00
3-19-84	- Susan Green for Congress	1,000.00
4-12-84	- Jim Hunt Committee (Primary)	4,000.00
4-12-84	- Jim Hunt Committee (General)	5,000.00
4-12-84	- Kenneth D. Spaulding for Cong.	500.00
4-25-84	- Comm. for Cong. Charles Rose	250.00
4-25-84	- Kenneth D. Spaulding for Cong.	500.00
5-2-84	- Kenneth D. Spaulding for Cong.	500.00
5-21-84	- ...James McClue Clarke to Cong.(G)	500.00
5-21-84	- Susan Green for Congress	1,000.00
6-27-84	- Comm. for Cong. Charles Rose (G)	500.00
9-21-84	- Britt for Congress (G)	2,000.00

NORTH DAKOTA (N.C. cont'd. on page 6a)

4-30-84	- Dorgan for Congress	500.00	
S 8-23-84	- Jerry Mattern Campaign Fund	100.00	E
9-19-84	- Dorgan for Congress (G)	1,000.00	
S 11-2-84	- Sinner Campaign Committee (G)	2,000.00	

3,600.00

(47)7

36 FEB 3 11:08

ZAZZALI, ZAZZALI & KROLL
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

ANDREW F. ZAZZALI (1925-1969)
ANDREW F. ZAZZALI, JR.
JAMES R. ZAZZALI (N.J. & D.C. BARI)
ALBERT G. KROLL (N.J., PENN. & D.C. BARI)
ROBERT A. FAGELLA (N.J. & N.Y. BARI)
PAUL L. KLEINBAUM (N.J., PENN. & MICH. BARI)
KENNETH I. NOWAK (N.J., N.Y. & D.C. BARI)

ONE GATEWAY CENTER
NEWARK, N. J. 07102-5311
(201) 623-1822

January 28, 1986

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

This letter is submitted on behalf of respondents Local 68 PAC and Vincent J. Giblin in response to the Complaint filed in the above-captioned matter.

According to the Complaint (¶10), Local 69 PAC contributed \$250.00 to the James B. Hunt Committee on May 8, 1984 which, when combined with a subsequent contribution to that Committee of \$5,000.00 by the Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE), violated 2 U.S.C. §441(a)(f).

However, as the Complaint concedes, at the time Local 68 and Giblin made the contribution of \$250.00, that contribution was not in excess of the amount allowed by law. The violation only occurred upon the subsequent contribution by EPEC/IUOE. While the federal law may not distinguish between affiliates for purposes of aggregating contributions to a candidate, one affiliate's particular conduct is relevant in determining the propriety of any penalty.

In addition, as EPEC/IUOE points out in its own responsive letter, its contribution was made subject to the Hunt Committee's determination that the contribution would not exceed the permissible amount when viewed in conjunction with any contributions from EPEC/IUOE's affiliates. Surely this caveat protects EPEC/IUOE, and its affiliates, from liability for any excessive contribution. Local 68 and Giblin hereby incorporate EPEC/IUOE's letter herein.

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ATTACHMENT #5 (48)

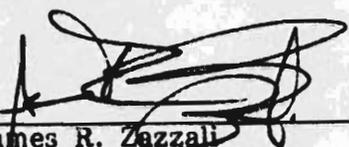
Charles N. Steele
January 28, 1986
Page 2

In light of Local 68 PAC and Giblin's minimal contribution, and in light of the lawfulness of that contribution at the time it was made, and in view of EPEC/IUOE's subsequent contribution with a notice to the recipient Committee, it is respectfully submitted that no violation be found as to Local 68 PAC and Giblin and that, in any case, no penalty be imposed.

Very truly yours,

ZAZZALI, ZAZZALI & KROLL

By:


James R. Zazzali

KIN:kw

cc: Vincent J. Giblin
Michael R. Fanning, Esq.

85040321578

5(49)

January 17, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

This is the response of the Communications Workers of America Committee on Political Education Political Contribution Committee (CWA COPE PCC), the CWA Local 13000 Political Action Committee, and the treasurers of the CWA COPE PCC and the Federation of Telephone Workers of Pennsylvania Political Action Committee (FTWP PAC) to the complaint in MUR 2110.¹

The complaint, ¶ 29-32, alleges that the CWA COPE PCC and the FTWP PAC violated 2 U.S.C. §441a(a)(2)(A) by each contributing \$5,000 to the Jim Hunt Committee for the 1984 election. The challenged contributions by CWA COPE PCC were made in February, April and July 1984. The challenged contribution by FTWP PAC was made in July 1984.

¹The present treasurer of Communications Workers of America COPE PCC is James B. Booe. Louis B. Knecht was treasurer of CWA COPE PCC at the time of the contributions in question. Ron Krouse was an assistant treasurer of CWA COPE PCC, and Fred Hassen, who is deceased, was also an assistant treasurer. Edwin J. Maher was the treasurer of the Federation of Telephone Workers of Pennsylvania Political Action Committee and is currently treasurer of the CWA Local 13000 Political Action Committee.

ATTACHMENT #6 (50)

85040521679

The complaint is premised upon the erroneous assumption that the Communications Workers of America (CWA) and the Federation of Telephone Workers of Pennsylvania (FTWP) merged in February 1984. The fact of the matter is, however, that prior to August 1, 1984 the CWA and the FTWP were separate independent labor organizations, unaffiliated with each other, and each governed by its own constitution. Exhibit 1 (FTWP Constitution); Exhibit 3 (CWA Constitution). On August 1, 1984, the FTWP joined the CWA as Local 13000. On that date, CWA Local 13000 was chartered, Exhibit 5, the FTWP Constitution was replaced by the Local 13000 bylaws, Exhibit 2, and the former members of FTWP became CWA members and began paying dues to the CWA, Exhibit 7. Also, on that date, a new geographic region of the CWA national union, District 13, came into being; this District is composed primarily of the members of CWA Local 13000. Exhibit 6. Compare Exhibit 3, pp.114-115 with Exhibit 4, pp. 112-113 (showing the creation of the new District 13).

The FTWP, by the terms of its constitution, Exhibit 1, was an independent labor organization, Art. 22, p. 71, with its own requirements for membership, Art. 3, Sec. 1, p. 8, and its own definition of membership rights, Art. 19, pp. 66-67. Under the terms of this constitution, the FTWP was not affiliated with the CWA. Nor could the members of the FTWP have been members of the CWA under the CWA Constitution until their union became chartered CWA Local 13000 and they started paying dues to the CWA. Under the CWA Constitution, Exhibit 3, membership in that union must come through membership in one of its chartered locals, Art. V, Sec. 2(a), p. 3, and members must pay dues to the CWA, Art. VI, Secs. 1 & 2, p. 7. The former FTWP members did not meet either of these requirements until August 1, 1984.

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The CWA Local 13000 bylaws, Exhibit 2, which became effective on August 1, 1984, the date that local was chartered, clearly place the local under the authority of the CWA Constitution and National Convention. See, eg., Exhibit 2, Art. 7, Sec. 3(1), p. 17; Art. 8, Sec. 7, p. 25; Art. 11, p. 33; Art. 12, pp. 34-35; Art. 14, pp. 37-43; Art. 17, p. 4*; Art. 19, p. 46. Those bylaws also made the former members of FTWP into members of the CWA. Compare Exhibit 1 (page facing the index) with Exhibit 2 (page facing the index). See also Exhibit 2, Art. 3, Sec. 1, p. 9; Art. 9, p. 26; Art. 10, Sec. 4, p. 32.

The complaint acknowledges that the merger of the CWA and the FTWP was not accomplished until August 1984, but asserts nevertheless that the FTWP was transformed into an affiliate of the CWA by the vote of the FTWP membership in February 1984 approving a proposal to affiliate with the CWA. Complaint ¶ 30. After the FTWP membership approved affiliation in February 1984, there was only agreement that the two organizations would merge at a future date. An agreement between two organizations to merge at a future date is not sufficient to subject the political committees of the merging organizations to a single contribution limit. F.E.C. Advisory Opinion 1985-27 (Nov. 1, 1985).

All of the political committees established by a labor organization and its locals are subject to a single contribution limit. 2 U.S.C. §441a(a) (5): See 11 CFR §§100.5(g)(2)(i)(B) & 110.3(a)(1)(ii)(B). An agreement to merge one labor organization into another as a local does not, however, make the one organization a local of the other. This occurs only when the organizations actually merge -- when their structures and governing documents are changed to accomplish the merger and when their memberships merge.

"[U]nion constitutions [are the] documents that prescribe the legal relationship and the rights and obligations between the parent and affiliated

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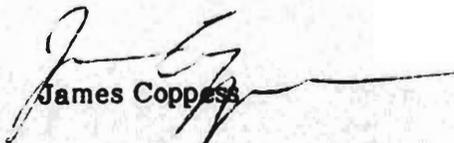
locals . . ." Plumbers & Pipefitters v. Local 334, Plumbers & Pipefitters, 452 U.S. 615, 624 (1981). The constitution is the "fundamental agreement of association" between a national union and its affiliated locals. Coronado Coal Co. v. Mine Workers, 268 U.S. 295, 304 (1925). The Commission's regulations recognize this. 11 CFR §§100.5(g)(2)(ii)(B) & 110.3(a)(1)(iii)(B). As the above factual discussion demonstrates, until August 1, 1984 the CWA and the FTWP were independent labor organizations, each governed by its own constitution and each having its own structure.

Moreover, the members of the FTWP could not possibly be considered members of the CWA before August 1, 1984. It was only on that date that they became members of a chartered local of the CWA, Local 13000, Exhibit 5, and they began to pay dues to the CWA, Exhibit 7. These are the two basic requirements for membership in the CWA. Exhibit 3, Art. V, Sec. 2(a) and Art. VI, Sec. 1. Under the Commission's regulations, only those who satisfy the requirements for membership in a labor organization can be considered members. 11 CFR §§100.8(4)(iv) & 114.1(e). This is the common legal definition of union membership. See 29 U.S.C. §402(o).

From the foregoing, it is clear that the CWA and the FTWP were separate labor organizations until August 1, 1984. The contributions challenged in the complaint were made prior to that date, when the CWA COPE PCC and the FTWP PAC were each subject to separate contribution limits. F.E.C. Advisory Opinion 1985-27 (Nov. 1, 1985) (pre-affiliation contributions were not subject to a shared aggregate limit at the time they were made).

For the foregoing reasons, no action should be taken against the CWA COPE PCC, the Local 13000 PAC, or the treasurers of these committees.

Respectfully submitted,


James Coppess

6(53)

86040521692

Exhibits to the Response of CWA COPE PCC, et al., to MUR 2110

Exhibit 1 - FTWP Constitution

Exhibit 2 - CWA Local 13000 Bylaws

Exhibit 3 - CWA Constitution (1983)

Exhibit 4 - CWA Constitution (1984)

Exhibit 5 - CWA Local 13000 Charter

Exhibit 6 - CWA Executive Board Resolution

Exhibit 7 - Letter to Bell of Pennsylvania

16 JAN 17 AM 11:36

RECEIVED
GENERAL INVESTIGATIVE
DIVISION

86040521683

6(52)

86040321684

**CONSTITUTION
OF THE
Federation of Telephone Workers
of Pennsylvania**



- Adopted—November 1938
- Revised—February 1942
- Revised—June 1944
- Revised—September 1945
- Revised—January 1949
- Revised—January 1950
- Revised—January 1951
- Revised—January 1953
- Revised—January 1955
- Revised—January 1956
- Revised—January 1957
- Revised—October 1959
- Revised—May 1960
- Revised—May 1961
- Revised—May 1962
- Revised—May 1963
- Revised—May 1964
- Supplement issued—June 1968
- Revised—May 1966
- Revised—May 1967
- Revised—September 1968
- Revised—June 1969
- Revised—June 1970
- Revised—May 1972
- Revised—May 1974
- Revised—May 1975
- Revised—May 1977
- Revised—May 1978
- Revised—October 1980

JAN 17 AM 11:25

6(55)

EXECUTIVE OFFICE

Second Floor
1410 Chestnut Street
Philadelphia, PA 19102
(215) 564-6100

DIVISION OFFICES

Philadelphia
2330 Sansom Street
Philadelphia, PA 19103
(215) 561-1321

Eastern
531 Lancaster Avenue
Frazer, PA 19356
(215) 644-3466

Central
300 Washington Street
East Stroudsburg, PA 18301
(717) 424-6900

Pittsburgh
2312 Clark Building
717 Liberty Avenue
Pittsburgh, PA 15222
(412) 471-1414

Western
Room 505
Troutman Building
Connellsville, PA 15425
(412) 628-5497

Accounting
16 East Mall Plaza
Carnegie, PA 15106
(412) 276-6030

Non-Bell
279 Kernel Lane
Etters, PA 17319
(717) 938-3678

CONSTITUTION OF THE Federation of Telephone Workers of Pennsylvania



Adopted—November 1938
Revised—February 1942
Revised—June 1944
Revised—September 1945
Revised—January 1949
Revised—January 1950
Revised—January 1951
Revised—January 1953
Revised—January 1955
Revised—January 1956
Revised—January 1957
Rewritten—October 1959
Revised—May 1960
Revised—May 1961
Revised—May 1962
Revised—May 1963
Revised—May 1964
Supplement Issued—June 1965
Revised—May 1966
Revised—May 1967
Revised—September 1968
Revised—June 1969
Revised—June 1970
Revised—May 1972
Revised—May 1974
Revised—May 1976
Revised—May 1977
Revised—May 1978
Revised—October 1982

EXHIBIT 1

6(56)

Your membership in the FTWP guarantees you certain rights, obligations and responsibilities as provided in this Constitution.

**FEDERATION OF TELEPHONE WORKERS
OF PENNSYLVANIA
CERTIFICATE OF MEMBERSHIP**



W. S. Wallace
EXECUTIVE PRESIDENT

Member's Duties

- Members shall report any violation of the Contract by Supervisors as by members.
- Members shall attend all membership meetings.
- Members are entitled to a voice and vote on all matters and should express their opinions and vote.
- Members shall notify the Union of change in home address and/or work location.
- Members are required to picket during a strike authorized by the membership.
- Members shall follow authoritative orders of the Local, Division, or Union.
- Members shall adhere to all Union policies.
- Members should uphold all traditions of organized Labor.

COUNTERSIGN

Important

This is your annual membership card. Be sure to countersign on the back. Members duties as provided in the F.T.W.P. Constitution are carried for your information and guidance.

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CONSTITUTION

PREAMBLE

It having been demonstrated—since the inception of the Union in 1938—that concerted Union activity has been beneficial to those men and women in the State of Pennsylvania whose livelihood is derived through employment in the communications industry and the members of the Federation of Telephone Workers of Pennsylvania recognizing the need for revisions in their Constitution in order that their Union may continue to be a dynamic and forceful entity, capable of coping with the problems confronting Pennsylvania communications workers, the Constitution of the Federation of Telephone Workers adopted in November, 1938 and subsequently amended on numerous occasions is further amended as herein contained.

ARTICLE 1 NAME AND PURPOSE

Sec. 1.— Name

The name of this Union shall be the Federation of Telephone Workers of Pennsylvania

Sec. 2.— Purpose

This Union shall:

(a) Be the collective bargaining representative of those groups or units of communications employees who shall have selected it for that purpose with respect to rate of pay, hours of employment and all other conditions affecting or arising out of the employment relationship and, to that end, shall negotiate and enter into agreements with companies employing workers whom it represents.

(b) Keep informed of proposed legislation and regulations affecting workers whom it represents, espouse the passage of legislation and regulations deemed favorable and the prevention of legislation and regulations deemed detrimental to their interests.

(c) Promote and protect, at all times, the general interest of those workers it represents in all matters arising out of their employment relationship or Union activity.

ARTICLE 2 STRUCTURE

Sec. 1.— Organization

The organization of this Union shall be:

- (a) The Branch, which shall comprise Members associated vocationally, geographically or departmentally;
- (b) The Local, which shall comprise Branches associated vocationally, geographically or departmentally;
- (c) The Division, which shall comprise Locals associated geographically or departmentally;
- (d) The Executive Board, which shall be composed of the Presidents of each of the Divisions, the Executive President and the Executive Vice-President.
- (e) The Convention shall consist of a delegate for the first 100 members, providing the Local has more than 50 members, and an additional delegate for each 100 members or major fraction thereof. Locals comprised of 50 or less are entitled to group such Locals and elect from such group a Convention delegate or delegates as provided by the numerical criteria set forth above. Should such Locals in the aggregate be numerically insufficient to provide a Convention delegate, proxies equal to the number of members in each Local may be assigned to other delegates to the Convention by that Local.

Sec. 2— Definitions

The following terms, whenever used herein, shall have the following meanings:

- (a) Branch shall mean Members within the Branch

- (b) Local shall mean Members within the Local.
- (c) Division shall mean Members within the Division.
- (d) Union shall mean all components of the Organization.
- (e) Council shall mean Members of the Council.
- (f) Constituent shall mean Union Member.
- (g) Majority vote shall mean more than one-half of all the valid votes cast.
- (h) Plurality shall mean the greater number of votes received of all the valid votes cast.
- (i) A ballot determined void by the Tellers of Election or Referendum shall not be counted as a cast ballot.
- (j) Roll call per capita vote shall mean that each delegate is entitled to cast one vote for each member as properly accredited.
- (k) Convention shall mean Convention Delegates in Convention assembled.
- (l) Quorum shall mean 20 per cent of the membership.
- (m) Non-Bell Local shall mean Members within a Local comprising employees other than employees of the Bell Telephone Company of Pennsylvania.
- (n) The Constitution shall mean the Constitution of The Federation of Telephone Workers of Pennsylvania.
- (o) Administrator shall mean a Member of the Union appointed by the Executive Board to administer the affairs of a suspended Local or Division.

- (q) Supervisor's groups shall mean all the employees reporting directly to a particular Supervisor. 1976

Sec. 3.—Established Structure

The structure of this Union, established as of the date of the adoption of this Constitution, shall be set forth in Appendix A hereof.

Sec. 4.—The structure of the Union may be altered or changed only by Constitutional amendment, as hereinafter set forth, provided, however, that the Executive Board may establish new Branches, Locals or Divisions to accommodate new members where existing Branches, Locals or Divisions are inadequate or inappropriate for their needs or where new or other departments are organized.

**ARTICLE 3
MEMBERSHIP**

Sec. 1.—Eligibility

Membership in this Union shall be available to pensioners or employees of communications companies who are eligible for Union membership under applicable law.

Sec. 2.—Application for Membership

(a) Application for membership shall be made on standard Union application forms approved by the Executive Board and submitted to the Local Council having jurisdiction of the applicant. Applicants for the reinstatement must be approved by the Local Council to which application for reinstatement is made. Such application must also be approved by the Council of the Local of which the applicant was a previous member and finally approved by the Executive Board, except reinstatements from expulsions by a Trial Court must be approved by the Convention.

(b) The Local Council shall have power to pass upon the qualifications of the applicant and issue a certificate of membership, provided, however, that the Executive Board may revoke said certificate or membership if it shall determine that the applicant was ineligible for membership under the provisions of this Constitution or owes any obligations to the Union by virtue of former membership.

Sec. 3.—Termination of Membership

Membership in this Union may be terminated only upon the following grounds.

- (a) Expulsion as provided for herein for arrearages for dues, fines, or assessments.
(b) Expulsion by a Trial Court.
(c) Assumption of a position in a company with which the Union has a collective bargaining agreement which would have rendered the member ineligible to have made application for membership in the first instance. If the assumption of such a position is on a temporary basis, membership may be retained for a period of thirty days or during the period of such position, whichever is less.

(d) Termination of employment with the employer provided, however, that membership may be retained pursuant to the provisions of Section 4 of this article.

Sec. 4.—Retention of Membership

Members of the Union in good standing, upon leaving the communications industry, may retain membership in the Union, in the discretion of the Division having jurisdiction and upon the payment of regular dues. Members who are retired for reasons of age or disability may continue to be active members upon the continuation of regular dues payments or become Honorary Members without

the requirements of dues payments. Honorary Members shall not have voting privileges.

Sec. 5.—Duties of Members

(a) It shall be a duty of each member to notify the Representative of the Branch in which the member is located, of any violation of the Agreements by either the Company Supervisors or employees at the time said violation occurs.

(b) It shall be the duty of each member to attend all membership meetings of the Branch, Local or Division in which he is located, either permanently or temporarily, at the time of such meeting.

(c) Each member in attendance at Union Membership meetings shall be entitled to a voice and vote in matters pertaining to the Branch, Local, or Division of which he is a member.

(d) It shall be the responsibility of the individual member to keep the Union informed as to his residence address and Company work location.

(e) It shall be the duty of each member of the Union to picket during an authorized strike unless otherwise excused by the Strike Director.

(f) It shall be the duty of each member to obey authoritative orders of a particular Council of the Union having jurisdiction over him.

Sec. 6.—Assignment and Transfer of Members

(a) Local Councils shall assign new members to the appropriate Branch within the Locals in their jurisdiction.

(b) Members who are transferred, vocationally or geographically, by company action, shall come under the jurisdiction of the

Branch, Local and Division into whose area such transfer is made. Where such transfer is intended to be for a period of six months or less, no change in jurisdiction shall be made, provided, however that such members shall be required to comply with all rules and regulations and directions of the Branch, Local and Division of the temporary location.

ARTICLE 4

BRANCHES, BRANCH REPRESENTATIVES AND JOB STEWARDS

Sec. 1.—Election and Duties of Branch Representatives.

(a) Each Branch shall elect from among its membership one Branch Representative who shall be a member of the Local Council of the Local of which it is a part. Eligibility and aspirant nomination procedures are under Article 10.

1978

(b) A Branch Representative shall not, during the period of his term of office, accept an "In Charge" assignment from the company employing him.

(c) Each Branch Representative shall:

(1) Represent the interest of the Union membership in his Branch and subject to the approval of the Local Council, may appoint a Job Steward for each Foreman's group to assist him.

(2) Conduct at least four meetings of the Branch Membership each year, except as modified under Article 5, Sec. 2, para. 8.

(3) Unless otherwise excused, attend all meetings of his Branch, Local, Division or Executive Board when his attendance is required. Failure to attend three consecutive meetings which require his at-

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tendance will result in the office being declared vacant by the Local or Division Council or the Executive Board.

(4) Sign and subscribe to an oath of office, the form of which is annexed hereto, as Appendix "B" and such oaths or affidavits as may be required by law. The Executive Board shall have the power to remove from office any Branch Representative who shall fail or refuse to execute any such oaths or affidavits within the time limits specified by said Executive Board.

Sec. 2.—Promotion of Branch Representative

(a) Within three days of the receipt of notice that the company employing a Branch Representative desires to promote or transfer said Branch Representative, the Executive President shall notify the President of the Division having jurisdiction. Should the Representative be a member of the Executive Board all members of that Board shall be notified.

(b) Approval of or objection to a proposed promotion or transfer shall be transmitted to the Executive President within eight days of the receipt of a notice by a Division President or Executive Board member as the case may be. In the event a majority of the Council or Board of which the Branch Representative shall be a member objects to the promotion or transfer, the Company employing him shall be so informed.

Sec. 3.—Temporary Out of Town Transfer

In the event a Branch Representative is temporarily transferred under circumstances which prevent him from returning home nightly, he shall appoint a substitute to assume his functions and duties during such temporary transfer.

Sec. 4.—Absence of Representative Because of Vacation

A Representative who shall be away from his duties because of vacation may, to the extent permitted by law, appoint a substitute who shall serve as the Branch Representative until the expiration of the Representative's vacation.

ARTICLE 5

LOCALS

Sec. 1.—Local Offices

(a) The members of the Branches within the jurisdiction of a Local shall comprise the Local Membership.

(b) The membership of each Local shall elect, from within such Local, a Local President, a Local Vice-President and a Local Secretary. Eligibility and aspirant nomination procedures are under Article 10.

1982

(c) The Local President at his discretion may vacate his position as a Branch Representative. The vacated position would be elected from the membership of the effected Branch. The Local President would have a vote on all matters brought before a Local Council.

Sec. 2.—Local Councils

(a) All of the Branch Representatives within a Local shall comprise the Local Council.

(b) The Local President, Local Vice-President and Local Secretary shall be, respectively, the President, Vice-President and Secretary of the Local Council and shall be responsible to their Council and to the Local Membership as a whole.

1980

(c) Each Local Council shall:

(1) Hold at least three regular meetings each year, provided, however, that meet-

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ings of the Branch Representatives on a Division basis may be held in lieu of Local Council meetings. A majority of the members of a Local Council including at least one Local Council officer, shall be deemed the Council. A vote of the majority of those present shall be deemed to be the vote of the Council and shall be binding upon the Council, except in those cases where the number of votes necessary for action is specifically provided otherwise herein. In the event of the absence of a Branch Representative from a Branch, Local, or Local Council meeting, the absent Representative shall appoint a substitute from the Membership of his Branch, and if he fails so to do, the President shall make the appointment. In either case, the substitute shall have full status of a Representative including the right to vote on any and all questions.

(2) Keep true and accurate records of all such regular and special meetings, copies of which shall be sent to its Division Council, the Executive Office and shall also be made available to the members of the Local.

(3) Formulate and decide policies, consistent with this Constitution and Division and Executive Board policy and adopt resolutions and regulations for the guidance of its officers.

(4) Refer to the Division Council all problems beyond the scope of its activity and authority.

(5) Pass upon the qualifications of all applicants for membership in the Local, except as otherwise herein provided.

(6) Formulate, subject to the approval of the Executive Board and in accordance

with applicable law, rules and regulations for the conduct of the affairs of the Local and Local Council within the limitations of Division and Executive Board policy and this Constitution.

(7) Have such further duties and exercise such added authority as may be granted or delegated to it by the Executive Board or the Division Council, consistent with the provisions of this Constitution and the Division By-Laws.

(8) Conduct at least four membership meetings of the Local or Branch membership each year, except as modified under Article 6, Sec. 2, para. 13. At the discretion of the Local Council, meetings of the Local membership may be held in lieu of meetings of the Branch membership. Providing a quorum is present, a vote of the majority shall be deemed the vote of the membership, except as otherwise provided in this Constitution or Division By-Laws.

(9) Have the power to recommend changes in Branch or Local Organizations subject to Article 6, Sec. 2. para. (b) (8).

1976

Sec. 3. — Local Council Officers

(a) The Local Council officers shall be a President, a Vice President and a Secretary elected as herein provided.

1980

(b) The Local Council President shall preside at all meetings of the Local Council and the Local Membership. He shall also preside, when requested, at meetings of the individual Branches. He shall make available to the members of the Local Council copies of all pertinent or important communications, notices, documents, reports and information received by him. He shall represent the Local

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and Local Council whenever required, perform faithfully all duties incidental to such office, shall observe all requests made by the Division Council and shall faithfully perform such other duties as may be assigned by the Local Membership and the Local Council. He shall have the right to attend all meetings of the Branch Membership within the respective Local.

(c) The Local Council Vice-President shall assist the President, when required by the latter, in the exercise of all duties set forth in the foregoing paragraph, and shall perform all the duties of the President during the latter's absence or disability or upon the latter's resignation or death until a Local President is elected.

(d) The Local Council Secretary shall attend all meetings of the Local Council and all meetings of the Local Membership, shall keep minutes of all Local Council meetings and meetings of the Local Membership. He shall keep a true and accurate record of the Membership of the Local. He shall be the custodian of all records and minutes of the Local and Local Council. He shall perform such other duties as may be directed by the Local Council. At the expiration of his term of office, he shall deliver to his successor, or the Local President, all books, papers, documents, records, equipment, supplies, minutes and accounts of the Local and Local Council.

ARTICLE 6 DIVISIONS

Sec. 1.— Division Offices

(a) All of the Local Presidents within a Division shall comprise the Division Council.

(b) The membership of each Division shall

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elect, from within such Division, a Division President; and if the Division Council opts, a Division Vice-President on a full-time basis. All lower offices held by a Division President or a full-time Division Vice-President at the time of the respective elections shall be declared vacant and such vacated offices shall be filled as set forth in Article 10 eligibility and aspirant nomination procedures.

(c) The Division Council members shall elect, from among the Local Presidents within such Division, a Vice-President unless the Division opts to employ the Vice-President full-time in which case, election is by the Division membership from eligible aspirants, and a Secretary-Treasurer or a Secretary and a Treasurer.

Sec. 2.— Division Councils

(a) The Division President, Vice President, Secretary-Treasurer or Secretary and Treasurer shall be, respectively, the President, Vice-President, Secretary-Treasurer or Secretary and Treasurer of the Division Council and shall be responsible to the Division Council and to the Division membership as a whole.

(b) Each Division Council shall:

(1) Hold at least three regular meetings each year, provided, however, that meetings of the Branch Representatives on a Division basis may be held in lieu of Division Council meetings. Non-Bell Division shall hold at least one regular meeting each year.

(2) Keep true and accurate records of all such regular and special meetings, copies of which shall be sent to the Executive Office and shall be made available to the Local Councils and to the membership of the Locals within the particular Divisions.

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(3) Formulate and decide policy, consistent with this Constitution and Executive Board policy and adopt resolutions and regulations for the guidance of its officers.

(4) Refer to the Executive Board all problems beyond the scope of its activity and authority.

(5) Approve or disapprove all recommendations of its Locals, as herein provided.

(6) Approve all proper expenditures, appropriations and budgets pertaining to the Division.

(7) Establish, subject to approval of the Executive Board, and within the limitations of this Constitution, by-laws for the government of its affairs.

(8) Subject to the approval of the Executive Board, have the power to make changes in Branch or Local Organizations and approve or disapprove any changes in Branch or Local Organizations recommended by Local Councils within their jurisdiction.

(9) Have the authority to establish offices, purchase such supplies, engage such assistance and subscribe to such publications as it may deem necessary.

(10) Have authority to engage Counsel and power to institute or to appear and make defense in any action or actions at law or in equity, on behalf of the Division, before any Court or quasi-judicial body as it may deem necessary for the protection of the Division and the enforcement of its rights.

(11) Have the authority to call meetings of Branch Representatives of any Local of the Division.

(12) A majority of the members of a Division Council, including at least one Division Council Officer shall be deemed the Council. A vote of the majority of those present shall be deemed to be the vote of the Council and binding upon the Council, except in those cases where the number of votes necessary for action is specifically otherwise provided for herein.

(13) The meetings of the membership, as provided for in this Constitution, may be held on a Division basis at the discretion of the Division Council. Providing a quorum is present, a vote of the majority shall be deemed to be the vote of the membership.

Sec. 3.—Division Council Members

(a) In the event of the absence of a Division Council Member the absent member shall instruct the Vice President of the Local Council, or in the case of his absence, the Secretary to attend as a substitute.

If, for any reason, the Division Council member is unable to notify the Local Council Vice President or Secretary the Division President, shall notify the Vice President or Secretary. In either case, the substitute member shall have full status of a Representative in the Division Council, including the right to vote on all matters.

In the event the absent Division Council members shall be a Division Council officer, the replacement as herein provided for shall not assume the office of the absent member.

Sec. 4.—Division Council Officers

(a) **Division Council President.** The Division Council President shall preside at all meetings of the Council without power to vote thereat and may sit, ex-officio, in Local Council meetings

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and meetings of the Local or Branch Membership. He shall furnish to Members of the Division Council copies of all pertinent communications, notices, documents, reports and information received by him. He shall represent the Division and the Division Council whenever required, perform faithfully all duties incidental to such office, shall observe and comply with all recommendations and direction made by the Union through a majority vote of Delegates at Convention or the Executive Board and shall faithfully perform such other duties as may be assigned by the Division Council.

(b) **Division Council Vice President.** The Division Council Vice President shall assist the President, when requested by the latter, in the exercise of all duties set forth in the foregoing paragraph and shall perform all of the duties of the President during the latter's absence or disability, or upon the latter's resignation or death, until a new Division President is elected.

The Division Vice President shall attend all meetings of the Council without power to vote thereat, and may sit, ex-officio, in Local Council meetings and meetings of the Local or Branch Membership. If employed full-time, the Division Vice President, in addition to the duties specified above, shall be responsible for such other duties as may be assigned by the Division President or the Division Council.

(c) **Division Council Secretary-Treasurer or Division Council Secretary and Division Council Treasurer.** The Division Council Secretary-Treasurer or Division Council Secretary and Division Council Treasurer shall:

(1) receive all dues, special assessments, interests, dividends, and all other money receivable by the Division;

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(2) deposit all monies received to the credit of the Division Funds in the name of the Division, in such depositories as the Division Council shall select and direct;

(3) furnish a financial report to the Division Council at each regular meeting;

(4) furnish a financial statement to the Division Council President, the Division Council and the Auditing Committee, whenever requested, and shall maintain the financial records in the manner prescribed by the Executive Board;

(5) issue duly authorized checks upon the approval of the Division President or the Division Vice-President in his absence. (Note: Art. 13, Sec. 1, Para. (c) (e) also spells out these authorizations) Page 49.

(6) attend all meetings of the Division Council and keep a true and accurate record of the proceedings of the Council;

(7) maintain a true and accurate record of the membership of the Division;

(8) be the custodian of all records, papers, agreements, and minutes of the Division and the Division Council;

(9) perform such other duties as may be directed by the Division Council;

(10) at the expiration of his term of office, deliver to his successor, or to the Division Council President, all monies, books, documents, records, equipment, supplies, minutes, papers and accounts of the Division and Division Council.

(11) A division may, upon approval of the Division Council, separate the above duties between two council members. One to be known as the Division Secretary, and

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the other to be entitled the Division Treasurer.

(12) In the case of 11 above, the Treasurer would be responsible for the Division's financial operation. The Secretary would assume those duties associated with minutes.

(13) Both the Division Secretary and the Treasurer would be elected by the members of a Division Council.

(14) In the event the Division Secretary-Treasurer duties are separated in accord with paragraph (11) above, paragraphs (1), (2), (3), (4), (5), (9), (10), (12) and (13) shall apply to the Division Treasurer who shall attend all meetings of the Division Council and paragraphs (6), (7), (8), (9), (10), and (13) shall apply to the Division Secretary.

ARTICLE 7

THE EXECUTIVE BOARD AND EXECUTIVE OFFICERS

Sec. 1.—Executive Board Officers

(a) The Division Presidents, together with the Executive President and Executive Vice-President of the Union, shall constitute the Executive Board, provided, however, that the Executive President and the Executive Vice-President shall have no voting powers on said Executive Board, except as provided at contract negotiations. One such Division President shall be Executive Secretary of the Union and one shall be Executive Treasurer.

(b) Each of the aforesaid members of the Executive Board shall be employed full-time except as herein otherwise provided under Art. 6. Sec. 1, para. (b) in the affairs of the Union and shall receive such salaries, expense

accounts, and pensions as may be recommended by the Union's Salary and Pension Committee and approved by the Convention.

Sec. 2.—Election

(a) The Executive President, the Executive Vice President, the Executive Secretary and the Executive Treasurer shall be elected by the Convention. Eligibility and aspirant nomination procedures are under Article 10. 1978

Sec. 3.—Powers and Duties of the Executive Board

The Executive Board shall:

(1) Hold at least two regular meetings during each fiscal year and as many special meetings as is necessary for the proper transaction and dispatch of the business of the Union.

(2) Keep a true and accurate record of all regular and special meetings, copies of which shall be made available to all Councils and the Union membership.

(3) Approve or disapprove all recommendations of the Division Councils as herein provided.

(4) Between Conventions, coordinate all activities of the Union, formulate and decide policies for the Union as a whole and adopt suitable resolutions for the guidance of its Officers in the execution of such policies.

(5) Approve all proper expenditures, appropriations and budgets pertaining to the funds established by the Executive Board.

(6) Have authority to recommend By-Laws for the Divisions, within the limitations of this Constitution, and shall be the final arbiter in all questions of Constitutionality, subject to the provisions of Article 11, Initiative. Questions of constitutionality that arise while the 1977

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Convention is in session shall be subject to an "Appeal the decision of the Chair" call. Such an appeal will require a two-thirds (2/3) vote.

(7) Have the authority to establish an Executive Office, purchase such supplies, equipment, and furniture, engage such assistance and subscribe to such publications, as may be deemed necessary for the general welfare of the Membership of the Union and its proper operation.

(8) Have the authority to engage Counsel and power to institute or to appear and make defense in any action or actions at law or in equity, on behalf of the Union, before any Court or quasi-judicial body as it may deem necessary for the protection of the Union and the enforcement of its rights.

(9) Obtain information concerning matters affecting the welfare of the Membership, including proposed and enacted Legislation and Governmental Regulations and take such action in all matters as may be deemed essential to the best interests of the Membership.

(10) Publish a periodical or magazine.

(11) Have the exclusive authority and power to enter into collective bargaining agreements and for that purpose shall use the Negotiating Committee as provided in this Constitution to negotiate the terms of such contract with Company Representatives. All contracts shall first be adopted by a majority of the Negotiating Committee embodying an entire transcribed draft of the changes in the contract. A majority of the Executive Board Committee shall be deemed sufficient to send the Agreement out for ratification by the affected Union Members. If the Executive Board recommends a contract rejection, it shall so state the reasons to the membership

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along with the contract. Such contract shall be effective upon ratification by the affected Union Members. Rejection of a contract shall authorize the Executive Board to call a strike when it deems necessary. The ballot shall be so worded. The Executive Board, when forwarding the contract for ratification, shall specify the time limit within which the proposed contract shall be acted upon. Such time limit shall be a period of not more than forty-five (45) days from the date of its submission.

Meetings may be called to permit the Membership to hear reports on and discuss the proposed contract. A ballot with a return envelope shall be mailed to each affected Union member and at least five days notice of the return date thereof shall be given. The Executive Secretary shall be responsible for the tabulation of the vote. A contract, when approved by a majority vote of the affected Members voting thereon, shall be signed by the Executive President and the Chief Negotiator of the Union and shall be binding upon the union. Nothing in this Constitution shall preclude the Union from engaging in National Bargaining and conducting a referendum thereunder.

Referendum
1974

(12) Have the authority to conduct all negotiations with Representatives of the Employer whenever, in the opinion of the Executive Board, the matter is of such a nature or importance as to justify initial negotiations by the Negotiating Committee with the Employer. If any collective agreement made between the Union and the Employer contains provisions for arbitration, the Union members of the Board of Arbitration shall be selected by the Executive Board and the Union's share of the expense of the arbitration provided for in such collective agreement shall be paid when authorized by the Executive Board.

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EXHIBIT 1

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(13) Make available to the membership copies of all agreements entered into with the Employer.

(14) Have the authority to appoint Members of the Union to serve as Members of the Benefit Committee administering the pensions and benefits under the Plan for Employees' Disability Benefits and Death Benefits of the Employer.

(15) Shall not accept management positions during their term of office.

(16) May recommend Constitution amendments as provided in Article 21, Amendments.

(17) Establish an educational program.

(18) Establish a Pension Plan for the benefit of full time officers and full time employees of the Union.

(19) A majority of the members of the Executive Board, including at least one Executive Board Officer, shall constitute a quorum and, provided a quorum is present, a vote of the majority of those present shall be deemed to be the vote of the Executive Board, and binding upon the Executive Board, except where the number of votes necessary for action is otherwise specifically provided herein.

Sec. 4.—Powers and Duties of Executive Officers

(a) The Executive President

The Executive President shall:

(1) Be President of the Union and be responsible to the Convention and the Executive Board, except in the case of a mandate of the Union membership.

(2) Preside at all meetings of the Executive Board and may sit, ex-officio, in Division and

Local Council Meetings and Membership meetings of a Division, Local or Branch. He may sit (See Art. 7, Sec. 4, Para. e) on the Negotiating Committee and ex-officio on any Committees appointed by the Executive Board.

(3) Together with the Executive Treasurer, sign all proper checks and vouchers, subject to the final approval by a majority of the Executive Board.

(4) Furnish to the members of the Executive Board copies of all pertinent communications, notices, documents, reports and information received by him.

(5) Be responsible for the dissemination of pertinent information from the Executive Office to all Branch Representatives.

(6) Be responsible for the maintenance of all of the Union records in the Executive Office.

(7) Represent the Executive Board and the Union whenever required.

(8) Perform faithfully all duties entrusted to him.

(9) Observe all requests and instructions of the Executive Board and shall perform all duties assigned to him by the Executive Board.

(10) Assist the Chief Negotiator in collating and preparing all data to be used in negotiations.

(11) At the expiration of his term in office, deliver to his successor or to the Executive Secretary all records and properties of the Union.

(b) The Executive Vice President

(1) Be the Vice President of the Union and Chief Negotiator and shall be responsible to the Convention and the Executive Board. (See Art. 7, Sec. 4, Para. e)

(2) Assist the Executive President when re-

quested by the latter, in the exercise of all duties set forth in the foregoing paragraph and shall perform all the duties of the Executive President during the latter's absence or disability or upon the latter's resignation or death, or until a new Executive President is elected.

(3) At the expiration of his term of office, deliver to his successor or to the Executive President all records and properties of the Union.

(4) Be the alternate signer and shall be authorized to sign checks and vouchers in the absence of either the Executive President or the Executive Treasurer.

(Note: Art. 13, Sec. 1, Para. (d) also spells out these authorizations) Page 49.

(c) The Executive Secretary

The Executive Secretary shall:

(1) Be the Secretary of the Union and shall be responsible to the Convention and the Executive Board.

(2) Be the custodian of records and minutes of the Executive Board.

(3) Keep a true and accurate record of all proceedings.

(4) Perform such other duties as may be directed by the Executive Board.

(5) Be a Member of and Secretary of the Negotiating Committees.

(6) At the expiration of his term of office, deliver to his successor or to the Executive President all records and minutes of the Executive Board of which he is custodian.

(d) The Executive Treasurer

The Executive Treasurer shall:

(1) Be the Treasurer of the Union.

(2) Be the custodian of the Funds of the Executive Board and shall deposit such monies, in the name of the Union, in such depositories as the Executive Board shall direct.

(3) Furnish a financial report or statement to the Executive President, the Executive Board and the Auditing Committee when requested and maintain the financial records in a manner prescribed by the Executive Board.

(4) Issue duly authorized checks for all proper expenditures and disbursements and require duly approved vouchers for all such checks.

(5) Perform such other duties as may be directed by the Executive Board.

(6) At the expiration of his term of office deliver to his successor, or to the Executive President, all monies, books, agreements, documents, records, equipment, supplies, and accounts of the Executive Board.

(e) Negotiating Committees

The Negotiating Committees shall consist of the Division Presidents from the particular departments and the Chief Negotiator and Secretary of the Executive Board. The Executive President is to sit in all negotiations after the company's first money proposal. The Executive President and the Chief Negotiator are to vote on all proposals that are voted by the other members of the Negotiating Committee.

ARTICLE 8

CONVENTION

Sec. 1.— Time of Convention

The union shall meet in Annual Convention in the month of May at a place selected by the Executive Board. The Executive Board may, for

conditions beyond its control, designate a substitute date.

Sec. 2.—Call to Convention and Delegates

(a) The Executive President shall notify each Convention Delegate, Local Secretary and each Division Secretary-Treasurer or Division Secretary in writing on the convening of the Convention not later than 30 days in advance of the opening date of the Annual Convention and shall give as much advance notice as possible before a Special Convention.

(b) The Convention shall consist of the Convention Delegates, the Executive Board members, and full-time Division Vice Presidents. The Executive Secretary shall preserve for one year the credentials of the delegates and all minutes and other records of the Convention pertaining to the election of officers.

(c) Each Convention Delegate shall have one vote, except when per capita voting is in order, provided however that Convention Delegates of a Local or Division in arrears as provided for in Article 12, Section 5 shall not be permitted to vote.

(d) The Convention Delegates shall be one or more of the officers of the Local. The order of eligibility being: (1) Local President; (2) Local Vice President; and (3) Local Secretary.

If additional delegates are required, they shall be elected by the Local membership as set forth in Art. 10, Sec. 4, para. (b). Eligibility and aspirant nomination procedures are under Article 10. 1978

Sec. 3.—Powers of Convention:

The Convention shall:

(a) Establish the policies to be followed by the Union, within the limitations set forth in this Constitution.

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(b) Pass upon the credentials of delegates to the Convention and have authority to permit voting by proxy.

(c) Elect the Executive President, the Executive Vice President, the Executive Secretary and the Executive Treasurer by secret ballot. No individual shall hold more than one of the above offices. Eligibility and aspirant nomination procedures are under Article 10. 1978

(d) Do all things necessary for the proper disposition of any matter which may properly come before the Convention for consideration.

Sec. 4.—Order of Business

The order of business at the Convention shall be as follows:

1. Call to order
2. Roll Call and Report on Credentials
3. Report of Executive Board Members and Committees
4. Membership Report
5. Financial Report
6. Unfinished Business
7. Nomination and Election of Executive Officers
8. New Business
9. Adjournment

Sec. 5.—Special Conventions

(a) A Special Convention may be called by a majority vote of the Executive Board or upon receipt of a petition signed by a majority of the Convention Delegates.

(b) Only such matters as are contained in the notice of the Special Convention shall be placed before the Convention.

Sec. 6.—Voting

A quorum at a Convention of this Union,

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whether regular or special, shall consist of a majority of the number of accredited delegates. Except with respect to amendments to this Constitution and any other matter otherwise provided for, the affirmative vote of a majority of those voting shall be sufficient to carry any proposition brought before the Convention.

Sec. 7.—Parliamentary Rules

All questions of a Parliamentary nature shall be decided by the provisions of "Roberts Rules of Order Revised" unless contrary to provisions of this Constitution.

Sec. 8.—Convention Rules Committee

(a) The Executive President shall not later than six months prior to the Convention appoint with executive Board approval a Convention Rules Committee composed of one voting delegate from each Division.

(b) Each Branch Representative shall submit those items desired for consideration at the Convention to the Rules Committee member from his Division at least 60 days in advance of the Convention.

(c) The Rules Committee shall not later than 30 days prior to the Convention submit proposed Convention rules and an agenda to the delegates who will be attending the Convention.

(d) By a majority vote the Convention may change the rules or agenda as submitted by the Rules Committee, however, after Convention adoption of the rules and agenda a two-thirds majority vote shall be required to change the rules or agenda.

Sec. 9.—Salary and Pension Committee

(a) Each Division President shall, not later than six months prior to the convention,

appoint with Division Council approval a member of the Salary and Pension Committee, said Committee to be composed of one voting delegate from each division. Add
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(b) The Salary and Pension Committee shall, not later than 30 days prior to the convention, submit its recommendations on full time officers salaries, expense accounts, and pensions to the delegates who will be attending the convention.

ARTICLE 9

MEETINGS OF SUBORDINATE BODIES

Sec. 1.—Committees

The President of any Council or Board may appoint committees for any purpose and for such periods as deemed necessary, subject to the approval of the Council or Board except that the President shall not appoint a committee to negotiate the contracts.

Sec. 2.—Order of Business

The following order of business shall be observed as the standard procedure for conducting meetings of the Executive Board, Division Councils, Local Councils, and Branches.

1. Call to Order
2. Roll Call
3. Reading and Approval of Previous Meeting Minutes
4. Membership Report
5. Financial Report
6. Report on Committees
7. Unfinished Business
8. Election of Officers
9. New Business
- 10 Adjournment

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Sec. 3.— Voting

Except as otherwise provided for, a quorum at any meeting of a subordinate body of this Union shall consist of 20% of the number of members of said body. An affirmative vote of a majority of those voting shall be sufficient to carry any proposition before said body.

ARTICLE 10

**REFERENDUM, ELECTIONS AND
BALLOTING**

Sec. 1.— Eligibility and Manner of Voting

(a) All Members in good standing, shall be eligible to vote on all matters consistent with provisions of this Constitution. Good standing is defined under Art. 10, Sec. 1. para. (g) 1978
Should a member become "not in good standing" between mailing of the ballots and counting of the ballots, the Tellers of Election should be so advised and not tally the ballot.

(b) Notice of election shall be given at least 15 days prior to the date of election. a mailed notice postmarked 15 days prior to the date of election shall be deemed sufficient notice. In the event of a tie vote, run-off elections shall be held immediately and ballots counted on the date selected by the Local Council or Division Council. Run-off election in the event of a tie vote shall be between the tied candidates with the ballot specifying the tied candidates.

(c) All voting in Election, Recall and Referendum shall be by secret ballot.

(d) To be eligible for election the candiate shall have been a member in good standing as follows: 1978

- Representative and additional
Convention Delegate — one year
- Local Officers — two years
- Division Officers — three years

Executive Officers — five years

(e) Aspirant nomination forms must be obtained from the Teller of Election through the Division office holding jurisdiction, or in the case of Executive Officer elections through the Executive Office. An eligible member may aspire to one office in each election. Aspirant nomination forms must be filed with the respective Tellers of Election as follows: 1979

Branch Representatives

On or prior to January 2nd of the election year, any eligible members shall present, in person or via U.S. Mail, an aspirant nomination form.

**—Local President, Local Vice President,
Local Secretary, Additional
Convention Delegate** 1980

On or prior to March 1st of the election year, any eligible members shall present, in person or via U.S. Mail, an aspirant nomination form.

**— Division President, Division
Vice President [if full-time]**

On or prior to March 1st of the election year, any eligible members shall present, in person or via U.S. Mail, an aspirant nomination form.

**—Division Vice President (if not full time)
Division Secretary-Treasurer, or Division
Secretary and Division Treasurer**

On or prior to April 1 of the election year, any eligible member shall present, in person or via U.S. Mail, an aspirant form.

**— Executive President, Executive
Vice President, Executive Secretary,
Executive Treasurer**

On or prior to the opening date of the Convention, any eligible members shall present, in person or via U.S. Mail, an aspirant nomination form.

(f) Eligibility requirements shall be waived if

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no candidate to office holds the required membership period. 1978

(g) Good standing shall mean continuous payment of membership dues, unless failure to do so is clearly not the fault of the individual, and payment of all fines, back dues and assessments due the union. 1978

Sec. 2.—Method of Conducting Referendum and Elections

(a) Balloting for the election or recall of Branch Representative, Local President, Division President, Division Vice President (if full-time), Executive Board Officers, additional Convention Delegates, and for purposes of referendum shall be conducted by Tellers of Election appointed by the President subject to the approval of the particular Council or Board.

(b) A Teller or Tellers of Election shall be chosen by a Council for the purpose of conducting the election of Division Vice President, if not full-time, and Division Secretary or Division Secretary-Treasurer or Division Treasurer. Such Teller or Tellers may be retiring Officers, visitors, or other Members of the Union who are not Members of the particular Council.

(c) In the case of elections and referendum conducted by Tellers of Elections, the results thereof shall immediately be forwarded by the Tellers of Election to the Division Secretary-Treasurer or Division Secretary and to the Executive Office. The results shall be announced immediately. All ballots shall be held for a period of one year, subject to inspection by any Member in good standing upon written demand.

(d) In the case of the election of Division Vice President and Division Secretary or Division Secretary-Treasurer or Division Treasurer,

the Tellers shall prepare ballots listing the Members eligible for office, shall distribute and collect such ballots and shall announce the results of the election. They shall retain the ballots subject to the examination of any Member of the Council, prior to the induction of the Officers.

(e) In the case of the election of all Executive Board Officers, the Tellers shall distribute and collect the ballots and announce the results of the election. The ballots shall be subject to the examination of any member of the Convention prior to the induction of the Officers. Eligibility and aspirant nomination procedures are under Article 10. 1978

(f) Tellers of election shall, in addition to all other requirements imposed by this Article and by Convention Resolution (see Addendum) preserve for one year the ballots and all other records pertaining to the election.

(g) In the case of a contract referendum the ballot shall be so worded that a contract rejection will authorize the Executive Board to call a strike.

(h) All elections throughout the Union shall be standardized. 1978

(i) Notice of elections shall be posted in the November FTWP News. 1978

Sec. 3.—Determining Results of Referendum and Election

(a) In all balloting for Branch Representatives, Local President, Local Vice President, Local Secretary, additional Convention Delegates, Division President, and Division Vice President, if full-time, the candidate receiving a plurality of votes cast shall be deemed to be elected. In all balloting for Division Council, Vice President, if not full-time, and Secretary-Treasurer or Secretary or Treasurer, Executive

Officers, the candidate receiving a majority of votes cast shall be deemed to be elected.

(b) In the case of a tie vote in any election, a run-off election shall be held.

(c) In all elections decided on a majority vote basis in which no candidate has received a majority of the votes cast, then and in that event the candidate receiving the lowest number of votes cast on a fourth ballot shall be removed from the list of candidates. On each succeeding ballot the candidate receiving the lowest number of votes cast shall be removed from the list of candidates.

(d) The results in referendum balloting and recall proceedings shall be determined as herein specified.

Sec. 4.—Dates of Election and Referendum

(a) The election of Branch Representatives shall be held triennially on the second Tuesday in the month of February.

(b) The election of Local Officers, additional Convention Delegate, Division President and Division Vice President, if full time, shall take place not later than 30 days following the aspirant nomination filing requirement. 1978

(c) The election of Division Vice Presidents, if not full-time, and Secretary-Treasurers or Secretaries and Treasurers shall take place within 30 days following the aspirant nomination filing requirement. 1979

(d) The election of the Executive President, the Executive Vice President, the Executive Secretary, and the Executive Treasurer shall take place during the Convention.

(e) Ballots cast on referendum shall be counted on the same day in all localities.

Sec. 5.—Terms of Office

(a) Branch Representatives shall serve a term of three years.

(b) All Council Officers and Executive Board Members shall be elected triennially to serve until their successors have been elected.

Sec. 6.—Recall of Representatives and Officers

(a) Recall of Branch Representatives.

1. Recall proceedings against a Branch Representative may be initiated by a petition stating clearly the charges, signed by at least two-fifths of such Representative's Constituents.

2. Such petition shall be forwarded to the Council of which the Representative is a Member. The Council shall review the case and furnish copies of the charge, together with any defense or other pertinent information, to all Constituents of the Representative.

3. A recall vote shall be taken within thirty days of the receipt of the petition. The recall shall be effected when approved by a majority of the Representative's Constituents voting thereon.

(b) Recall of Local Council Officers

1. By petition signed by a majority of Members of a Local Council, clearly stating the charges, the office of President, Vice President and Secretary, shall be declared vacant subject to a recall vote among the Membership of the Local involved.

2. Recall proceedings against Local Council Officers may be initiated by a petition clearly stating the charges signed by a least two-fifths of the members within the Local. Such petition shall be forwarded to the Local Council which shall review the case and furnish copies of the charges together with any

defense or pertinent information to all members within the Local.

3. A recall vote on the petition provided for in Sub-sections 1 and 2 hereof shall be taken within thirty days of the receipt of the petition. The recall shall be effective when approved by a majority vote of the members voting.

(c) Recall of Division Council Officers

1. By petition signed by a majority of the Members of a Division Council, clearly stating the charges, the office of Division President or Division Vice President, if full-time, shall be declared vacant, subject to a recall vote taken among the Membership of the Division involved as hereinafter provided.

2. By petition signed by a majority of the members of a Division Council, clearly stating the charges, the offices of Division Vice President, if not full-time, Division Secretary-Treasurer, Division Secretary, or Division Treasurer shall be declared vacant, and a new election shall be held to fill the vacancy.

3. In addition to the procedures set forth above, recall proceedings against Division Council Officers may be initiated by petition clearly stating the charges signed by at least two-fifths of the members within the Division. Such petition shall be forwarded to the Division Council which shall review the case and furnish copies of the charge together with any defense or pertinent information to all members within the Division.

4. A recall vote on the petition provided for in subsections 1 and 3 hereof shall be taken within thirty days of the receipt of the petition. The recall shall be effective when approved by a majority vote of members voting.

(d) Recall Proceedings Against Executive Board Officers

1. By petition signed by three-fourths of the Branch Representatives, clearly stating the charges, the offices of Executive President, Executive Vice-President, Executive Secretary or Executive Treasurer shall be declared vacant and a new election shall be held to fill the vacancy.

2. Recall proceedings against Executive Board Officers may be initiated by petition, stating clearly the charges, signed by at least two-fifths of the Members to whom the Officer or Delegate is responsible.

3. Such petition shall be forwarded to the Executive Board which shall review the case and furnish copies of the charges together with any defense or pertinent information to all Members involved.

4. A recall vote shall be taken within thirty days of the receipt of the petition. The recall shall be effective when approved by a majority vote of the Union Membership.

(e) Effect of Recall Proceedings on Other Offices

If, as a result of the recall proceedings set forth above, a recall shall become effective, any and all succeeding higher offices held by the officer against whom such recall proceedings shall have been taken, shall be declared vacant.

Sec. 7.—Vacancies Due to Resignation, Recall or Other Causes

(a) Resignation of Representatives, Officers and Executive Board Members shall be tendered in writing to the particular Council or Board of which they are a Member.

(b) All Representative, Local Vice President, Local Secretary and Conventional Delegate va-

cancies shall be filled within thirty days of the effective date by appointment or special election (from eligible aspirants), whichever is deemed prudent by the Local Council affected. In the case of Executive Officers the Executive President shall appoint an acting Officer subject to the approval of the Division Presidents until the next meeting of any kind held by all the Convention Delegates.

(c) When a Representative vacates more than that office, after his replacement has been appointed, additional vacancies shall be filled within the time limits prescribed in Section 4 of this article.

(d) In case of a Local President, an election shall be held from eligible aspirants.

(e) In the case of a Division President or Division Vice President, if full-time, an election shall be held from eligible aspirants. Other Division offices shall be filled as prescribed in the Constitution.

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Sec. 8. — Roll Call Voting

(a) Voting in Convention.

1. A Roll Call Vote or a per capita vote shall be taken upon the request of a delegate and upon approval of one-third of the delegates in attendance and present.

(b) Voting in Local or Division Councils.

1. At any meeting of a Division or Local Council, a roll call vote shall be taken when so requested. Such roll call vote shall be on a per capita basis, if requested.

(c) Voting of Executive Board.

1. All voting shall be by roll call unless accepted or rejected unanimously.

ARTICLE 11 INITIATIVE

Any Branch may initiate any measure or policy, not inconsistent with this Constitution

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or Union Policy, deemed for the best interest of the Union, by filing with the Local Secretary a petition, signed by at least one-half of the Members of such Branch. The Local Council shall refer the petition to its Membership within sixty days of the receipt of the petition and a majority vote of the Membership voting thereon shall decide the issue. If the particular issue, after approval by the Local Membership, applies to the Division, then and in that event, the Division Council shall refer the measure or policy so approved to the Membership of the Division within 120 days and the majority vote of the Membership voting thereon shall decide the issue. If the particular issue after approval by the Division Membership applies to the Union then and in that event, the Executive Board shall refer the measure or policy so approved to the Membership of the Union within 120 days, and the majority vote of the Membership voting thereon shall decide the issue.

ARTICLE 12

DUES, ASSESSMENTS, AND INITIATION FEES

Sec. 1. — General

This Union's finances shall be derived from membership dues, assessments, interest on monies, dividends from investments and such other sources available to the Union.

Sec. 2. — Dues

(a) The rate of dues shall apply uniformly throughout the Union, except any Division may apply a dues structure in addition to that provided in para. (b) below, if approved by the membership of that Division by referendum vote.

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(b) Membership dues shall be as follows: Eight-tenths of one percent of basic weekly pay rate.

(c) The annual subscription to the official Union publication shall be included in the above dues structure.

(d) Dues, initiation fees and other assessments may be paid by a payroll deduction plan in accordance with the terms of agreements with employers, or in advance on a yearly basis.

(e) Dues payments and assessments may be waived by the Executive Board for members in good standing upon entry into the Armed Forces of the United States.

(f) No initiation fee shall be required of applicants for membership if application for membership is made within 30 days after receipt of the application card. Otherwise a \$50.00 initiation fee shall be required to be paid to the Division fund. The Executive Board shall have the authority to waive the payment of this initiation fee during periods of organizing other departments or companies.

(g) Any changes in the rate of dues shall be upon the recommendation of the Executive Board or the Convention with the approval of the membership by referendum vote. A Division Council may recommend a Division dues structure in addition to the uniform dues provided in para. (b) above, subject to approval of the membership by referendum vote.

Sec. 3. — Distribution of Dues

The distribution of dues among the Division and the Union shall be on such basis as established by the Executive Board with the approval of the Convention. If a Division, at referendum vote, increases that Division's dues

structure in addition to the uniform dues under para. (b) above, all of the increase shall accrue to the treasury of that Division.

Sec. 4. — Dues Arrears

(a) Any Member in arrears for dues, fines or assessments as levied in accordance with the provisions of the Constitution shall be notified of the arrearage by two written notices at 10 day intervals, the last of which shall be by certified mail. A Member then continuing in arrears shall be regarded as willfully in arrears and shall be deemed automatically suspended from Membership.

(b) Any Member who continues to be in arrears for 60 days after the date of the second written notice shall be deemed automatically expelled.

(c) Former Members who have been suspended or expelled for arrearages for dues, fines, or assessments, shall not be reaccepted, nor reinstated, until dues, fines and assessments to cover the period they remained out of the Union or while their suspension was effective, together with the amount of any arrears due at the time of suspension are paid. In addition, \$50.00 shall be paid to the Division Fund.

Sec. 5. — Assessments

(a) General

1. In the normal course of events, the system of distribution of dues and the amounts of per capita dues decided upon and agreed to, within and by the Union Membership the Convention and the Executive Board as hereinbefore provided, shall be deemed sufficient for the operation of all units of the Union. If, however, in times of extreme financial need, additional money is required, it may be obtained as hereinafter provided.

(b) Assessments on the Membership

1. A Local Council may levy assessments on that particular Local, a Division Council may levy assessments on that particular Division or the Executive Board on the Union.

2. Before such an assessment may be made, however, the Local or Division Council or the Executive Board must give the Membership the reason for the assessment and obtain approval therefor by a majority vote of the Members involved and voting.

(c) Assessments on Division Treasuries

1. Assessments on the Division Treasuries within the Union may be levied by the affirmative vote of a majority of the Executive Board. Such assessments to be levied only in cases of emergency to protect the welfare of the Members of the Union. Said assessments shall take effect unless rescinded by a majority of Local Presidents.

(d) Delinquency

Any Local or Division of the Union three months in arrears for assessment payments, as levied in accordance with the provisions of this Constitution shall be denied the right of participation in all activities of the Union, including a forfeiture of voice and voting privileges with respect to all functions. Said restrictions shall be lifted and a delinquent Local or Division shall be considered in good standing when full remittance for past and present obligations is made.

Sec. 6. — Emergency Fund

There shall be established for the benefit of the Union and Emergency Fund with regularly assured payments as determined by the Executive Board and approved by the Convention.

ARTICLE 13

FUNDS AND EXPENSES

Sec. 1.—Bonding of Officers

(a) The Executive President and Executive Treasurer and the President and Secretary-Treasurer of all Division Councils, or Division Treasurer, and the Vice Presidents of the Executive Board and Division Councils who handle funds, sign checks and approve vouchers shall furnish a surety bond in an amount not less than 10% of the funds handled by them or their predecessors during the preceding fiscal year or in an amount sufficient to protect the largest amount in the fund at any one time, whichever is greater.

The premium of such bonds shall be paid by the General Fund.

(b) All Executive Board checks and vouchers shall be signed by both the Executive President and Executive Treasurer, subject to the final approval of the Executive Board, except as hereinafter provided.

(c) Local or Division checks and vouchers shall be signed by the President and Secretary-Treasurer or Treasurer of the particular Division Council, subject to the final approval of that particular Council, except as hereinafter provided.

(d) The Executive Vice President shall be the alternate signer and shall be authorized to sign checks and vouchers in the absence of either the Executive President or the Executive Treasurer.

(e) The Vice President of each Division Council shall be the alternate signer and shall be authorized to sign checks and

vouchers in the absence of either the President or Secretary-Treasurer or Treasurer of the Division Councils.

Sec. 2.—Accounting

(a) An adequate and uniform system of bookkeeping and accounting shall be established and maintained throughout all Councils and the Executive Board of the Union.

(b) The Executive Board shall select the system to be used by all components of the Union.

Sec. 3.—Auditing of Accounts

(a) The accounts of all Councils and of the Executive Board shall be audited annually and may be audited at such other times as deemed necessary by a majority vote of the particular Council or the Executive Board. Publication thereof shall be made to the Membership.

Sec. 4.—Auditors

(a) At the discretion of a particular Council of the Executive Board, an Auditing Committee composed of not less than three members of the Union may be appointed, or elected to serve such term of office as may be agreed upon by the Council or Executive Board. Such Auditing Committee Members shall not be Members of a Local or Division Council or of the Executive Board.

Sec. 5.—General Fund

In the event the General Fund of the Union exceeds an amount equal to \$10.00 per member of the Union, the surplus shall be invested in bonds of the United States Government or insured investments.

Sec. 6.—General Expense

(a) Any member or Officer of any Council or Board of the Union shall be reimbursed for all approved expenses while engaged in the legitimate business of the Union.

(b) All expenses incidental to the proper operation of any Local or Division of the Union shall be proper expenses of the Local or Division of the Union. Salaries to other than full time officers shall be proper expenses.

(c) Labor shall be considered as an item of expense and may be paid at the discretion of a particular Council or Board. Salaries to other than full time officers shall be approved by a majority vote of the Representatives of the Division.

(d) When engaged in business of the Local, Division or Union, Officers and Members shall be allowed a per-diem expense as set by the Local, Division, or Executive Board, and Hotel expenses, and Travel expenses not to exceed an amount stipulated by the particular Council or Board.

(e) The cost of general actions affecting the welfare of the Members of the Union shall be borne equally by all Divisions on a pro-rata basis.

(f) All expenses incidental to the operation of the Branches, Local Council and Division Council shall be defrayed by the Division.

(g) All expenses incidental to the operation of the Executive Board shall be defrayed by the Executive Board Funds.

(h) Expenses incurred by the Members or Officers when engaged in the legitimate business of the Union shall be listed on a

voucher certified by the Member or Officer incurring the expense and forwarded to the Secretary-Treasurer or Treasurer of the particular Council, or to the Executive Treasurer.

(i) Such vouchers shall be valid when signed by the two Officers of the particular Council or Executive Board, as hereinbefore provided, and shall then be validated by a majority of the Members of the Council or Executive Board.

(j) Advances may be drawn by Local Council Division Council or Executive Board Members for Local, Division or Executive Board business when duly approved by a majority of the Division Council or Executive Board respectively.

(k) Such advances shall be returned to the Secretary-Treasurer or Treasurer of the Division or to the Executive Treasurer within 10 days of the demand, respectively, of Division Council or the Executive Board.

(l) Each Council or Board maintaining funds shall prepare and approve for the fiscal year a financial budget of receipts and disbursements. Such budget shall be approved by a majority vote of the Council or Board. Due regard shall be given to this approved budget in making subsequent expenditures.

ARTICLE 14

CHARTERS

Sec. 1.—General

(a) The Divisions of the Union shall be component parts of the Union and shall be permanently affiliated therewith subject to the provisions herein.

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(b) Each Local Council, Division Council and the Executive Board shall be considered as continuing from year to year, although its personnel may change, and the term of the Council or Board may be considered the period from one triennial reorganization meeting to the next. To identify a term of a Council the ordinal number shall be used beginning with the first Councils created in 1938.

Sec. 2.—Locals

(a) The Locals shall be chartered by the Executive Board.

(b) Each Charter shall delineate the jurisdiction of the Local so chartered.

(c) Application for a Local Charter shall be made to the Executive Board "by the Division having jurisdiction."

Sec. 3.—Revocation of Charters

(a) The Charter of a Local may be revoked by the Executive Board of the Union upon cause as hereinafter set forth and in a manner as hereinafter set forth.

(b) Causes for Revocation.

1. Failure to pay duly authorized assessments without good cause.

2. Refusing or neglecting to make returns and reports required by this Constitution.

3. Refusing or neglecting to bring a Member to trial within thirty days after

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being directed to do so by the Executive Board.

4. Resorting to a civil suit or criminal action against the Union or any officer of a Local or Division or Executive Board before exhausting remedies within this Constitution.

5. Refusing or neglecting to conform to or abide by any directive or decision of the Executive Board, Division Council, Local Council or a referendum vote of the Union, Division or Local. Union referendums or Executive orders shall take precedence over Division referendums or orders. Division referendums or orders shall take precedence over Local referendums or orders.

6. Refusing or neglecting to conform to this Constitution or the policies of the Union as set forth by the Convention, Executive Board, or Union referendum.

(c) Procedure for Revocation and Suspension.

1. No charter of any Local shall be revoked until the Local has been given proper notice of the charges against it, in writing, and an opportunity to be heard in its defense. It may be represented by legal counsel. The Local shall be notified of the charges against it by the Executive Secretary by receipted certified mail and shall at the same time be notified of the time and place of the hearing. The Local shall be given at least ten days to prepare its defense. The hearing shall be before the Executive Board of the Union, provided, however, that no Executive Board Member shall participate in the hearing who is a member of the Division of which the Local against which charges are being conducted is a part, ex-

cept in the capacity of a counsel or witness. The Executive Board may, however, order the immediate suspension of a charter and appoint an administrator to conduct the administration of the Local suspended, until the suspension is lifted.

2. A vote of at least two-thirds of the Executive Board of the Union hearing the case shall be required for a finding of suspension or revocation of a Charter or any other penalty that may be imposed at the discretion of the Executive Board.

3. In the event penalties other than suspension or revocation are imposed, such finding shall state that if the Local fails to comply with the finding, its Charter will be automatically revoked.

4. Appeal from the decision of the Executive Board may be made to the next Annual Convention by giving written notice to the Executive Secretary within 30 days after receipt by the Local of the decision of the Executive Board.

5. No revocation of a Charter shall take effect until the appeal is disposed of.

6. A two-thirds vote of those voting at the Convention shall be required to sustain the decision of the Executive Board in the event such decision is appealed.

ARTICLE 15

Sec. 1.—Charges Against Members— Divisions

(a) Members may be fined, suspended or expelled by the Divisions in the manner provided in this Constitution for any of the following acts:

1. Taking, urging or advocating a member to take court action without exhausting all remedies provided by the Constitution.

2. Violation of the Constitution, By-Laws, Working Agreements, Union Rules, or any lawful decision or order of the Union, Division or Local thereof, having jurisdiction over the members.

3. Having knowledge of violations and failing to notify proper officers and officers failing to file charges and present available evidence.

4. Obtaining membership through fraud or misrepresentation.

5. Publishing or circulating among the membership false reports or misrepresentations.

6. Sending letters or statements, anonymous or otherwise, or making oral statements which contain untruths about, or which misrepresent the Union or its Officers.

7. Working in the interest of any organization or cause which is detrimental to, or opposed to, the FTWP without appropriate Union approval.

8. Disturbing the peace or harmony of any meeting with abusive language, creating a disturbance, drinking.

9. Making known the business of the Union to persons not entitled to such knowledge.

10. Fraud with Union monies.

11. Mailing, handing out, or posting cards, handbills, letters, marked ballots, or displaying streamers, banners, signs or any-

thing else of a vicious, fraudulent, or libelous nature.

12. Working for a strike-bound company.

13. Filing charges in bad faith or out of malice.

14. Working without proper Union authorization during the period of a properly approved strike or for an establishment which is being struck by the Union or by a Division or any Local thereof.

15. For such other offenses equally serious which tend to be harmful or detrimental to the Union or Division or Local thereof.

Sec. 2.—Charges Against Members—Union:

(a) Members may be fined, suspended or expelled by the Union in the manner provided in the Constitution for any of the following acts:

1. Willfully supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with the jurisdiction of the Union.

2. Willfully supporting or assisting any person, group of persons, or organization in any act or activities for the purpose of seeking or obtaining the decertification or replacement of the Union as collective bargaining representative that is inconsistent with the Constitution.

(b) Charges against Executive Officers or full-time Division Vice Presidents of the Union or charges against members in another Division shall be tried by a Union Trial Court as specified in this Constitution.

(c) Non-Immunity

1. No member of this Union shall be rendered immune from penalty for committing any of the offenses set forth in Article 15 by reason of position or office the Member may hold in this Union, Division or any Local thereof.

ARTICLE 16

TRIALS, APPEALS AND PENALTIES

Sec. 1.—Charges

(a) Persons subject to trial.

Members of this Union, including its officers, shall be tried for any of the charges as listed in Article 15 that shall be brought against them, as provided herein.

(b) Charges.

Charges against a member of this Union shall be in writing, signed and sworn to by the accuser and filed with the Executive President. In the event the person so accused is the Executive President, the charges, so attested, shall be filed with the Executive Vice President.

(c) Charges must be submitted within 60 days of the time the accuser becomes aware of the alleged offense.

(d) Charges shall contain an allegation of the facts constituting the offense and the approximate date or dates said offense is alleged to have occurred.

(e) In the event the commission of an offense is alleged to have been committed by more than one individual, such additional individuals may be included and listed in the charges as filed. Such filing must in-

clude the specific offense or offenses alleged against such individuals.

Sec. 2.—Trials

(a) On receipt of charges, the Executive President shall determine whether the charges are properly designed in accord with the Constitution.

1. The decision of the Executive President is subject to review by the Executive Board.

2. In the event the Executive President calls the charges not properly designed and the Executive Board does not agree, the case shall be referred to the next Convention for final determination as to whether or not the trial shall be conducted.

3. In the event the Executive President calls the charges not properly designed and the Executive Board agrees, the accuser shall have the right to refer to the next convention for final determination as to whether or not the trial shall be conducted.

4. In either case, (2) or (3), the Convention delegates can be polled if the Convention will not convene within 90 days.

5. It shall be the responsibility of the respective Division Presidents to ascertain that offenses against the Division are filed and the responsibility of the Executive President in respect to offenses against the Union and in both cases, if not otherwise filed, to fulfill the filing of charges.

(b) Properly designed charges which have been filed shall be submitted to the Executive Board who shall determine whether the charges warrant proceeding with a Trial.

1. Should the Executive Board de-

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(c) Charges must be submitted within 60 days of the time the accuser becomes aware of the alleged offense.

(d) Charges shall contain an allegation of the facts constituting the offense and the approximate date or dates said offense is alleged to have occurred.

(e) In the event the commission of an offense is alleged to have been committed by more than one individual, such additional individuals may be included and listed in the charges as filed. Such filing must in-

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4. In either case, (2) or (3), the Convention delegates can be polled if the Convention will not convene within 90 days.

5. It shall be the responsibility of the respective Division Presidents to ascertain that offenses against the Division are filed and the responsibility of the Executive President in respect to offenses against the Union and in both cases, if not otherwise filed, to fulfill the filing of charges.

(b) Properly designed charges which have been filed shall be submitted to the Executive Board who shall determine whether the charges warrant proceeding with a Trial.

1. Should the Executive Board de-

termine a Trial not warranted, the accuser shall have the right of appeal to the Convention; Convention delegates can be polled if the Convention will not convene within 90 days.

(c) Division Trial Courts "hearing Charges brought under Article 15, Sec. 1. — Charges Against Members—Divisions" shall be composed of three members of the Local of the accused chosen by lot. At the discretion of the Division Council, a Division may have a Trial Court composed of three or more members, including at least one member from each Local having a member tried, chosen by lot.

(d) Union Trial Courts "hearing Charges brought under Article 15, Sec. 2.—Charges Against Members—Union" shall be composed of the Division President of the Division of the accused and two members of the Executive Board (on a rotation basis).

1. Under par. (c) and (d) above, the Trial Court Chairman shall have the right to select another member to the Trial Court when circumstances beyond the individual or Union control preclude appearance of a member of the established Trial Court at the Trial.

(e) If the Executive President or Executive Vice President are tried for any offense, each Division President shall be a member of the Court. Similar procedures apply to Trials of Executive Board Members when charges relate to official capacities such as Secretary or Treasurer.

(f) Trial Court Chairman shall be the Executive President or a delegated Union Officer, who shall establish and preside

over, without vote, a Court composed in accord with the provisions of this Constitution.

(g) The Court shall be known as the Trial Court before which the charges shall be heard and shall decide the innocence, guilt or degree of guilt of the accused and decide and impose the punishment. This punishment may consist of fines and/or expulsion.

(h) The Executive President or delegated Union Officer (or Executive Vice President if charges shall have been brought against the Executive President) shall serve as Chairman of meetings to permit the hearing of evidence, the presentation of the charges before the Trial Court and the rebuttals and testimony on behalf of the accused. He shall be charged with the maintenance of fair and orderly procedure throughout and for the assurance of equity for the accused, the accuser, the Trial Court and the Union. Trial Court Chairman may be called upon by either the prosecution or defense and shall respond to any questions related to any actions taken by the Trial Chairman that may have occurred during the Trial Chairman's official administrative capacities as a Union Officer.

(i) The accuser or accusers shall designate a member of the Union to serve as prosecutor to aid the accuser. The accused shall have the right to select a willing member of the Union to serve as his counsel and shall have the right to produce witnesses, present evidence and be heard in his own behalf. He and/or his counsel shall have the right to cross examine witnesses. The accused may, in writing, waive a Trial and

accept the penalty established by the Convention under Sec. 4, (a), 1, otherwise a Trial will be conducted.

(j) The Trial Court Chairman shall designate an officer of the Union to serve as a recorder of the proceedings, to keep a faithful record of the proceedings. This record shall become part of the Union archives and be the property of the Union. A copy of this record shall be made available to the accused in the event of appeal from the decision of the Trial Court as herein provided. The recorder designated shall receive such assistance in his task as the Trial Court Chairman may direct from people designated by the Trial Court Chairman.

(k) The accused shall be brought to trial before the Trial Court on the charges preferred. The trial shall be held speedily on a date designated by the Trial Court Chairman and with due notice to the accused. All witnesses shall testify under oath. Notice of the decision of the Trial Court and penalty, if any, shall be given to the accused within 10 days after the close of the trial. The Trial Court Chairman shall be charged with conveying the decision of the court to the accused and other interested parties.

(1) Responsibility for expenses shall be:

1. All costs of Division Trials are at that Division's expense, excepting the Trial Court Chairman, if not the President of that Division, in which case the Executive Board will pay Trial Court Chairman expenses.

2. All costs of Union Trials borne by the Executive Board.

Sec. 3.—Appeals

(a) The accused, after a verdict of "guilty" by the Trial Court, shall have the right of appeal to the Convention. The appeal must be filed with the Executive President within 30 days after the accused receives notice of the verdict of the Trial Court. The appeal must be filed with the Executive President within 30 days after the accused receives notice of the verdict of the Trial Court. The appeals must be in writing and addressed to the Executive President at the Executive Office of the Union. In addition Appellants may also appear in person before the Convention. The Executive President shall inform the Convention, depending upon the appeal, and shall make available a record of the entire proceedings of the Trial. In the event the accused shall be the Executive President, appeals shall be addressed to and action shall be taken by the Executive Vice President. Upon consideration of the appeal and scrutiny of the record of the Trial, the Convention may affirm or reverse the decision of the Trial Court or reduce the penalty.

(b) In the event of appeal to the Convention from a verdict of "guilty" on charges naming more than one defendant, the individual desiring such appeal must initiate it. Consideration of this appeal by the Convention will be confined to his individual case; and the decision of the Convention to affirm, reverse or reduce the penalty will apply only to the individual making the appeal. However, it shall be the right of the Convention to direct that reduction or reversal of the penalty shall apply to such other individuals listed in the verdict as they

choose. The decision of the Convention on appeals shall be final, except (c) below.

(c) The Executive Board has the right to order reopening cases, including expulsions, where new developments so warrant.

Sec. 4.—Penalties

(a) The amount of a fine imposed by the Trial Court shall be specified by the Trial Court at the time it pronounces its decision. The collection of the fine shall be subject to its appeal within the limits for appeal as specified.

1. The Convention shall establish minimum standards in respect to fines for certain offenses.

2. When a fine exceeds \$25, payments of not less than \$10 per month must be made.

(b) In the event of a verdict of "guilty", the Trial Court may, at its discretion, specify that the individual so found be relieved of his membership privileges pending appeal. The Trial Court may, at its discretion, specify that in the event the individual found guilty is an officer of the Union, such officer may be relieved of the duties, equipment and records of his office pending appeal as here-in specified. Membership privileges may also be withdrawn in such cases. Fines must be paid or arrangements under Sec. 4, (a) 2 be made pending an appeal.

(c) Fines, fixed by verdict of a Trial Court and affirmed or established by the Convention shall be paid as directed by the Constitution and forwarded to the Division Secretary-Treasurer or Treasurer who shall

notify the Executive President of their receipt. This receipt shall be made part of the record of the proceedings.

(d) Expulsions directed by the verdict of the Trial Court shall be final, unless appealed to the Convention the decision of which shall be final, except as provided under Art. 16, Sec. 3, (c). Any individual expelled by a Trial Court shall not, without Convention approval and specification of the terms of reinstatement, be permitted reinstatement in the Union by any subsequent action save that required by the agreement with employers or public law.

ARTICLE 17

STRIKE ACTION BY THIS UNION

(a) The Union recognizes the propriety of a strike action for the purpose of accomplishing its legitimate objectives when those objectives cannot be otherwise obtained.

(b) When a strike is imminent, the Local or Locals involved shall immediately call a meeting of its Members and present the issues involved.

(c) The Members shall vote by secret ballot on the question of whether or not a strike shall be called.

(d) In the event a meeting is not feasible, the Local Members shall be notified by mail of the strike situation and shall vote thereon by mail.

(e) A majority of the Members voting shall determine whether strike action shall be taken. A ballot with a return envelope shall be mailed to each affected Union Member

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and at least five days notice of the return date thereof shall be given.

(f) Notice of the strike vote shall be sent to the President of the Division, in writing, stating the issues involved, that negotiations have broken down and that a strike is inevitable unless the Division Council takes action. The Division Council may:

(1) Take no action, in which case the Local would be in a position to proceed with a strike in accord with its strike vote.

(2) Disapprove the strike and direct the Local not to strike.

(3) Direct the Local to settle the issue in a specified manner.

(4) Approve the strike and proceed under Art. 17, para. (g).

(g) In the event that the Division Council approves of the strike vote of the Local, it shall so notify that Local and shall notify the other Locals of the Division to take votes on strike aid to the striking Local, and refer such action to the Executive Board. Strike aid shall mean any help, any action, including strike action. When Division Council action has been referred to the Executive Board, it may:

(1) Take no action, in which case the Division would be in a position to continue on its own.

(2) Disapprove, and take no further action, or terminate the strike.

(3) Approve and submit the action of the Division, or action of the Executive Board, immediately to all Locals for a vote.

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(h) In the event that the entire Union is involved in a strike action, a referendum of the Membership shall be taken by secret ballot by mail to determine whether or not the Union shall engage in a strike. A majority of the Members voting shall determine whether strike action shall be taken. However, no Union-wide referendum, except as initiated under para. b, c, d, e, f, g, above, can be taken until approved by a majority of the Representatives in a manner prescribed by the Executive Board. All voting shall follow the manner prescribed in (e) above. In case of a contract referendum the ballot shall be so worded that a contract rejection will authorize the Executive Board to call a strike.

(i) A strike of the entire Union may be terminated by action of the Executive Board. A strike of a subordinate body of the Union may be terminated either by action of the Executive Board or by action of the Councils, Locals, or Divisions involved.

(j) Members of this Union shall not cross picket lines established by this Union or any subordinate body thereof. The Executive Board will recommend the adoption of economic action to protect the members of the Union against discrimination for such acts.

ARTICLE 13

OBSERVANCE OF OTHER UNIONS' PICKET LINES

(a) The Executive Board shall formulate the Union policy with respect to picket lines established by other Unions or other groups of employees at locations where members of this Union are required to re-

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port for work. Such determination shall be made in the light of the facts relating thereto, the state of the law at the time and the nature of this Union's contractual obligations in effect with respect thereto.

(b) Members of this Union shall not cross bona fide picket lines established by other Unions or other groups of employees. The Executive Board will recommend the adoption of economic action to protect its Members against discrimination for such acts.

ARTICLE 19 RIGHTS OF MEMBERS

Sec. 1. This Union is concerned with maintaining for its members and employees represented by it an avenue of appeal concerning the operation of any subordinate body or any office or representative thereof, or concerning any action by a subordinate body of this Union or any officer or representative thereof, which an individual believes constitutes unfair treatment of him, either insofar as his rights of membership are concerned or insofar as his rights under the Union's collective bargaining agreements are concerned. 1978

Sec. 2. To facilitate the orderly handling of complaints related to alleged violations of the rights of any member or to any action of a subordinate body of officer or representative thereof, the following procedures shall apply:

(a) If any individual believes that he is being improperly treated by a subordinate body or any officer or representative thereof, or if he claims that his grievance has not been fairly or properly handled, such individual must initiate a complaint with the subordinate body, of officer or representative thereof, to

seek redress and correction of the matter complained of through appeal to the membership of his Local Union.

(b) If redress for the conduct complained of is not obtained by the individual from the Local Union, the individual shall submit his complaint in writing to the Union's Executive Board through the Executive President. The Executive Board shall have the initial responsibility for investigating the complaint. The Executive Board may designate one of its members to conduct a further investigation and to interview the complaining party and officers and representatives of Local Unions or other subordinate bodies about whom any complaint is made.

(c) Upon completion of the Executive Board's investigation and action, the complaining member, and all other interested parties, will be informed as to the disposition made of the complaint by the Executive Board. In the event the complaining individual is dissatisfied with the decision and action of the Executive Board, he may, within 30 days, appeal such decision in writing to the Public Review Board for hereafter.

ARTICLE 20 PUBLIC REVIEW BOARD

Sec. 1. For the purpose of insuring a continuation of high moral and ethical standards in the administration or operation of the Union and its subordinate bodies, and to further strengthen the democratic process and appeals procedures within the Union as they affect the rights and privileges of individual members, there shall be established a Public Review Board consisting of impartial persons of good public repute, who are not 1978

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employed by the Union or any of its subordinate bodies.

Sec. 2. The Public Review Board shall consist of three members, whose terms shall be for the period between Conventions of the Union. At the May, 1978 Convention, and at subsequent Conventions, the Executive President shall, subject to approval of the Executive Board, propose the names of the Public Review Board for ratification by the Convention. Should any vacancy on the Public Review Board occur between Conventions, the vacancy shall be filled by appointment by the Executive President subject to the approval of the Executive Board.

Sec. 3. The Public Review Board shall have the authority and duty to make final and binding decisions on all cases appealed to it in accordance with Article 19 of the Constitution, and to deal with matters related to alleged violations or improper practices by any subordinate body, officer, or representative of the Union. The Public Review Board shall have the authority to redress any complaint filed by an individual, and to direct the Union, its subordinate bodies and officers and representatives, to take all action, including submission of disputes to arbitration under a collective bargaining agreement, the payment of back pay from the treasury of a subordinate body or the Union, or any other action which is just and necessary to correct any injustice done to a complaining party.

Sec. 4. If any individual files a complaint but does not seek approval, redress, or action from his Local Union, he shall set forth the reasons for his failure to seek or obtain such approval, redress, or action from his Local Union, at the time he files his complaint with

the Executive Board and the Executive President. When, in the judgment of the Executive Board, there are valid and substantial reasons for the the Local Union step, the matter may be processed without compliance with the Local Union.

Sec. 5. The Public Review Board shall formulate such rules of procedure and establish such practices as are necessary to facilitate its proper functioning. In order to minimize the time requirements and to expedite the disposition of cases, any member of the Public Review Board may hear and determine a complaint filed by an individual. The Executive President, subject to the approval of the Executive Board, shall appoint a Chairman of the Public Review Board who shall be responsible for the assignment of cases, the setting of hearings, and the disposition of appeals. The Public Review Board is authorized to conduct a preliminary investigation into any appeal filed with it or any complaint made to it. If the Public Review Board, or the individual member of the Public Review Board to whom the case is assigned, concludes that the complaint fails to state allegations sufficiently serious and substantial to justify a hearing, or when it appears that there is no reasonable possibility that any substantial evidence in support of the allegations can be produced, the Board, or the member of the Board, in its discretion, may dismiss such matter without a hearing. The Public Review Board, or the member of the Board to whom any matter is assigned, shall advise the complaining individual, the Executive Board, and any subordinate body or bodies concerned of its decision or findings in every case.

Sec. 6. The Public Review Board shall maintain records of all of its activities and files

of all of its decisions and all complaints or appeals made to it. The Chairman of the Public Review Board shall provide the Executive Board of the Union an annual report of its activities, which shall include a summary of all appeals it has handled during the year. Copies of the Public Review Board's annual report shall be mailed to all Local Unions and other subordinate bodies.

Sec. 7. All of the expenses of the Public Review Board shall be paid by the Union. The Executive President shall arrange with the Chairman of the Public Review Board and its members for appropriate compensation to be received by members of the Public Review Board, and for the payment of all expenses incurred by them. The Public Review Board may hold hearings and is authorized to rent rooms, obtain transcripts, and expend such other funds as are necessary to enable it to perform its functions.

ARTICLE 21

EXHAUSTION OF INTERNAL REMEDIES

Sec. 1. Every member of the Union and every employee represented by it shall be required to exhaust all internal remedies provided for in this Constitution before instituting or initiating any legal action or other legal proceedings. This requirement of exhaustion of internal remedies must be fulfilled by every member or individual, and it shall be the obligation of every member or individual to exhaust all internal remedies before initiating any proceeding of any kind in any forum against the Union, its subordinate bodies, or officers thereof.

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ARTICLE 22

AFFILIATION AND DISSOLUTION

Sec. 1.—Membership Approval Requirement

(a) This Union shall not affiliate or merge with any other Union, dissolve, dispose of its assets in connection therewith or take any other form of action which would affect or destroy its structure or identity without the approval of a majority of the Members voting thereon in referendum.

(b) A resolution calling for the affiliation merger or dissolution of this Union and the disposition of its assets may be adopted either by a majority vote of the Convention, a majority vote of the Executive Board or by initiative as provided for in Article 11 of this Constitution. Either type of resolution so adopted shall be submitted to the Membership for vote and a majority affirmative vote of the Membership voting thereon shall be required to carry and put the resolution into effect.

ARTICLE 23

AMENDMENTS

Sec. 1.—General

This Constitution may be amended either by:

- (a) The Convention, or
- (b) The Membership in referendum

Sec. 2.—Amendments by the Convention

This Constitution may be amended by a 2/3 vote of the Convention delegates voting, provided the sense of the proposed amendment and the Article, Section and Paragraph to be amended has been published in the monthly publication of the Union received

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by the Membership at least 30 days in advance of the Convention call to order. No such amendment by Convention shall remove from the Membership the right to elect, recall, ratify, move or reject by referendum, initiative or ballot any matter so established. In addition, provisions for roll call voting, the procedure for constitutional amendment by the Membership as outlined in the Article and the dues structure of this Union shall not be amended except by Membership referendum.

Sec. 3.—Amendment by Membership Referendum

Amendments to this Constitution may be proposed by:

(a) Members of a Local.

(1) One-fifth of the Membership of a Local may by petition addressed to the Local Council, propose amendments to this Constitution.

(2) Such proposed amendment shall be submitted to the Membership of the particular Local to be voted on within 60 days following its receipt by the Local Council. If such proposed amendment does not receive a majority vote of the Local, it shall be considered dead. If it does receive such a majority vote, it shall be forwarded to the Division Council for a vote of the remainder of the Division within 120 days. If such proposed amendment shall receive a majority vote of approval within the particular Division, it shall be forwarded to the Executive Board for a vote of the membership of the other Divisions to be voted on within 120 days following its receipt by the Executive Board. If

such proposed amendment shall fail to receive a majority vote of approval of the Union, it shall be considered dead.

(b) The Executive Board.

(1) Amendments proposed by the Executive Board shall upon approval of a majority of the Division Councils, be submitted to a vote of the Union Membership.

EXHIBIT 1

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OATH OF OFFICE

I
 accept the Office of Representative and do hereby pledge myself to uphold the Constitution of the Federation of Telephone Workers of Pennsylvania: to assist to the fullest limit of my ability my fellow Representatives and to at all times conduct myself in accordance with the best traditions of the American Worker.

I do not believe in, and I am not a member of, nor do I support any organization that believes in or teaches the overthrow of the United States Government by force or by an illegal or unconstitutional method.

As a Representative, I agree not to accept an "In Charge" assignment with my employer.

Signed:

PLEDGE OF ALLEGIANCE

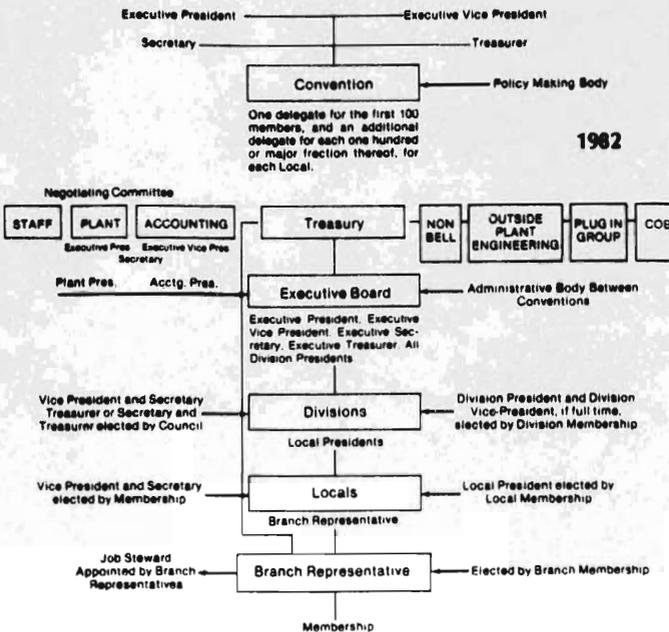
(When reciting pledge, person should stand, facing the Flag, with right hand over the heart. Upon saying the word "Flag", the right hand is extended toward the Flag, and then placed on the heart again until the recitation of the pledge is finished.)

THE PLEDGE

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands: one Nation, under God, indivisible, with liberty and justice for all."

Appendix A

Elected by Convention Delegates



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Policy Resolution #1
ELECTION PROCEDURES

1978

WHEREAS, the United States Department of Labor, Labor-Management Services, Administration, Electing Union Officers, Technical Assistance Aid No. 5, provides as follows:

Basic Procedures
Meaning of "Member in Good Standing"
What is a "Secret Ballot"
Notice of Election
Uncontested Elections
Counting and Keeping the Ballots
Right of Candidate to have Observer;

AND

WHEREAS, to obtain uniform adherence by all Tellers of Election within the Federation of Telephone Workers of Pennsylvania;

NOW, THEREFORE, BE IT RESOLVED:

That the procedures contained in proposed Amendments #21 through #38 be adopted as Union Policy by this Convention, thus providing more flexibility on future necessary changes versus changing the Constitution.

Tellers of Election

1978

(1) Tellers of Election shall be appointed as provided in the FTWP Constitution to conduct the respective elections: Branch, Local, Division, Executive, in conducting elections, Tellers shall attend to candidates' rights as follows:

(2) Supervise, count and control the actual printing of all ballots, whether by commercial printer or FTWP clerical staff.

(3) Supervise the ballot preparation, such as stuffing, addressing and mailing.

(4) Deposit or supervise the depositing of outgoing ballots in the U.S. Mail.

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(5) Arrange for a U. S. Mail box or drop for all returned ballots.

(6) Pick up all ballots at the mail drop on election count day.

(7) Count and/or supervise the counting the ballots.

(8) Retain all extra ballots and counted ballots as provided by law.

(9) Second ballots, due to not receiving a ballot or erroneously marked ballots, shall be forwarded by Tellers of Election Chairman, or authorized office staff by approval of Tellers of Election.

(10) An accurate detailed list of all second ballots shall be maintained and certified by the Tellers of Election prior to the election count.

(11) Inspect the membership rolls and ascertain that a ballot has been forwarded via U. S. Mail to every member in good standing for each election so conducted.

(12) Examine and certify each aspirant nomination form.

Elections

(1) Examine and certify each aspirant nomination form

(2) Distribute ballots to Convention Delegates in the case of Executive elections.

(3) Count ballots.

(4) Retain ballots as provided by law.

Tellers of Election shall notify candidates of their rights as follows:

(5) Right to examine, but not copy, membership rolls in advance of the election.

(6) Right to be present at the ballot preparation process.

(7) Right to be present at the count process.

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(8) Right to have proper materials disseminated.

(9) Right to be notified of membership meetings to hear candidates, if such meetings are held. Note: All costs related to the above is to be at the candidate's expense.

(10) Notice of election results shall be distributed for posting on Union bulletin boards, (in that election jurisdiction, in Union minutes for bulletin board posting, or in the FTWP NEWS, depending on the particular election.)

(11) Tellers shall sign all election counts and certify the elected candidate.

ers of Pennsylvania Convention has established a policy of declaring elections involving only one candidate as filled by that candidate through the Tellers of Election;

NOW, THEREFORE, BE IT RESOLVED:

That this 38th Annual Convention of the Federation of Telephone Workers of Pennsylvania establish by this Resolution that write-in votes on any elections are prohibited, except where no candidate aspires, in which case Tellers of Election will forward a ballot providing write-in.

Policy Resolution #2

1978

WRITE-IN VOTES — ELECTIONS

WHEREAS, the United States Department of Labor, Labor-Management Services Administration, Electing Union Officers, Technical Assistance Aid No. 5, provides as follows:

"Uncontested Elections

An election of officers or delegates that would otherwise be required by the act to be held by secret ballot need not be held by secret ballot when all candidates are unopposed and the following conditions are met; (a) union provides a reasonable opportunity for nominations; (b) write-in votes are not permitted, as evidenced by a provision in the Constitution and by-laws, a properly adopted resolution, or by established union practice; and (c) the union complies with all other provisions of Title IV;"

AND

WHEREAS, the Federation of Telephone Work-

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**BYLAWS
AND
RULES
OF
LOCAL 13000**

**Communications Workers
of America
AFL-CIO
formerly
FEDERATION OF
TELEPHONE WORKERS
OF PENNSYLVANIA**



Adopted June 11, 1984
Effective August 1, 1984



LOCAL 13000

Second Floor
1410 Chestnut Street
Philadelphia, PA 19102
215/564-6109

REGIONS

**BOC EAST
AT&T**

2330 Sansom Street
Philadelphia, PA 19103
215/581-1321

BOC WEST

2312 Clark Building
717 Liberty Avenue
Pittsburgh, PA 15222
412/471-1414

**BYLAWS AND RULES
OF
LOCAL 13000
Communications Workers
of America
AFL-CIO
formerly
FEDERATION OF
TELEPHONE WORKERS
OF PENNSYLVANIA**

Adopted—November 1938
Revised—February 1942
Revised—June 1944
Revised—September 1945
Revised—January 1949
Revised—January 1950
Revised—January 1951
Revised—January 1953
Revised—January 1955
Revised—January 1956
Revised—January 1957
Rewritten—October 1959
Revised—May 1960
Revised—May 1961
Revised—May 1962
Revised—May 1963
Revised—May 1964
Supplement issued—June 1965
Revised—May 1966
Revised—May 1967
Revised—September 1968
Revised—June 1969
Revised—June 1970
Revised—May 1972
Revised—May 1974
Revised—May 1976
Revised—May 1977
Revised—May 1978
Revised—October 1982
Adopted June 11, 1984
Effective August 1, 1984

Your membership in the CWA Local 13000 guarantees you certain rights, obligations and responsibilities as provided in these Bylaws

"The Communications Workers of America is a union which does not simply represent the wage and job interests of our growing membership. Rather, CWA is a union with an abiding commitment to the welfare of the total community."

GLENN E. WATTS

"This is your Union membership card. Carry it proudly on your job, in your community, and in your home"

LOUIS B. KNECHT

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Communications Workers of America AFL-CIO



Local No. _____ This certifies that

S A M P L E



Secretary-Treasurer

MEMBER'S SIGNATURE

Preamble to the CWA Constitution

"We, the Communications Workers of America, believing that as an integral part of society we are entitled to an equitable share in the products of our labor and realizing that our welfare can be best protected and advanced through the united efforts of all workers, do through this Constitution, under God, seek to form a more perfect means of securing for ourselves and labor generally full enjoyment of the inherent rights and dignities which our institutions were ordained to preserve."



SIGNATURE LOCAL SECRETARY

CWA... Leading The Way

EXHIBIT 2

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PREAMBLE

This local union, the successor to the Federation of Telephone Workers of Pennsylvania, a proud union founded in 1938, will continue to be a dynamic and forceful organization dedicated to coping with the problems of communications workers in its jurisdiction. This local union shall also include those workers who wish to become part of the union regardless of their field of endeavor. We will seek to secure for ourselves, and for labor generally, full enjoyment of the inherent rights and dignities to which free men and women are entitled.

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ARTICLE 1 NAME AND PURPOSE

Sec. 1—Name

The name of this local union shall be Local 13000, Communications Workers of America, AFL-CIO.

Sec. 2—Purpose

This local union shall:

(a) Subject to the rules of the national union, participate in collective bargaining for those employees who have selected it for that purpose with respect to rates of pay, hours of employment, and all other conditions affecting or arising out of the employment relationship.

(b) Keep informed of proposed legislation and regulations affecting workers whom it represents, espouse the passage of legislation and regulations deemed favorable and the prevention of legislation and regulations deemed detrimental to their interests.

(c) Promote and protect, at all times, the general interest of those workers it represents in all matters arising out of their employment relationship or union activity.

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**ARTICLE 2
STRUCTURE**

Sec. 1—Organization

The organization of this local union shall be:

(a) The **Branch**, which shall comprise members associated geographically, vocationally, departmentally, or by employer.

(b) The **Unit** which shall comprise Branches associated geographically, departmentally, or vocationally, and by employer where possible and feasible.

(c) The **Region** which shall comprise Units associated geographically, departmentally, and/or by employer where possible and feasible.

(d) The **Executive Board**, which shall consist of the Local President, Local Vice President, Local Secretary-Treasurer, and the Regional Vice Presidents (BOC East, BOC West, and AT&T).

(e) The **Local Convention** shall consist of a delegate for the first 100 members, providing the Unit has more than 50 members, and an additional delegate for each 100 members or major fraction thereof. Units comprised of 50 or less are entitled to group such Units and elect from such group a Convention delegate or delegates as provided by the numerical criteria set forth above. Should such Units in the aggregate be numerically insufficient to provide a Convention delegate, proxies equal to the number of members in each Unit may be assigned to other delegates to the Convention by Unit.

Sec. 2—Definitions

The following terms, whenever used herein, shall have the following meanings:

(a) Branch shall mean Members within the Branch.

(b) Unit shall mean Members within the Unit.

(c) Region shall mean Members within the Region.

(d) Local Union shall mean all components of the Organization.

(e) Council shall mean Members of the Council.

(f) Constituent shall mean Local Union Member.

(g) Majority vote shall mean more than one-half of all the valid votes cast.

(h) Plurality shall mean the greater number of votes received of all the valid votes cast.

(i) A ballot determined void by the Tellers of Election or Referendum shall not be counted as a cast ballot.

(j) Roll call per capita vote shall mean that each delegate is entitled to cast one vote for each member as properly accredited.

(k) Local Convention shall mean Local Convention Delegates in Local Convention assembled.

(l) Quorum shall mean 20 percent of the membership.

(m) Non-Bell Region shall mean Members within a Region comprising employees other than employees of the Bell Telephone Company of Pennsylvania, the AT&T Company, the Bell Atlantic Company, or any of their subsidiaries.

(n) The Bylaws and Rules shall mean the Bylaws and Rules of Local 13000, Communications Workers of America, AFL-CIO.

(o) Administrator shall mean a Member of Local Union appointed by the Executive Board to administer the affairs of a suspended Unit or Region.

(p) He—Masculine or Feminine Gender.

(q) Supervisor's groups shall mean all the

employees reporting directly to a particular Supervisor.

(r) The terms Branch Representative and Steward are synonymous and can be used interchangeably.

(s) Job Steward shall mean a member who is appointed to assist a branch representative in the performance of his duties. A Job Steward may be appointed for each first line supervisor's group.

(t) BOC means Bell Operating Company or the Bell Telephone Company of Pennsylvania.

(u) AT&T means the American Telephone and Telegraph Company and any of its subsidiaries.

(v) Full time work for the local union shall mean off the job either on a leave of absence for union business or off the job on excused union time.

(w) Executive Board shall mean the Executive Board of the Local Union. When reference is made to the Executive Board of the National Union, that body will be designated the National Union Executive Board.

Sec. 3—Established Structure

The structure of this Local Union, established as of the date of the adoption of these Bylaws and Rules, is set forth in Appendix A hereof.

Sec. 4—Changing the Structure

The structure of the Local Union may be altered or changed only by amendment to the Bylaws and Rules as herein set forth, provided that the Executive Board may establish new Branches, Units or Regions where existing Branches, Units, or Regions are inappropriate, or where new or other departments are organized.

ARTICLE 3 MEMBERSHIP

Sec. 1—CWA Constitution

Rules for membership eligibility, application for membership, transfers, termination of membership, and retired members' clubs are set forth in Article V of the CWA Constitution.

Sec. 2—Local Union Procedures

Application for membership shall be made on a standard Local Union application form and submitted to the Unit Secretary. Each Unit Council will sit as a membership committee to pass upon the applications for membership, or for reinstatement of membership in the Unit having jurisdiction. Such application must also be approved by the Unit of which the applicant was formerly a member, if any, and must finally be approved by the Executive Board. Reinstatements from expulsions by a local trial court can only be approved by the Local Convention, the Executive Board of the National Union, or the National Union Convention.

Sec. 3—Duties of Members

(a) It shall be a duty of each member to notify the Representative of the Branch in which the member is located, of any violation of the Agreements by either the company supervisors or employees at the time said violation occurs.

(b) It shall be the duty of each member to attend all membership meetings of the Branch, Unit or Region in which he is located, either permanently or temporarily, at the time of such meeting.

(c) Each member in attendance at Union Membership meetings shall be entitled to a voice and vote in matters pertaining to the Branch, Unit or Region of which he is a member.

(d) It shall be the responsibility of the individual member to keep the union informed as to his residence address and company work location.

(e) It shall be the duty of each member of the union to picket during an authorized strike unless otherwise excused by the Strike Director.

(f) It shall be the duty of each member to obey authoritative orders of a particular council of the union having jurisdiction over him.

Sec. 4—Assignment and Transfer of Members

(a) Unit Councils shall assign new members to the appropriate Branch within the Units in their jurisdiction.

(b) Members who are transferred, vocationally or geographically, by company action, shall come under the jurisdiction of the Branch, Unit and Region into whose area such transfer is made. Where such transfer is intended to be for a period of six months or less, no change in jurisdiction shall be made, provided, however, that such members shall be required to comply with all rules and regulations and directions of the Branch, Unit and Region of the temporary location.

Sec. 5—Resignations

Members who continue to be represented by this Local Union may resign only upon written notice to the Local Secretary-Treasurer. Resignations will become effective 30 days after the receipt of the notice.

ARTICLE 4

BRANCHES, BRANCH REPRESENTATIVES AND JOB STEWARDS

Sec. 1—Election and Duties of Branch Representatives

(a) Each Branch shall elect from among its

membership one Branch Representative who shall be a member of the Unit Council of the Unit of which it is a part. Eligibility, nomination and election procedures are under Article 10.

(b) A Branch Representative shall not, during the period of his term of office, accept any "In Charge" assignment from the company employing him.

(c) Each Branch Representative shall:

(1) Represent the interest of the Union membership in his Branch and subject to the approval of the Unit Council, may appoint a Job Steward for each Supervisor's group to assist him.

(2) Conduct at least four meetings of the Branch Membership each year, except as modified under Article 5, Sec. 2., para. C-8.

(3) Unless otherwise excused, attend all meetings of his Branch, Unit, Region or Local when his attendance is required. Failure to attend three consecutive meetings which require his attendance will result in the office being declared vacant by the Unit Council or the Executive Board.

Sec. 2—Promotion of Branch Representative

(a) Within three days of the receipt of notice that the company employing a Branch Representative desires to promote or transfer said Branch Representative, the Local President shall notify the President of the Unit having jurisdiction.

(b) Approval of or objection to a proposed promotion or transfer shall be transmitted to the Local President within eight days of the receipt of a notice by a Unit President. In the event a majority of the Council of which the

Branch Representative shall be a member objects to the promotion or transfer, the Company employing him shall be so informed.

Sec. 3—Temporary Out of Town Transfer

In the event a Branch Representative is temporarily transferred under circumstances which prevent him from returning home nightly, he shall appoint a substitute to assume his functions and duties during such temporary transfer. He shall notify the Company of the appointment.

Sec. 4—Absence of Representative Because of Vacation

A Representative who shall be away from his duties because of vacation may, to the extent permitted by law, appoint a substitute who shall serve as the Branch Representative until the expiration of the Representative's vacation. He shall notify the Company of the appointment.

**ARTICLE 5
UNITS**

Sec. 1—Unit Offices

(a) The members of the Branches within the jurisdiction of a Unit shall comprise the Unit Membership.

(b) The membership of each Unit shall elect, from within such Unit, a Unit President, a Unit Vice President and a Unit Secretary. Eligibility, nomination and election procedures are under Article 10.

Sec. 2—Unit Councils

(a) All of the Branch Representatives and Unit officers within a Unit shall comprise the Unit Council.

(b) The Unit President, Unit Vice President and Unit Secretary shall be, respectively, the President, Vice President and Secretary of the

Unit Council and shall be responsible to their Council and to the Unit Membership as a whole.

(c) Each Unit Council shall:

- (1) Hold at least three regular meetings each year, provided, however, that meetings of the Branch Representatives on a Regional basis may be held in lieu of Unit Council meetings. A majority of the members of a Unit Council, including at least one Unit Council officer, shall be deemed the Council. A vote of the majority of those present shall be deemed to be the vote of the Council and shall be binding upon the Council, except in those cases where the number of votes necessary for action is specifically provided otherwise herein. In the event of the absence of a Branch Representative from a Branch, Unit or Unit Council meeting, the absent Representative shall appoint a substitute from the Membership of his Branch, and if he fails to do so, the President shall make the appointment. In either case, the substitute shall have full status of a Representative including the right to vote on any and all questions.
- (2) Keep true and accurate records of all such regular and special meetings, copies of which shall be sent to the Regional Vice President and the Executive Board and shall also be made available to the members of the Unit.
- (3) Formulate and decide policies, consistent with the CWA Constitution, these Bylaws and Rules, and Executive Board policy.

- (4) Adopt resolution and regulations for the guidance of its officers.
- (5) Refer to the Regional Vice President or Executive Board all problems beyond the scope of its activity and authority.
- (6) Pass upon the qualifications of all applications for membership in the Unit, except as otherwise herein provided.
- (7) Formulate, subject to the approval of the Executive Board and in accordance with applicable law, rules and regulations for the conduct of the affairs of the Unit and Unit Council within the limitations of the CWA Constitution, these Bylaws and Rules, and Executive Board policy.
- (8) Conduct at least four membership meetings of the Unit or Branch membership each year. At the discretion of the Unit Council, meetings of the Unit membership may be held in lieu of meetings of the Branch membership. Providing a quorum is present, a vote of the majority shall be deemed the vote of the membership, except as otherwise provided in the CWA Constitution of these Bylaws and Rules.
- (9) Have the power to recommend changes in Branch or Unit Organizations subject to the approval of the Executive Board.

Sec. 3—Unit Council Officers

- (a) The Unit Council officers shall be a President, a Vice President and a Secretary elected as herein provided.
- (b) The Unit Council President shall preside

at all meetings of the Unit Council and the Unit Membership. He shall also preside, when requested, at meetings of the individual Branches. He shall make available to the members of the Unit Council copies of all pertinent or important communications, notices, documents, reports and information received by him. He shall represent the Unit and Unit Council whenever required, perform faithfully all duties incidental to such office, shall observe all requests made by the Executive Board and shall faithfully perform such other duties as may be assigned by the Unit Membership and the Unit Council. He shall have the right to attend all meetings of the Branch membership within the respective Unit.

(c) The Unit Council Vice President shall assist the President, when required by the latter, in the exercise of all duties set forth in the foregoing paragraph, and shall perform all the duties of the President during the latter's absence or disability or upon the latter's resignation or death until a Unit President is elected.

(d) The Unit Council Secretary shall attend all meetings of the Unit Council and all meetings of the Unit Membership, shall keep minutes of all Unit Council meetings and meetings of the Unit Membership. He shall keep a true and accurate record of the Membership of the Unit. He shall be the custodian of all records and minutes of the Unit and Unit Council. He shall perform such other duties as may be directed by the Unit Council. At the expiration of his term of office, he shall deliver to his successor, or the Unit President, all books, papers, documents, records, equipment, supplies, minutes and accounts of the Unit and Unit Council.

**ARTICLE 6
REGIONS**

Sec. 1—Regional Vice Presidents

(a) The membership of each region, except the Non-Bell Region, shall elect from within such Region a Regional Vice President who shall work full time for the Local Union.

(b) An incumbent Regional Vice President shall be considered as a member of that region for election purposes.

Sec. 2—Non-Bell Regional Coordinator

The Non-Bell region shall elect from among the Unit Presidents within its region, by majority vote, a regional coordinator, who shall not work full time for the local union. The Non-Bell regional coordinator shall perform such duties as are assigned to him by the Non-Bell Unit Presidents and the Executive Board.

Sec. 3—Unit President

The Regional Vice President may designate a Unit President to act for him in his absence. If the Regional Vice President is unable to designate, or fails to designate someone to act for him in his absence, the Local President may do so.

Sec. 4—Non-Bell Unit President

The Non-Bell Coordinator may designate a Unit President to act for him in his absence. If the Regional Coordinator is unable to designate, or fails to designate someone to act for him in his absence, the Local President may do so.

Sec. 5—Designation by Vice President or Coordinator

The Regional Vice President, and the Non-Bell Regional Coordinator, may designate a Unit President to take the minutes of meetings of a region.

Sec. 6—Requirement Waiver (1984)

The requirement that the Regional Vice President be elected from among the members of the particular region shall be waived for the elections to be held in 1984.

**ARTICLE 7
THE EXECUTIVE BOARD AND
EXECUTIVE OFFICERS**

Sec. 1—Executive Board Officers

(a) The Executive Board shall consist of the Local President, the Local Vice President, the Local Secretary-Treasurer and the three Regional Vice Presidents. All Executive Board members shall have a vote on all matters before the Board.

(b) Each member of the Executive Board shall be employed full time by the Local and shall receive salaries, expense accounts and pensions as recommended by the Local's Salary and Pension Committee and approved by the Convention.

Sec. 2—Election

The Local President, Local Vice President, and Local Secretary-Treasurer shall be elected by a vote of the Local membership. Each Regional Vice President shall be elected by a vote of the membership of the Region which he shall serve.

Sec. 3—Authority, Duties and Obligations of the Executive Board

The Executive Board shall:

- (1) Take whatever actions are necessary to ensure that the Local Union meets the requirements for Locals specified in Article XIII of the CWA Constitution.
- (2) Hold at least four regular meetings each year, and as many special meetings as is necessary for the proper trans-

action of the business of the Local Union.

- (3) Keep a true and accurate record of all regular and special meetings, copies of which shall be made available to all Councils and the Local Union membership.
- (4) Approve or disapprove all recommendations of the Regional and Unit Councils.
- (5) Between Local Conventions, coordinate all activities of the Local Union, formulate and decide policies for the Local Union, and adopt suitable motions for the guidance of its officers in the execution of such policies.
- (6) Receive all money and assets due to the Local Union, establish budgets for each region, establish levels of payments for salaries and expenses except those covered in Article 7, Sec. 1, Para. "B," and approve all proper expenditures of the Local Union.
- (7) Approve or disapprove of the rules and regulations proposed by Units, for the conduct of their affairs.
- (8) Be the final arbiter of these Bylaws and Rules except that questions of interpretations of these Bylaws and Rules shall be subject to an "appeal to the decision of the chair" while the Local Convention is in session. Such appeal will require a two-thirds vote.
- (9) Have the authority to establish a local office, or offices, purchase such supplies, equipment and furniture, engage such assistance and subscribe to such publications, as may be deemed necessary for the general welfare of the Membership of the Local Union and its

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proper operation.

- (10) Have the authority to engage Counsel and power to institute or to appear and make defense in any action or actions at law or in equity, on behalf of the Local Union, before any court or quasi-judicial body as it may deem necessary for the protection of the Local Union and the enforcement of its rights.
- (11) Obtain information concerning matters affecting the welfare of the Membership, including proposed and enacted Legislation and Government Regulations and take such action in all matters as may be deemed essential to the best interests of the Membership.
- (12) Publish a periodical or magazine.
- (13) Appoint or arrange for the election of bargaining committees in each bargaining unit subject to numerical and/or financial limitations set by the National Union or the District Vice President.
- (14) Have the authority to adopt a contract and send out the proposed agreement for ratification by the affected Union Membership by mail ballot or by a secret vote at a membership meeting. Rejection of a contract by the Membership shall authorize the Executive Board to call a strike, subject to approval by the National Executive Board, and the ratification ballot shall be so worded.
- (15) Shall not accept a management position during their term of office.
- (16) Establish an educational program.
- (17) Establish and maintain a Pension Plan for the benefit of full time officers and employees of the Local Union.
- (18) Shall recommend to the District Vice

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President arbitration of those unresolved grievances which merit arbitration.

- (19) A majority of the members of the Executive Board, including at least one Executive Board Officer, shall constitute a quorum and, provided a quorum is present, a vote of the majority of those present shall be deemed to be the vote of the Executive Board, and binding upon the Executive Board, except where the number of votes necessary for action is otherwise specifically provided herein.

Sec. 4—Powers and Duties of Executive Board Members

(a) The Local President

The Local President shall:

- (1) Be President of the Local Union and be responsible to the Local Convention and the Executive Board, except in the case of a mandate of the Union membership.
- (2) Preside at all meetings of the Executive Board and may sit, ex-officio, at his discretion, in Regional meetings, Unit Council meetings and membership meetings. He may sit on the Negotiating Committees and ex-officio on any committees appointed by the Executive Board.
- (3) Together with the Local Secretary-Treasurer, sign all proper checks and vouchers, subject to the final approval by a majority of the Executive Board.
- (4) Furnish to the members of the Executive Board copies of all pertinent communications, notices, documents,

reports and information received by him.

- (5) Be responsible for the dissemination of pertinent information from the Local Office to all Branch Representatives.
 - (6) Be responsible for the maintenance of all of the Union records in the Local Office.
 - (7) Represent the Executive Board and the Union whenever required.
 - (8) Perform faithfully all duties entrusted to him.
 - (9) Observe all requests and instructions of the Executive Board and shall perform all duties assigned to him by the Executive Board.
 - (10) At the expiration of his term in office, deliver to his successor or to the Local Secretary-Treasurer all records and properties of the Union.
- (b) The Local Vice President
- The Local Vice President shall:
- (1) Be the Vice President of the Local Union and shall be responsible to the Local Convention, the Executive Board and the Local President.
 - (2) Assist the Local President when requested by the latter, in the exercise of all duties set forth in the foregoing paragraph and shall perform all the duties of the Local President during the latter's absence or disability or upon the latter's resignation or death, or until a new Local President is elected.
 - (3) Be responsible for the administration of all contracts between members of the Local and their employers.

- (4) Be the alternate signer and shall be authorized to sign checks and vouchers in the absence of either the Local President or the Local Secretary-Treasurer.
 - (5) At the expiration of his term of office, deliver to his successor or to the Local President all records and properties of the Union.
- (c) **The Local Secretary-Treasurer**
The Local Secretary-Treasurer shall:
- (1) Be the Secretary-Treasurer of the Local Union and shall be responsible to the Local Convention, the Executive Board and the Local President.
 - (2) Be the custodian of records and minutes of the Executive Board.
 - (3) Keep a true and accurate record of all proceedings.
 - (4) Be the custodian of all the funds of the Executive Board including the Pension Plan funds and shall deposit such monies, in the name of the Union, in such depositories as the Executive Board shall direct.
 - (5) Furnish a financial report of all funds at least quarterly to the Executive Board and the Local President. Furnish a financial report to the Local Convention. Cause an audit to be made by an independent auditing firm and make the audit available to the membership at least annually.
 - (6) Cause an annual audit to be made by a Membership Auditing Committee consisting of one rank and file member from each region appointed by the Regional Vice Presidents and the Regional Coordinator for Non-Bell. The results of this audit will be made

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- available to the local membership.
- (7) Issue duly authorized checks for all proper expenditures and disbursements and require duly approved vouchers for all such checks.
 - (8) At the expiration of his term of office, deliver to his successor, or to the Local President, all records and minutes of the Executive Board of which he is custodian, all money, investments, books, records, equipment, supplies and accounts of the Local Union of which he is custodian.
- (d) **The Regional Vice Presidents**
The Regional Vice Presidents shall:
- (1) Be Regional Vice Presidents and be responsible to the Local Convention, the Executive Board, the Local President and the members of the region they serve.
 - (2) Be responsible for administering the contracts of the employers in their regions.
 - (3) Represent the interests of the membership in their regions in matters before the Executive Board.
 - (4) May sit ex-officio, at his discretion, at Unit Council meetings and Membership meetings in his Region.

ARTICLE 8 LOCAL CONVENTION

Sec. 1—Time of Convention

The Local Union shall meet in Annual Convention at a time and place selected by the Executive Board.

Sec. 2—Call to Convention and Delegates

- (a) The Local Secretary-Treasurer shall notify

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each Convention Delegate and Unit Secretary in writing on the convening of the Convention no later than 30 days in advance of the opening date of the Annual Convention and shall give as much advance notice as possible before a Special Convention.

(b) The Convention shall consist of the Convention Delegates and the Executive Board members. The Local Secretary-Treasurer shall preserve for one year the credentials of the delegates and all minutes and other records of the Convention pertaining to the election of officers.

(c) Each Convention Delegate shall have one vote, except when per capita voting is in order.

(d) The Convention Delegates shall be one or more of the officers of the Unit. The order of eligibility being: (1) Unit President; (2) Unit Vice President; and (3) Unit Secretary.

If additional delegates are required, they shall be elected by the Unit membership as set forth in Article 10. Eligibility and nomination and election procedures are under Article 10.

Sec. 3—Powers of Convention

The Convention shall:

(a) Establish the policies to be followed by the Local Union, within the limitations set forth in these Bylaws and Rules, and the CWA Constitution.

(b) Pass upon the credentials of delegates to the Convention and have authority to permit voting by proxy.

(c) Do all things necessary for the proper disposition of any matter which may properly come before the Convention for consideration.

Sec. 4—Order of Business

The order of business at the Convention shall be as follows:

1. Call to Order

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2. Roll Call and Report on Credentials
3. Report of Executive Board Members and Committees
4. Report of the District Vice President
5. Membership Report
6. Financial Report
7. Unfinished Business
8. New Business
9. Adjournment

Sec. 5—Special Conventions

(a) A Special Convention may be called by a majority vote of the Executive Board or upon receipt of a petition signed by a majority of the Convention Delegates.

(b) Only such matters as are contained in the notice of the Special Convention shall be placed before the Convention.

Sec. 6—Voting

A quorum at a Convention of this Local Union, whether regular or special, shall consist of a majority of the number of accredited delegates. Except with respect to amendments to these Bylaws and Rules and any other matter otherwise provided for, the affirmative vote of a majority of those voting shall be sufficient to carry any proposition brought before the Convention.

Sec. 7—Parliamentary Rules

All questions of a Parliamentary nature shall be decided by the provisions of "Roberts Rules of Order Revised" unless contrary to provisions of these Bylaws and Rules or the CWA Constitution.

Sec. 8—Convention Rules Committee

(a) The Local President shall not later than six months prior to the Convention appoint with Executive Board approval a Convention Rules Committee composed of one voting

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delegate from each Region (BOC East, BOC West, AT&T, Non-Bell) plus a voting delegate from an Accounting Unit.

(b) Each Branch Representative shall submit those items desired for consideration at the Convention to the Rules Committee member from his Region at least 60 days in advance of the Convention.

(c) The Rules Committee shall not later than 30 days prior to the Convention submit proposed Convention rules and an agenda to the delegates who will be attending the Convention.

(d) By a majority vote the Convention may change the rules or agenda as submitted by the Rules Committee; however, after Convention adoption of the rules and agenda a two-thirds majority vote shall be required to change the rules or agenda.

Sec. 9—Salary and Pension Committee

(a) The Local President shall not later than six months prior to the Convention appoint with Executive Board approval a Salary and Pension Committee composed of one voting delegate from each region (BOC East, BOC West, AT&T, Non-Bell) plus a voting delegate from an Accounting Unit.

(b) The Salary and Pension Committee shall, not later than 30 days prior to the Convention, submit its recommendations on full time officers salaries, expense accounts, and pensions to the delegates who will be attending the convention.

ARTICLE 9

CWA NATIONAL CONVENTION

Sec. 1—Notification by Delegates

The Local Secretary-Treasurer shall notify all delegates and alternates of the convening of

the National Convention within 10 days of the time the Local is notified.

Sec. 2—Attendance

The Executive Board will take all necessary steps to insure the attendance and qualifications of voting delegates and a reasonable number of alternates.

Sec. 3—Executive Board Delegate

The members of the Executive Board (6) shall be elected also as voting delegates to the National Convention. They shall attend each Convention as voting delegates.

Sec. 4—Non-Bell Delegate-at-Large

A delegate-at-large from the Non-Bell region shall be elected by the regional membership. The Non-Bell delegate-at-large shall attend each Convention as a voting delegate.

Sec. 5—Unit President Delegate

Each Unit President shall be elected also as delegate/alternate to the National Convention.

Sec. 6—Number of Delegates by Local

The number of voting delegates to which the Local is entitled according to Article VIII, Section 4, Paragraph (a) of the CWA Constitution less the six Executive Board member delegates, and the Non-Bell delegate-at-large, shall be apportioned among the following groups, according to the percentage of the members in the group compared to the total local membership:

BOC—East minus Accounting East
BOC—West minus Accounting West
AT&T
Non-Bell
Accounting East
Accounting West

Each group shall have at least one delegate. See Appendix "B" for an example of the apportionment of delegates.

Sec. 7—Determination of Voting Delegate

The delegate/alternates in each group listed in Section 5 shall meet at least 30 days prior to the convening of the National Convention and shall by some agreed upon method, which includes a secret ballot, determine which delegate/alternates shall be voting delegates, and which shall be alternates, and which alternates shall attend the Convention. The number of voting delegates and alternates who shall attend the Convention must be approved by the Executive Board.

Sec. 8—Chairman of Delegates

The Local President shall serve as chairman of the Convention delegates. On per capita votes each delegate will have an equal number of votes. Any odd number of votes will be voted by the chairman.

ARTICLE 10

REFERENDA, NOMINATIONS, ELECTIONS AND BALLOTING

Sec. 1—Eligibility Manner of Voting and Dates of Election

(a) All members in good standing shall be eligible to vote on all matters consistent with provisions of these Bylaws and Rules. Good standing means continuous payment of dues, unless failure to do so is clearly not the fault of the individual, and payment of all fines, back dues and assessments due the Union.

(b) Candidates to be eligible must be members in good standing continuously for the following periods of time:

- Executive Board Members — 3 years
- Unit Officers
- Non-Bell Delegate at Large } — 2 years

Representatives and Additional Delegates to the Local Convention } — 1 year

(c) Notice of elections shall be mailed to bulletin boards 60 days before the date of the election. Notice of Election along with an explanation of the Election rules shall be published in the July issue of the Local's publication. (For the 1984 elections, which are the initial elections for the Local Union, publication shall be in the May issue.)

(d) Election for all offices directly elected by the membership shall be held triennially on a date set by the Executive Board. (The 1984 election shall be held on August 1.)

Those offices are:

Local President, Local Vice President and Local Secretary-Treasurer who shall be elected by the entire membership of the Local; Regional Vice Presidents, who shall be elected by the entire membership of the region; a Delegate at Large to the National Convention from the Non-Bell Region, who shall be elected by the entire membership of that Region; Unit Presidents, Unit Vice Presidents, Unit Secretaries, and Additional Delegates to the Local Convention, who shall be elected by the entire membership of the Unit; and Branch Representatives (Stewards) who shall be elected by the entire membership of the branch.

(e) No candidate for offices listed in Section 1, para. (d), except the Non-Bell Delegate at Large to the National Convention, may run for more than one office except that a candidate for Branch Representative may also be a candidate for Unit President, Unit Vice President, Unit Secretary or Additional Delegate to the Local Convention.

(f) Nomination for offices listed in Section 1,

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para. (d) shall be by petition signed by at least 5 percent of the membership of the voting section for each office. Petition must be accompanied by a signed statement from the candidate accepting the nomination.

(g) Voting on all offices listed in section (d) shall be by secret ballot by U.S. Mail.

(h) Local President, Local Vice President and Local Secretary-Treasurer shall be elected by a majority vote of those voting. In event no candidate gets a majority on the first balloting, there shall be a run-off election between the two candidates getting the highest number of votes. All other officers listed in section (d) shall be elected by a plurality of votes cast.

(i) Following the elections for offices listed in section 1, para (d) the Unit Presidents in the Non-Bell Region shall promptly meet and elect by majority vote a Regional Coordinator.

Sec. 2—Method of Conducting Referendums and Elections

(a) Tellers of Election shall be appointed by the Executive Board. Tellers shall represent all regions of the Local Union. They shall be rank and file members who are not candidates for any office. They shall elect a chairman. The tellers shall be responsible for the fair, honest and accurate conduct of all elections and referenda in which the membership casts votes.

(b) Tellers shall attend to candidates rights as follows:

- (1) Tellers will be responsible for distributing nomination petitions upon request, receive nomination petitions and certify same, and cause the names of candidates properly nominated to be printed on the ballots. Where only one candidate is nom-

inated, no election is required. Where no candidate is nominated, a write in ballot will be prepared. When there is at least one candidate nominated no write in votes are permitted.

- (2) Supervise, count and control the actual printing of all ballots, whether by commercial printer or local clerical staff.
- (3) Supervise the ballot preparation, including addressing and mailing.
- (4) Deposit or supervise the depositing of outgoing ballots in the U.S. Mail.
- (5) Arrange for a U.S. Mail box for all return ballots.
- (6) Pick up all ballots at the mail box on election count day.
- (7) Count and/or supervise the counting of the ballots.
- (8) Retain all extra ballots and counted ballots as provided by law.
- (9) Second ballots, due to not receiving a ballot or erroneously marked ballots, shall be forwarded by Tellers of Election Chairman, or authorized office staff by approval of Tellers of Election.
- (10) An accurate detailed list of all second ballots shall be maintained and certified by the Tellers of Election prior to the election count.
- (11) Inspect the membership rolls and ascertain that a ballot has been forwarded via U.S. Mail to every member in good standing for each selection so conducted.
- (12) Notify candidates on their rights as follows: Right to examine, but not copy, membership rolls in advance of

the election; right to be present at the ballot preparation and count; right to have proper materials disseminated; and right to be notified of membership meetings to hear candidates if such meetings are held. (Note: All costs related to the above are to be at the candidates' expense.)

(13) Notice of election results shall be distributed for posting on Union bulletin boards.

(14) Tellers shall sign all election counts and certify the elected candidate.

(c) In the case of elections conducted by units or regions, a teller of election shall be appointed. The teller shall prepare the ballots, distribute and collect them, count the ballots, announce the results, keep the ballots for one year, and allow any interested party to inspect them.

Sec. 3—Terms of Office

(a) All officers shall serve a term of 3 years and shall serve until their successors have been elected.

Sec. 4—Recall of Officers

(a) Recall proceedings against Local Officers, Unit Officers and Branch Representatives will follow the procedures in CWA Constitution, Article XXI, Section 2.

Sec. 5—Vacancies Due to Resignation, Recall or Other Causes

(a) Resignation shall be tendered in writing to the Local Secretary-Treasurer. If the Local Secretary-Treasurer resigns he will tender his resignation to the Local President.

(b) Vacancies for Representatives, Unit Vice-Presidents, Unit Secretary, and Additional Delegate to the Local Convention shall be filled

within 30 days by appointment or special election, whichever is deemed prudent by the Unit Council.

(c) Vacancies for Executive Board members and Unit Presidents will be filled by membership vote within 90 days. Until elections are held, the Local Vice President will fill the vacancy for Local President, and the Unit Vice President will fill the vacancy for Unit President. In the absence of the Local Vice President, the Local Secretary-Treasurer will fill the vacancy. Until elections are held, a vacancy for Regional Vice President will be filled by an appointment by the Executive Board.

(d) A vacancy for Delegate at Large to the National Convention from the Non-Bell Region shall be filled by a membership vote within 90 days. Until election is held a vacancy may be filled by appointment by the Non-Bell Coordinator.

Sec. 6—Roll Call and Per Capita Voting

(a) At Local Conventions, or Unit Council meetings a roll call or a per capita vote shall be taken at the request of a Delegate or Member of a Council, and upon approval of one third of the Delegates or Council Members. When a per capita vote is taken on a Unit Council, unit officers who are not Branch Representatives shall not vote.

ARTICLE 11 INITIATIVE

Any Branch may initiate any measure or policy, not inconsistent with these Bylaws and Rules, the CWA Constitution, or Union Policy, deemed for the best interest of the Union, by filing with the Unit Secretary a petition, signed by at least one-half of the Members of such

Branch. The Unit Council shall refer the petition to its entire Membership within sixty days of the receipt of the petition and a majority vote of the Membership voting thereon, shall decide the issue. If the particular issue, after approval by the Unit Membership, applies to the Region, then and in that event, the Executive Board shall refer the measure or policy so approved to the entire Membership of the Region within 120 days and the majority vote of the Membership voting thereon shall decide the issue. If the particular issue after approval by the Region Membership applies to the Local Union then and in that event, the Executive Board shall refer the measure or policy so approved to the entire Membership of the Local Union within 120 days, and the majority vote of the Membership voting thereon shall decide the issue.

ARTICLE 12

DUES, ASSESSMENTS, AND INITIATION FEES

Sec. 1—Initiation Fees

If a member has been expelled and is permitted to rejoin, or if an employee has been a non-member or an agency dues payor and applies to become a member, the initiation fee shall be \$50.00, plus any applicable fines and back dues.

Sec. 2—Dues

(a) The dues amount is an amount set by vote of the membership upon the recommendation of the Executive Board. The amount shall be uniform throughout the Local Union. The amount shall not be less than the minimum dues set by the National Convention.

(b) Any change in the rate of dues can be made only upon the recommendation of the Executive Board and the approval of the membership consistent with paragraph (a) above.

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Sec. 3—Distribution of Dues

The Local's share of the dues shall be turned over to the Local Secretary-Treasurer.

Sec. 4—Dues Arrears

Any member in arrears for dues, fines or assessments as levied in accord with these Bylaws and Rules, and/or the CWA Constitution, shall be notified of the arrearage by two written notices at 10 day intervals, the last of which shall be by certified mail.

Any member in default, without good cause, for 60 days from the date the dues, fines or assessment came due, and after the written notices required above, shall be suspended from membership. Any member who continues in default after 90 days shall be expelled.

Sec. 5—Assessments

Special assessments on the membership can be made only upon the approval of the membership, only on a uniform basis, and only in compliance with the CWA Constitution.

Sec. 6—Emergency Fund

The Local Union shall maintain an Emergency Fund with regular payments as determined by the Executive Board and approved by the Local Convention.

ARTICLE 13

FUNDS AND EXPENSES

Sec. 1—Bonding of Officers

(a) The Local President, Local Vice President and the Local Secretary-Treasurer shall be bonded in an amount deemed sufficient by the auditing firm.

Sec. 2—Checks and Vouchers

All checks and vouchers shall be signed by two of the three following officers: Local President, Local Secretary-Treasurer, Local Vice

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EXHIBIT 2

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President, subject to the approval of the Executive Board.

Sec. 3—Accounting

An adequate uniform system of accounting shall be established and maintained.

Sec. 4—Auditing

An outside accredited auditing firm shall make a financial audit at least annually, and that audit shall be made available to the membership.

Sec. 5—Membership Auditing Committee

A Membership Auditing Committee shall make an annual financial audit and that audit shall be made available to the membership.

Sec. 6—Surplus Funds

Surplus funds shall be invested prudently with at least 50 percent of such funds in insured investments.

Sec. 7—Expenses

(a) Members and Officers shall be reimbursed for all approved expenses and lost wages while engaged in the legitimate business of the Union.

(b) Per diems, salaries except for full time officers, and approved expenses shall be uniform, and shall be set by the Executive Board.

(c) All payments for any reason shall be made only upon submission of a voucher to the Local Secretary-Treasurer, and approval of the Executive Board.

(d) An annual budget for the Local Union shall be proposed by the Local President and approved by the Executive Board and made known to the Annual Convention. This budget shall include the salaries, per diems and expenses for all Units and Regions of the Local, all committees and the Executive Board.

ARTICLE 14

CHARGES, TRIALS, APPEALS, PENALTIES

Sec. 1—Charges Against Members

Members of this Local Union, including its officers, may be charged in a manner and for the reasons described in Article XX, Sections 1 and 2 of the CWA Constitution.

Section 1—Persons Subject to Trial

(a) *Members of the Union, including Officers of Locals, shall be tried for any of the offenses listed in Article XIX as provided herein;*

(b) *Officer of a Local may be removed or suspended from office pursuant to Article IX, Section 4, Paragraph (b) as herein provided, excepting that the Executive Board of the Union may conduct such trials after notice to the Locals involved, on its own initiative in the event of inaction by the Local. The procedure for such trial shall be in conformity with the standards set forth in Sections 2, 3 and 4 of this Article.*

Section 2—Charges

(a) *Charges made against a member of the Union or an officer of the Local shall be in writing, signed and sworn to by the accuser. Charges of offenses described in Article XIX, Section 1, shall be filed with the recording officer of the Local of which the accused is a member. In the event the accused is such recording officer, the charges shall be filed with the President of the Local. Should both the recording officer and the Local President be involved as a charging party or as a party charged, the charges shall be filed with the Secretary-Treasurer of the Union. All charges of offenses described in Article XIX, Section 2, shall be filed with the Secretary-Treasurer of the Union. In the event the accused is such Secretary-Treasurer, the charges shall be filed with the Presi-*

dent of the Union. Trial procedures for all charges filed with the Secretary-Treasurer or the President of the Union shall be in conformance with Section 3 (b) of this Article.

(b) Charges must be submitted within sixty (60) days of the time the accuser becomes aware of the alleged offense;

(c) Charges shall contain an allegation of the facts constituting the offense with which the accused is charged and the approximate date or dates said offense is alleged to have occurred.

Sec. 2—Trials

(a) Trials shall be held in accordance with Article XX, section 3, paragraphs 1 to 8 of the CWA Constitution.

Section 3—Trials

(a) The Bylaws or Rules of a Local shall specify the manner in which an accused person shall be tried and must conform with the following minimum standards:

- (1) A court, composed of not less than three or more than seven persons, who shall be members of the Local, not parties to the proceeding, shall be selected by the governing body of the Local. The court shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice, based on all the evidence presented;
- (2) A prosecutor, who is a member of the Local, but not an accuser, shall be appointed by the governing body of the Local to assist the accuser in the trial and presentation of evidence. If, after investigation, the prosecutor is of the opinion that there is not probable

cause to believe that a violation punishable under this Article has been committed, the prosecutor shall report the findings in writing to the governing body of the Local with a recommendation that the charge not be prosecuted. Copies of the findings and recommendation shall be delivered to the accuser and the accused. The recommendation shall become final unless appealed by the accuser within thirty (30) days after receipt using the procedures established pursuant to Article IX, Section 7, of this Constitution;

- (3) If the prosecutor determines that probable cause does exist, the trial shall be held speedily with due notice to the accused;
- (4) The accused shall have the right to select a member of the Local as counsel, the right to produce witnesses and present documentary evidence and to be heard on the accused's own behalf. The accused shall have the opportunity to cross-examine witnesses;
- (5) All witnesses shall testify under oath;
- (6) Notice of the decision and penalty, if any, shall be given to the person charged within five (5) days after the close of the trial;
- (7) A faithful and accurate record of the proceedings shall be made;
- (8) The Local may suspend the accused pending the final decision on an appeal.

(b) Trials conducted by courts selected by the Executive Board of the Union must conform with the following minimum standards:

- (1) A court composed of three person:

who shall be members of the Union not employed by the National Union as Staff personnel and not parties to the proceeding, shall be selected by the Executive Board from a Trial Panel composed of one elected member from each of the geographical Districts by secret ballot, after nominations from the floor at the meeting of the delegates from the District in conjunction with the Union Convention. Beginning with the elections held in 1971, members of the Trial Panel shall serve for three years or until their successors are elected and qualified. The court shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice, based on all of the evidence presented. In the case of trials based on offenses specified in Article XIX, Section 2, a report shall be placed in the Union's official publication with the name of the accused and decision of the court and the names of the Trial Panel;

- (2) A prosecutor, who is a member of the Union, but not an accuser, shall be appointed by the Executive Board of the Union to assist the accuser in the trial and presentation of evidence, and such prosecutor shall have the same authority and discretion granted to Local prosecutors under Section 3 (a) (2) of this Article;
- (3) The trial shall be held speedily, with due notice to the accused, at a time and place determined by the trial

court to be fair and reasonable to the accused;

- (4) The accused shall have the right to select a member of the Union as counsel, the right to produce witnesses and present documentary evidence and to be heard on the accused's own behalf. The accused shall have the opportunity to cross-examine witnesses;
- (5) All witnesses shall testify under oath
- (6) Notice of the decision and penalty, if any, shall be given to the person charged within five (5) days after the close of the trial;
- (7) A faithful and accurate record of the proceedings shall be made;
- (8) The Executive Board of the Union may suspend the accused pending the final decision on an appeal.

(b) A Trial Court Chairman shall be responsible for maintaining order and seeing that the rights of all parties at the hearing are preserved. The Trial Court Chairman shall take part in the trial court's deliberations but shall not vote. The Local President, or another member of the Executive Board appointed by him, shall serve as the Trial Court Chairman.

(c) If the members being charged are from single Unit, the trial court shall consist of non-involved members of the Unit chosen by lot.

(d) If members from more than one Unit are to be tried at the same hearing, the trial court may have more than 3 members. There must be at least one member from each Unit having member tried.

(e) If Unit officers are to be tried, the trial court shall consist of Unit officers from other Units who are uninvolved and chosen by lot

(f) If Executive Board members are to be tried, the trial court shall consist of 3 uninvolved Executive Board members chosen by lot.

Sec. 3—Appeals

(a) The accused, if found guilty, may appeal to the Local Executive Board.

(b) If the appeal to the Executive Board is unsuccessful, he may appeal to the Local Convention.

(c) Appeals under (a) and (b) above must be made within 30 days of the notice of the verdict, and/or 30 days from the denial of the appeal.

(d) After a denial from the Local Convention, he may appeal to the National Executive Board and the National Convention as described in Article XX, sec. 4, paragraphs 2, 3 and 4 of the CWA Constitution.

(2) *Have the right to appeal from the final decision of the Local to the Executive Board of the Union within thirty (30) days after such final decision of the Local;*

(3) *The appeal to the Executive Board of the Union shall be directed, in writing, to the Secretary-Treasurer of the Union, who shall obtain the record of the case. The Executive Board shall review the case and affirm or reverse the decision or reduce the penalty or return the case for a new trial;*

(4) *Have the right to appeal from the decision of the Executive Board of the Union to the next Convention by giving a notice of appeal in writing within thirty (30) days after the decision to the Secretary-Treasurer of the Union. If the Executive Board has failed to render a decision within thirty (30) days preceding the Con-*

vention, the accused may appeal directly to the Convention which may affirm or reverse the decision or reduce the penalty.

**ARTICLE 15
STRIKES**

Sec. 1—Secret Ballot

Strike action will be taken only after a secret ballot vote of the bargaining unit or units involved. Balloting will be by U.S. Mail when and if possible; otherwise at a membership meeting or meetings.

Sec. 2—Trials

Before going on strike, the bargaining unit must have the approval of the Local Executive Board and the National Executive Board.

Sec. 3—Appeals

Strike action may be terminated or suspended by the National Executive Board, the National Convention, the Local Executive Board, or a vote of the membership of the affected bargaining unit.

ARTICLE 16

OBSERVANCE OF OTHER UNIONS' PICKET LINES

(a) The Executive Board shall formulate the Local Union policy with respect to picket lines established by other Unions or other groups of employees at locations where members of this Union are required to report for work. Such determination shall be made in the light of the facts relating thereto, the state of the law at the time and the nature of this Union's contractual obligations in effect with respect thereto.

(b) Members of this Union shall not cross bona fide picket lines established by other

Unions or other groups of employees. The Executive Board will recommend the adoption of economic action to protect its members against discrimination for such acts.

ARTICLE 17
EXHAUSTION OF INTERNAL REMEDIES

Every member of the Local Union and every employee represented by it shall be required to exhaust all internal remedies provided for in these Bylaws and Rules and the CWA Constitution before instituting or initiating any legal action or other legal proceedings. This requirement of exhaustion of internal remedies must be fulfilled by every member or individual, and it shall be the obligation of every member or individual to exhaust all internal remedies before initiating any proceeding of any kind in any forum against the Local Union, its subordinate bodies, or officers thereof.

ARTICLE 18
AMENDMENTS

Sec. 1—General

These Bylaws and Rules may be amended either by:

- (a) The Local Convention, or
- (b) The Membership in referendum.

Sec. 2—Amendments by the Convention

These Bylaws and Rules may be amended by a 2/3 vote of the Convention delegates voting, provided the sense of the proposed amendment and the Article, Section and Paragraph to be amended has been published in the monthly publication of the Union received by the Membership at least 30 days in advance of the Convention call to order. No such amendments

by Convention shall remove from the Membership the right to elect, recall, ratify, move or reject by referendum, initiative or ballot any matter so established. In addition, provisions for roll call voting, the procedure for Bylaws and Rules amendment by the Membership as outlined in the Article and the dues structure of this Union shall not be amended except by Membership referendum.

Sec. 3—Amendment by Membership Referendum

Amendments to these Bylaws and Rules may be proposed by:

- (a) Members of a Local.
 - (1) One-fifth of the Membership of a Unit may by petition addressed to the Unit Council, propose amendments to these Bylaws and Rules.
 - (2) Such proposed amendment shall be submitted to the Membership of the particular Unit to be voted on within 60 days following receipt by the Unit Council. If such proposed amendment does not receive a majority vote of the Unit, it shall be considered dead. If it does receive such a majority vote, it shall be forwarded to the Executive Board for a vote of the remainder of the Region within 120 days. If such proposed amendment shall receive a majority vote of approval within the particular Region, it shall be forwarded to the Executive Board for a vote of the membership of the other Regions to be voted on within 120 days following its receipt by the Executive Board. If such proposed amendment shall fail to receive a majority vote of approval of the

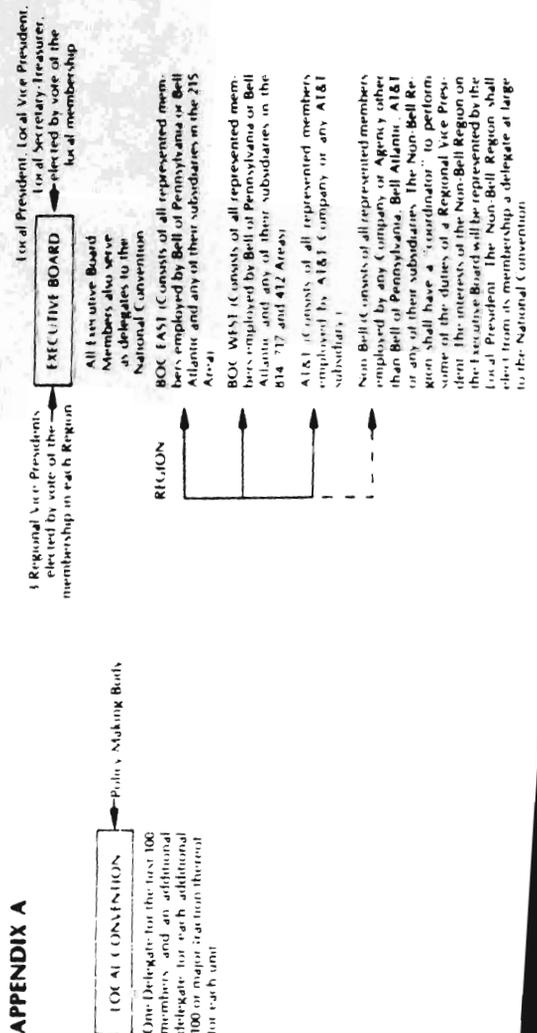
- Local Union, it shall be considered dead.
- (b) The Executive Board.
- (1) Amendments proposed by the Executive Board may be submitted to a vote of the Union Membership.

**ARTICLE 19
OATH OF OFFICE**

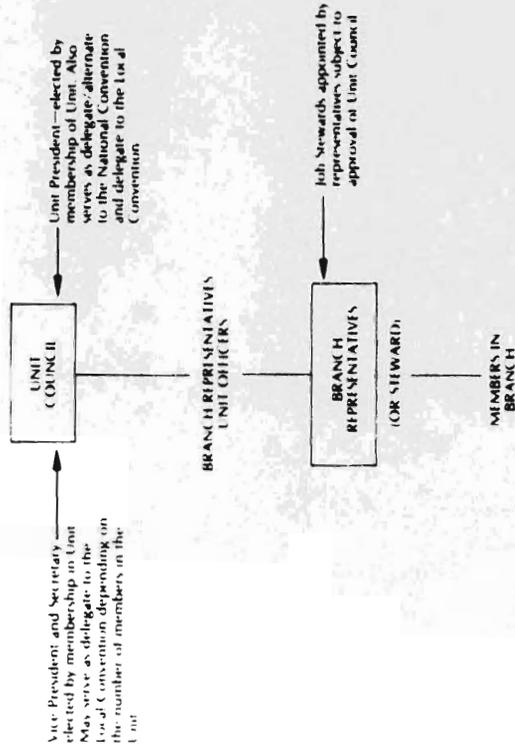
Every officer in Local 13000, CWA, AFL-CIO will make and subscribe to the following oath of office:

I, _____
accept the office of _____
and do hereby pledge to uphold the Constitution of the COMMUNICATIONS WORKERS OF AMERICA and the Bylaws and Rules of Local 13000. I further pledge to use my office to work for the benefit and the improvement of the members in this Local and Union. I further promise to conduct myself at all times in accordance with the best traditions of the American labor movement.

APPENDIX A



APPENDIX A



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APPENDIX B

Example of apportioning of voting delegates among groups as described in Article 9, Section 5.

Groups	Membership	Percentages of Local Membership	Membership	Percentages of 25 Delegates Equals	Note 2	Total Delegates
Local Union.....	12,100	100	—	—	—	32 (31.75)
6 Executive Board Delegates.....	—	—	—	—	—	6
1 Non-Bell Delegate at Large.....	—	—	—	—	—	1
Delegates less 6 Executive Board and 1 Non-Bell Delegate.....	—	—	—	—	—	25
Group 1.....	4,200	34.71	8.68	+1	—	9
Group 2.....	3,800	31.40	7.75	+1	—	8
Group 3.....	2,300	19.01	4.75	+1	—	5
Group 4.....	700	5.79	1.45	—	—	1
Group 5.....	650	5.37	1.34	—	—	1
Group 6.....	450	3.72	.93	—	—	1
						22 (Note 1)

NOTE 1—21 whole numbers plus one from Group 6 since all groups have at least one.
NOTE 2—The three delegates needed to bring the total to 25 are awarded to the 3 groups with the largest percentage over a whole number.

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EXHIBIT 3

...the workers of the
...knowing that as an integral part of
...are entitled to an equitable
...the products of our labor and
...our welfare can best be pro-
...and advanced through the united
...of all workers do, through this Con-
...under God, seek to form a more
...perfect means of securing for ourselves
...and labor generally full enjoyment of the
...rights and dignities which our
...institutions were ordained to preserve.

CONSTITUTION

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Article I Name

This organization, hereinafter referred to as the Union, shall be known as the Communications Workers of America and shall be identified by the initials CWA.

Article II Jurisdiction

The Union shall have jurisdiction of all communications work and of the persons engaged therein. The Union shall also include those workers who wish to become part of the Union regardless of their field of endeavor. There shall be no geographical limitation on the jurisdiction of the Union.

Article III Objects

The objects of the Union shall be:

- (a) To unite the workers within its jurisdiction in a single cohesive labor union for the purpose of collective effort;
- (b) To improve the conditions of the workers with respect to wages, hours, working conditions and other conditions of employment
- (c) To disseminate information among the workers respecting economic, social, political and other matters affecting their lives and welfare;

.....
(d) To advance the interests of the workers by advocating the enactment of laws beneficial to them and the defeat or repeal of laws detrimental to them;

(e) To do all things which may be necessary or proper to secure for the workers the enjoyment of their natural rights.

Article IV

Organizational Structure

The structure of the organization shall consist of the following, all hereinafter described:

1. The Convention;
2. The Executive Board;
3. Districts;
4. Chartered Locals.

Article V

Membership

Section 1—Eligibility

(a) All persons engaged in the communications field and other fields of endeavor, excepting those excluded by law, shall be eligible for membership in the Union.

(b) All persons who are officers of labor organizations representing workers within the jurisdiction of the Union shall be eligible for membership in the Union.

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(c) Members of the Union who are on leaves of absence from their employment or who are employed on a full-time or part-time basis by the Union or a Local or who are or may be retired by reason of age or disability may continue to be active members.

(d) No person, otherwise eligible for membership, shall be denied membership in the Union because of sex, race, color, creed or nationality.

(e) No person, otherwise eligible for membership in this Union, shall be admitted to membership if the person has been fined, suspended or expelled by a Local in this Union, until the person has complied with the terms of such fine, suspension or expulsion.

Section 2—Applications

(a) Membership in the Union shall be obtained and maintained through membership in a chartered Local of the Union.

(b) Each application for membership shall be accompanied by the initiation fee established by the Local which shall not be less than two dollars (\$2.00) nor more than five dollars (\$5.00), without approval of the Executive Board.

(c) The Union's portion of an initiation fee shall be one dollar (\$1.00). Each Local shall

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EXHIBIT 3

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pay the Union its portion of initiation fees in such manner as required by the Convention or the Executive Board.

(d) The Executive Board may waive the Union's portion of the initiation fee. A Local may waive its portion of the initiation fee with the approval of the Executive Board.

(e) In the event an application for membership is denied, the initiation fee shall be refunded to the applicant.

(f) Each Local shall establish a membership committee or membership committees which shall act upon applications for membership. Membership committees shall accept or reject such applications subject to the right of the Local to overrule the committee.

(g) A Local shall not establish qualifications for membership which contravene qualifications set forth in this Constitution.

Section 3—Transfers

(a) The Executive Board shall establish rules and procedures for the transfer of the membership of a member of the Union who changes employment from the jurisdiction of one Local to another.

(b) The transferred member shall not be

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required to pay an initiation fee if the transfer is initiated not later than thirty (30) days after the effective date of the change in employment.

(c) The member shall be granted such transfer of membership if the member is in good standing.

(d) All Locals shall be supplied with certificate of transfer forms by the Union.

(e) Members of a Local who are or may be retired by reasons of age or disability or who are, or who may be on leaves of absence, may elect to continue to be active members or to assume the status of associate members. In the event any such person elects to become an associate member, the person shall lose voting privileges but shall not be required to pay dues.

Section 4—Termination

(a) Membership in the Union shall be terminated when any member shall accept a position which would render the person ineligible for membership, except that a member who temporarily assumes such a position may retain membership for a period not to exceed thirty (30) days, provided during such period such member shall not hold any office within the Union.

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EXHIBIT 3

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(b) Membership may be terminated by expulsion as provided in this Constitution.

(c) A withdrawal card shall be issued by the Local upon application of a member in good standing leaving the jurisdiction of the Union. Should the holder of a withdrawal card later return to the jurisdiction of the Union, that person shall not be required to pay an initiation fee if such card is presented to the Secretary of the Local having jurisdiction of the member within thirty (30) days of that person returning to the Union's jurisdiction. Failure to present the card within the time limit specified herein shall void the rights and privileges granted by such withdrawal card.

Section 5—Retired Members' Clubs

All associate members of the Union who are or may be retired by reasons of age or disability shall be members of the Retired Members' Clubs, with such rights and prerogatives as may be granted by the Convention or Executive Board. Such members may attend the Convention, will be issued appropriate credentials, be seated in space reserved for such members and may have a member address the Convention for a predetermined time when considered appropriate by the Convention.

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Article VI

Dues, Fines and Assessments

Section 1—Membership Dues

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(a) Each member of the Union shall pay membership dues established by the member's Local. Membership dues shall be collected in the manner as determined by the Convention or the Executive Board.

(b) Locals shall establish membership dues.

(c) The Convention may establish minimum membership dues.

Section 2—Per Capita Dues to Union

(a) The Convention shall establish per capita dues to the Union. Locals shall be required to pay the per capita dues to the Union within the time and in the manner set forth by the Convention or the Executive Board.

Section 3—Local Special Assessments

(a) Locals may levy a special assessment in cases of emergency or when income dues and initiation fees is inadequate to finance necessary expense of the Local.

(b) Before a Local may levy a special assessment it shall:

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EXHIBIT 3

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(1) Give the reason for the assessment to the members subject thereto;

(2) Obtain approval by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot.

Section 4—Union Special Assessments

(a) A special assessment may be levied by the Convention. A special assessment may be initiated by the Executive Board, and submitted to referendum in accordance with Article XXII.

(b) The sums collected by assessments under this Section shall be used only for the purposes of the assessments, except that any unexpended surplus of such assessment shall be allocated to the contingency fund of the Union and may be re-allocated by the Convention.

(c) A complete record of all monies collected by assessments under this Section shall be kept by the Secretary-Treasurer of the Union, and shall be available for inspection by duly authorized representatives of any Local.

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Section 5—Non-Payment of D.

A member in default, without payment in the payment of any installment for sixty (60) days from the date amount becomes due, shall be suspended from the rights of membership, and, if the default continues without cause for an additional thirty (30) days after notice in writing by the Secretary, shall be automatically expelled from the Union. "Good Cause" that which the governing body determines to be good cause.

Article VII Governing Authority

Section 1

The affairs of the Union shall be conducted by its membership in the following manner:

(a) By the Convention as the governing authority of the Union, subject to the right of referendum of the Executive Board.

(b) By the Executive Board as the governing authority of the Convention in accordance with the mandates of the Convention and the mandates of the subject to the right of appeal. Except as provided in Article 6, the decisions of the Executive Board shall be final.

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EXHIBIT 3

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must be complied with before the right to appeal can be exercised and such decisions shall remain in effect until reversed or modified;

(c) By the President as the principal executive officer of the Union, who shall have the authority to carry out the policies of the Union in accordance with the Constitution and the mandates of the Convention and the Executive Board, subject to the right of appeal to the Convention, the referendum and the recall;

(d) By the Locals of the Union conducting their affairs in accordance with this Constitution and Local Bylaws and Rules which they may adopt so long as they do not contravene any provision of this Constitution.

Article VIII Conventions

Section 1—Annual Conventions

The Union shall meet in Annual Convention at a place selected by the Executive Board or the Secretary-Treasurer when authorized by the Executive Board to do so.

Section 2—Special Conventions

(a) Special Conventions may be called by the Executive Board and shall be called

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upon the request of twenty percent (20%) of the Locals representing twenty percent (20%) of the membership of the Union.

(b) The date and place of Special Conventions shall be specified on the calls thereof.

(c) Action of a Special Convention shall be confined to the matters for which it was called.

Section 3—Convention Call

(a) Annual Convention

The Secretary-Treasurer of the Union shall notify in writing all Locals of the date and place of the Annual Convention not later than ninety (90) days in advance of the opening date of the Convention.

(b) Special Conventions

The Secretary-Treasurer of the Union, within twenty (20) days following the receipt by the Secretary-Treasurer of a sufficient request or direction for a Special Convention shall issue a call for a Special Convention to be held not later than thirty (30) days after the date of the call.

Section 4—Composition of Convention

(a) Subject to the provisions of Section 12 of this Article, the Convention shall be con-

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prised of the incumbent officers and Executive Board members of the Union and of delegates elected by the Locals in accordance with their respective Bylaws or Rules. Each Local shall be entitled to:

(1) One delegate if the Local has less than two hundred (200) members in good standing;

(2) Two delegates if the Local has two hundred (200) or more but less than four hundred (400) members in good standing;

(3) Three delegates if the Local has four hundred (400) but less than six hundred (600) members in good standing;

(4) One additional delegate for each four hundred (400) members or major fraction thereof above six hundred (600) members.

(b) Locals shall elect their delegates in accordance with paragraph (a) on the basis of the average number of members on which dues were paid or collected by the National for the twelve (12) months ending the fifth month preceding that in which the Convention begins its session. Locals chartered less than twelve (12) months preceding the fifth month shall each be averaged according to the number of months chartered. Locals chartered after the fifth month preceding the Convention shall be allowed to elect delegates in

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accordance with this Section on the number of members in the Local at the time it was chartered; provided, however, that duplicate representation because of shift in membership from one Local to another shall not be allowed.

(c) Each Local may elect an alternate delegate for each delegate elected who shall attend the Convention in the event the delegate is unable to attend.

(d) Each Local shall determine the number of its delegates. A Local delegation, however, shall not exceed the maximum number as provided in Paragraph (a) of this Section. Each Local shall assign the number of votes to which it is entitled equally among its delegates. The number of votes which may be left over after such equal division shall be assigned to the Chair of the delegation of the Local.

Section 5—Method of Voting

(a) A Local delegate shall have one vote in the Convention, District Meeting or a meeting of a bargaining unit, except on a roll call vote.

(b) A roll call vote of the Convention, District Meeting, or a meeting of a bargaining unit may be had upon the request of twenty percent (20%) of the delegates.

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(c) Voting by roll call shall be by per capita vote with each delegate casting the number of votes assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention. On roll call votes, a delegate shall cast one vote for each member in good standing as assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention.

Section 6—Certification of Delegates

Each Local shall certify to the Secretary-Treasurer of the Union, not less than five (5) days prior to the opening of an Annual or Special Convention, on credential forms provided by the Union, the names, addresses and voting strength of its delegates and alternates, if any, and the name of the Chair of its delegation.

Section 7—Powers of Convention

The Convention shall have the power to:

- (a) Pass upon the credentials and seating of delegates;
- (b) Establish the policies to be followed by the Union;
- (c) Interpret and amend this Constitution;

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(d) Establish the number of Locals and Districts, and determine their jurisdiction and boundaries;

(e) Cause the issuance and revocation of Local Charters subject to the provisions of Article XIII, Section 5;

(f) Determine the number of Executive Vice Presidents;

(g) Cause the selection of delegates to AFL-CIO Conventions;

(h) Do all things necessary for the proper disposition of any matter which may come before it for consideration.

Section 8—Order of Business

The Order of Business at a Convention shall be as follows:

1. Call to Order;
2. Report on Credentials;
3. Reading of Convention Rules;
4. Reports of Officers and Executive Board of the Union;
5. Report of Committees;
6. Unfinished Business;
7. Nomination and Election of Officers;
8. Installation of Officers;
9. New Business;
10. Adjournment.

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The order of business may be suspended by a two-thirds (2/3) vote of the delegates present.

Section 9—Committees of Convention

The Executive Board shall have the authority to appoint those committees which are not required by this Constitution or the Convention to be elected; and which may be necessary to promote and achieve the objectives of the Convention and the Union.

Section 10—Expenses of Convention

The Union shall pay the normal and usual expenses incident to the meetings of the Convention together with the expenses of the Executive Board and of those other members or agents whose attendance at the Convention may be required by the Executive Board. The Locals shall pay the expenses of their respective delegates.

Section 11—Attendance, Individual Members

Any member of the Union in good standing may attend the general meetings of the Convention as an observer.

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Section 12—Officers at Conventions

Officers of the Union and Executive Board members shall not be selected as delegates to the Convention. They shall have the privilege of speaking on the Convention floor but shall not have the right to vote.

Section 13—Convention Rules and Procedures

The Convention shall be governed by the CWA Constitution, Rules adopted by the 10th Annual Convention, and amendments to the Rules which may be adopted by future conventions. In situations where neither the CWA Constitution nor Rules adopted by the Convention are applicable, the Convention shall be governed by Robert's Rules of Order.

Article IX

Executive Board

Section 1

The Executive Board of the Union shall consist of the following:

- (a) The President;
- (b) The Executive Vice Presidents;
- (c) The Secretary-Treasurer;
- (d) The Vice Presidents.

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Section 2

(a) Except in the case of the President and District Vice President, if a vacancy should occur among the members of the Executive Board, the Executive Board shall designate a successor, having the same constitutional qualifications as the member whose place the person takes and that person shall serve until the next Convention, at which time a successor shall be elected for the balance of the unexpired term, if any.

(b) If the office of President becomes vacant, the Executive Board shall designate a successor from among the Executive Committee, who shall serve until the next regular Convention at which a successor shall be elected for the balance of the unexpired term, if any.

(c) The President shall vote in Executive Board Meetings only in the event of a tie vote.

Section 3

The Executive Board shall meet not less than two (2) times a year. In the event the President shall refuse to call a meeting of the Executive Board when requested to do so by one-third (1/3) of its members, the Secretary-Treasurer of the Union shall call such a meeting.

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Section 4

The Executive Board shall have the authority to:

(a) Issue Local Charters;

(b) Remove any officer of a Local only on clear proof of fraud or dishonesty after sworn charges have been made and after a fair trial and opportunity for appeal as provided in this Constitution;

(c) Terminate the service of full-time representatives other than elected representatives of the Union. Such persons dismissed shall have the right to be heard by the Executive Board and a final appeal to the Convention;

(d) Have an independent audit made of the books of the Secretary-Treasurer of the Union not less than once each year and to publish to the membership the results of such audit;

(e) Cause an inspection to be made of the financial records of any Local and order an independent audit of the books of any Local when convinced that such audit is necessary and proper to protect the membership of the particular Local and the interest of the Union and to publish to the members affected the results of such audit; the cost of such audit to be borne by the Union;

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(f) Establish and maintain organizing, publicity, educational and research departments and to establish and maintain such other departments as the Convention may authorize to promote the purposes of the Union;

(g) Approve the employment of personnel not elected which may be necessary to carry out the objects and to effectuate the policies of the Union and to fix the compensation of such personnel within the limitations of the budget approved by the Convention;

(h) Approve strikes called by a Local or Locals and render financial and other assistance in connection therewith as hereinafter more fully set forth;

(i) Call for strikes in the manner specified in this Constitution;

(j) Call a meeting of any Local or its governing board, in which meeting the Executive Board or its representatives may participate, when the Local has been requested to call such a meeting and has refused or failed to do so. The Executive Board may take this action only under one or more of the following conditions:

(1) When so directed by the Convention;

(2) When the Executive Board has re-

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ceived written charges that the Officers of a Local are withholding from their members information necessary for the effectuation of current policy or the achieving of important objectives of the Union;

(3) When a Local is pursuing a course of action which, if continued, would warrant its expulsion or the appointment of a temporary administrator as provided in Article XIII.

(k) The Executive Board shall interpret this Constitution, except as it may have been interpreted by the Convention, subject to referendum;

(l) The Executive Board may order the repeal of any Bylaw or Rule of a Local inconsistent with this Constitution. The affected Local may appeal to the Convention. However, the order of the Executive Board shall be effective pending such appeal.

Section 5

The Executive Board shall have authority to establish and dissolve organizing committees upon such terms and conditions as may be deemed for the best interest of the Union. Such organizing committees may be granted all of the rights and privileges of Locals under this Constitution.

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No organizing committee shall be granted jurisdiction which conflicts with that of any chartered Local of the Union.

Section 6

The Executive Board shall have authority to provide for the affiliation of any labor organization with such rights and privileges and under such terms and conditions as may be acceptable to the Executive Board, subject to the right of appeal to the Convention. The rights, privileges, terms and conditions of affiliation shall not be required to be uniform for such affiliated labor organizations.

Section 7—Appeal Procedure

The Executive Board of the Union shall establish reasonable appeal procedures within the structure of the Union to review complaints of members which allege violation of the Constitution, Local Bylaws or the rights and privileges of members.

Article X Executive Committee

There shall be an Executive Committee of the Union consisting of the President, the Executive Vice Presidents and the Secretary-Treasurer who shall have such

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administrative powers, duties and authorities as may be assigned by the Convention or the Executive Board.

Article XI Districts

Section 1

The Districts established under this Constitution shall be administrative units of the Union.

Section 2

(a) Delegates representing the Locals within each District shall meet at least once every three years in conjunction with the Union Convention for the purpose of electing a Vice President.

(b) Representatives of Locals within each District shall meet at least twice in each calendar year at the call of the Vice President. One of these meetings shall be in conjunction with the Convention.

(c) In addition, the Vice President shall call meetings of representatives of the Locals in particular states or other appropriate geographical areas within the District not less than twice in each calendar year.

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Section 3

District, State and Area meetings shall be conducted by the respective Vice Presidents or their authorized representatives. Attendance of Locals at such meetings shall be required.

Section 4

Representation at District meetings held in conjunction with Conventions shall be determined in accordance with the credentials approved by the Convention. Voting strength of representatives to other District, State and Area meetings shall be determined in accordance with the credentials approved by the most recent Convention.

Section 5

No Local shall have representation in more than one District. A Local whose jurisdiction crosses District lines shall be assigned to the District in which it maintains its Local headquarters.

Section 6

Expenses incidental to District, State and Area meetings shall be borne by the Union. Expenses of Local delegates to District,

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State or Area meetings shall be conducted by the Locals.

Section 7

District, State and Area meetings shall be held at the discretion of the Executive Board. The Executive Board shall review total Union program by the Convention or Executive Board and discuss matters of common concern, and shall have the authority to initiate and approve programs not in conflict with the principles established by higher levels within the Union, for presentation only within that District or Area. Dues and assessments may be established and levied by the Convention and Locals as provided in Article VI of this Constitution.

Article XII Officers and Their Duties

Section 1—The President.

(a) The President, as the chief executive officer of the Union, shall have the authority to execute the policies of the Union as established by the Convention. Should the President's policy of the Union have been formulated, the President shall have the affirmative opinion of a

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Board shall have the force and effect of a decision reached in a meeting of the Executive Board and the results of the poll shall be entered in the minutes of the next meeting of the Board.

(b) The President shall preside over the Convention and meetings of the Executive Board and Executive Committee of the Union.

(c) The President shall call regular and special meetings of the Executive Board as required by the Constitution.

(d) The President shall be the official spokesperson for the Union in all its external relations and may authorize counsel or other agents of the Union to speak for the Union in the President's place and stead.

(e) The President shall recommend to the Executive Board the employment of such personnel as may be required in the President's opinion to effectuate the programs of the Union.

(f) The President shall hold no other office in the Union and shall not be engaged in any other employment. The President shall receive the annual salary established for the office by the Convention, payable in twelve (12) equal monthly installments.

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Section 2—The Executive Vice Presidents

(a) The Executive Vice Presidents shall act under the direction of the President and shall perform such duties as may be assigned by the President or the Executive Board.

(b) The Executive Vice Presidents shall hold no other office in the Union and they shall not be engaged in any other employment. They shall receive the annual salary established for the office by the Convention, payable in twelve (12) equal monthly installments.

Section 3—The Secretary-Treasurer

The Secretary-Treasurer shall act under the direction of the President and the Executive Board and shall:

(a) Attend all meetings of the Convention, the Executive Board and the Executive Committee and shall cause a faithful record to be made of the proceedings;

(b) Keep all contracts, books, records, monies, securities and all other property of the Union not otherwise given by this Constitution to someone else;

(c) Have the custody of the Union Seal and cause it be impressed upon such docu-

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ments as the Executive Board of the Union shall direct;

(d) Supervise the maintenance of such membership lists as may be required by the National and shall cause the collection of per capita dues, initiation fees, assessments and all other monies due to the Union;

(e) Cause the President of a Local to be notified whenever such Local becomes delinquent for a period of thirty (30) days in the payment of any financial obligation to the Union;

(f) Cause the funds belonging to the Union to be deposited in a bank or banks approved by the Executive Board of the Union;

(g) Cause the payment of proper bills and expenses of the Union, when evidenced by satisfactory statements or vouchers, by checks countersigned by the President or by such other persons who may be thereunto authorized by the Executive Board of the Union;

(h) Invest the funds of the Union as instructed by the Convention or by the Executive Board in the absence of such instructions by the Convention;

(i) Prepare, publish and distribute to the Executive Board a monthly financial statement which shall list the total assets, liabil-

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ities, receipts and disbursements of the Union;

(j) Make loans to Locals when authorized by the Executive Board of the Union and when secured by promissory note or other evidence of obligation therefore drawn and signed by the Officers of the borrowing Local;

(k) Cooperate with the auditor in the annual audit of the Secretary-Treasurer's books and such other audits as may be directed by the Executive Board;

(l) Give bond in an amount to be determined by the Executive Board for the faithful performance of the trust in the Secretary-Treasurer reposed, the cost thereof to be borne by the Union;

(m) Turn over all funds, books, records and all other documents and property of the Union in the Secretary-Treasurer's custody to the Secretary-Treasurer's successor in office;

(n) Perform all duties imposed upon the Secretary-Treasurer by this Constitution and such other duties as shall from time-to-time be assigned to the Secretary-Treasurer by the Convention, the President or the Executive Board;

(o) The Secretary-Treasurer shall hold no other office in the Union and shall not be

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Article XIII Locals

Section 1—Charter

- (a) A Local shall be a unit of the Union and shall be chartered by the Executive Board.
- (b) Locals shall be identified by number.
- (c) Local jurisdiction shall be assigned and described at the time Charters are issued.
- (d) No Local Charter shall be issued which grants jurisdiction in conflict with that of another Local except as herein provided.

Section 2—Applications

Application for Charter or change of jurisdiction shall be in writing upon forms provided by the Secretary-Treasurer of the Union and shall be signed by at least five individuals who are eligible for membership in the Local.

Section 3—Jurisdiction Changes

- (a) The Convention or the Executive Board by an affirmative vote of three-fourths (3/4) may change the jurisdiction of any Local.
- (b) Locals may combine or waive jurisdiction by an affirmative vote of a majority of those voting by referendum in each Local affected.

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Section 4—Causes for Revocation or Suspension of Charter

The Charter of a Local may be revoked or suspended by the Executive Board for:

- (a) Failure to meet any financial obligation to the Union within sixty (60) days after it is due;
- (b) Refusing or neglecting to install a successor to any Officer removed by the Union;
- (c) Refusing or neglecting to make returns and reports required by the Union;
- (d) Refusing or neglecting to bring a member to trial within thirty (30) days after being directed to do so by the Union;
- (e) Resorting to a civil suit or criminal action against the Union or any Officer thereof before exhausting remedies within the Union organization;
- (f) Refusing or neglecting to conform to or abide by any directions or decisions of the Convention, Executive Board or referendum vote of the membership;
- (g) Refusing or neglecting to conform to this Constitution or the policies of the Union as set forth by the Convention.

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Section 5—Procedure for Revocation

The Charter of any Local shall not be revoked until the Local has been given proper notice of the charges against it and an opportunity to be heard in its defense. It may be represented by counsel. The Local shall be given at least ten (10) days to prepare its defense after receiving notice from the Secretary-Treasurer of the Union of any charges. The hearing will be conducted before a member or members of the Executive Board of the Union who shall be required to make a report and recommendations thereon to the Executive Board. A vote of at least two-thirds (2/3) of the Executive Board of the Union shall be required for a finding of suspension or revocation of a Charter or any other penalty that may be imposed. In the event penalties other than suspension or revocation are imposed, such findings shall state that if the Local fails to comply with the finding or to appeal within the allotted time, its Charter will be automatically revoked. The findings shall be published to all Locals.

Section 6—Appeal of Revocation

(a) A Local may appeal the findings of the Executive Board to the next Convention by giving written notice to the Secretary-Treasurer of the Union within thirty (30)

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days after the publication of the findings of the Executive Board of the Union. No findings shall become effective pending the disposition of the appeal.

(b) A two-thirds (2/3) vote of the Convention shall be required to sustain the finding of the Executive Board in the event such finding is appealed.

Section 7—Temporary Administration

(a) Should there be a final decision revoking the Charter of a Local, the Executive Board of the Union may temporarily take control of its affairs through a temporary administrator, who shall take such action, subject to the direction of the Executive Board of the Union, as may be necessary to guarantee the continuance of the Union and protect its interests.

(b) The Executive Board may appoint a temporary administrator to temporarily conduct the affairs of a Local after receiving a request from the Officers or membership of a Local for such action.

In the event the Local or its Officers shall object to the appointment of a temporary administrator, the President shall give notice in writing to the Local of the reasons which were the basis for the appointment of the temporary administrator; shall appoint a member of the Execu-

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tive Board to hold a hearing for the purpose of determining the reasons for and the objections of the Local or its Officers to the appointment of a temporary administrator. The Local shall be entitled to reasonable notice of the time and place of the hearing which shall not be less than ten (10) days. The Local or its Officers may be represented by Counsel. At the conclusion of the hearing, the member of the Executive Board holding the hearing shall make a report with recommendations to the Executive Board which shall affirm, reverse or modify the appointment of the temporary administrator. The decision of the Executive Board may be appealed to the next Union Convention.

Section 8—Authority, Duties and Obligations of Locals

The authority, duties and obligations of chartered Locals, their officers and members, in addition to those otherwise set forth in the Constitution or in their respective Bylaws and Rules, shall be:

- (a) To represent the workers in their respective jurisdiction relating to Local matters;
- (b) To actively implement all Union Programs and carry out the policies established by the District, State or Area meeting at

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which it is required to be represented;

(c) To abide by the Constitution, the decisions of the Convention, the Executive Board of the Union and the decisions resulting from the referendum procedure;

(d) To adopt Bylaws and Rules not inconsistent with this Constitution and to repeal, amend, or modify such Rules and Bylaws as may be inconsistent therewith, voluntarily, or at the direction of the Executive Board of the Union, subject to the right of appeal to the Convention;

(e) To establish and maintain actively functioning organizing, education, legislative-political, community services committees, and such other committees as may be necessary to effectuate the policies of the Local, the Union and the District, State or Area;

(f) To participate actively in the political and legislative processes on a city, state and national level, with special regard to legislation affecting the welfare of the members, and do all things reasonable and necessary to accelerate the adoption of laws which may be beneficial and to encourage defeat or cause the repeal of laws which may be detrimental to the workers;

(g) To respect picket lines of any Local of the Union engaged in a strike authorized

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and conducted in accordance with this Constitution;

(h) To provide for the bonding of Local Officers and other persons who handle Union funds and property;

(i) To hold Local meetings at such time, place and frequency as the members may decide by vote;

(j) To hold Local elections by secret ballot with provision of reasonable opportunity for all members to vote in accordance with the Bylaws or Rules established by the Local and this Constitution;

(k) To elect by secret ballot delegates and alternate delegates to the Union Convention as provided in this Constitution and to designate the Chair of such delegation;

(l) To establish a quorum and other rules of conduct of Local meetings;

(m) To maintain adequate files and records and have made an annual audit of the financial records of the Local by competent persons; make available Local financial statements to the membership at least annually; furnish to the Union's Secretary-Treasurer in acceptable form, an annual financial statement;

(n) To furnish the Vice President and Secretary-Treasurer of the Union with

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copies of Bylaws and Rules of the Local and copies of revisions as they may be made;

(o) To require participation of all Local officers and stewards in appropriate training schools and programs;

(p) To establish a program designed to keep rank and file members informed of Union activities;

(q) To process grievances through the step below the top level of the grievance procedure preceding arbitration, where applicable;

(r) To represent the members of the Local at all District, State or Area Meetings, and at quarterly meetings of Local Representatives with their National Staff, at such times and places as may be set by the Vice President, or the Vice President's accredited representative;

(s) To maintain an active internal membership development program;

(t) To do all other things necessary for the proper disposition of matters which may come before the Local for consideration.

Section 9—Contract Responsibility

No Local shall be authorized to make contracts or incur liabilities for the Union.

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Section 10—Assets

All assets of a Local shall be considered a trust fund of the Union to be held and administered by the Local for the members of the Union belonging to the Local so long as the Local remains a chartered Local of the Union. If the Charter of a Local is revoked, its assets will become the property of the Local succeeding to the jurisdiction. If there is no succeeding Local, the assets shall become the property of the Union.

Section 11—Prohibition Against Incorporation

No Local shall be or become incorporated under the laws of any state, territory or country unless otherwise required by law.

Article XIV Councils

Section 1—State and City Councils

(a) State Councils may be established under the direction of Vice President(s) in all States where the Union has a significant presence as determined by the Executive Board.

(b) In cities where there is more than one chartered Local, Councils may be established under the direction of the Vice President of the geographical District.

Section 2

Each Council shall consist of representative

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of Locals within the State or areas of the respective Council.

Section 3

Councils shall operate under rules they may adopt which are approved by the Vice President(s).

Section 4

Councils shall be financed by participating Locals.

Article XV

Elections

Section 1—Union Officers

The President, Executive Vice Presidents and Secretary-Treasurer of the Union shall be elected separately by secret ballot of the delegates to the Convention following nominations made from the floor of the Convention. Beginning with the elections held in 1971, the term of office shall be three years or until their successors have been duly elected and qualified, except for the term of office of any Executive Vice President added by the Convention during a nonelection year, such term of office shall expire at the same time as the terms of office of the other officers.

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Section 2—Vice Presidents

(a) Vice Presidents shall be elected by secret ballot, after nominations from the floor, at a meeting of the delegates from the District.

(b) Beginning with the elections held in 1971, their term of office shall be three years or until their successors have been duly elected and qualified.

(c) In the event a vacancy occurs in the Office of District Vice President for any reason, an election shall be held at the next regular scheduled District meeting for the purpose of electing a District Vice President to fill the unexpired term.

Section 3—Local Officers

(a) Local Officers shall be nominated and elected during the months of September, October, November and December.

(b) Officers of a Local shall be at least a President, Vice President, and Secretary-Treasurer or Secretary and Treasurer.

(c) Beginning with the elections held in 1972, the term of office for Local Officers shall be three years or until their successors have been duly elected and qualified.

(d) In case of vacancy in the office of Local

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President, the Local Vice President shall immediately assume all responsibilities of that office; provided, however, that where a Local has more than one Vice President, the Local Bylaws or Rules shall provide the procedure for designating one of the Vice Presidents to immediately assume the responsibilities of the Office of President. Vacancies in other Local offices shall be filled either by appointment of the governing body of the Local, subject to approval of the appointment by the Local membership within sixty (60) days or by election in the same manner as that required for regular elections and within sixty (60) days. A Local may provide in its Bylaws or Rules for the appointment of a member to fill temporarily a vacancy until the office is filled by election. A Local may also provide in its Bylaws or Rules for filling a vacancy in the Office of President by election, and in such case, the Local Vice President, as provided above, shall assume all responsibilities of the Office of Local President until a successor Local President has been elected and qualified.

Section 4—General Provisions

(a) Locals shall adopt Bylaws or Rules to govern the nomination and election of officers, members of a governing body, delegates and alternate delegates; the

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appointment, selection or election of stewards and committee members; and the filling of vacancies. Locals shall select an election committee which shall conduct all elections and referenda in accordance with the Constitution, Local ByLaws or Rules, and Federal Law. All questions concerning the conduct and challenge of elections shall be determined by the election committee subject to the right of appeal to the governing body and membership of the Local. The election committee shall tally the ballots in all elections and notify the membership of its tentative certification of the results. Absent a challenge to the election, the tentative certification shall become final ten days thereafter.

(b) Any challenge to the conduct of an election must be filed in writing with the election committee within 10 days of the tentative certification of the results. The election committee shall rule on any such challenges and shall within 20 days of the tentative certification of the results make a final determination or certification. Such determination or certification shall be subject to the right of appeal to the governing body and to the membership of the Local. Any appellant must exhaust the remedies available within this section. If the appellant has attempted to exhaust such remedies without obtaining a final decision within 60

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days of the tentative certification of the results, the appellant shall have the right to file an appeal in writing with the appropriate geographical Vice President. Such an appeal shall be filed within 70 days of the tentative certification of the results.

(c) While a challenge to an election is pending, the officers certified by the election committee in its final determination shall be the elected officers of the Local. Those officers shall remain in office unless the election committee's determination is reversed by the Executive Board of the Union or a new determination is made pursuant to the results of a properly ordered rerun election.

(d) Only members of the Union in good standing shall be eligible to vote or hold elective office. No elected officer of the Union or of a Local shall take office unless the elected officer is eligible under the Constitution and Federal Law. No member shall be eligible for candidacy for any elected office in the Union or any Local, the term of which commences after the seventieth birthday of such member, provided any member who reaches their seventieth birthday during a term of office to which the member has been elected should complete that term, but shall not be eligible for reelection to any subsequent term.

(e) The election by Locals of officers, members of a governing body, and dele-

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gates and alternate delegates to the Union Convention shall be by secret ballot among the members in good standing. The nominee in any election receiving a majority of the votes cast shall be declared elected; provided, however, that Locals may provide in their Bylaws or Rules for the election of candidates by a plurality of the votes cast in any election, other than an election of Local President, Vice President, Secretary, Treasurer and Secretary-Treasurer.

(f) In the case of elections requiring a majority vote, if no one nominee receives a majority on the first ballot, a run-off election shall be conducted and the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot. If no one nominee receives a majority on the first ballot and there is a tie for second place, a run-off election shall be conducted and the person receiving the greatest number of votes on the first ballot and the two persons who tied for second place shall be the nominees on the second ballot.

(g) In the case of elections requiring a plurality vote, if a tie renders the election indecisive for any position, a run-off election shall be conducted and the nominees who tied for such position on the first ballot shall be the nominees on the second ballot.

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Section 5—Order of Nomination and Election of Officers of the Union

The sequence of nomination and election of Union Officers shall be as follows:

- (a) President;
- (b) Executive Vice Presidents;
- (c) Secretary-Treasurer;
- (d) Vice Presidents.

Article XVI Committees

Section 1—Regular Committees

The Regular Committees of the Union shall be:

- (a) Constitution Committee;
- (b) Credentials Committee;
- (c) Resolutions Committee;
- (d) Legislative-Political Committee;
- (e) Building Committee;
- (f) Finance Committee.

Section 2—Constitution Committee

The Constitution Committee shall be appointed by the President and approved by the Executive Board. It shall consist of five members and be charged with the duty of considering and reporting to the Convention and to the Executive Board on proposals to change this Constitution.

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lesser estate any and all real estate which may be acquired or otherwise dealt with for or on behalf of the Union. The foregoing powers shall be exercised only at such times and in such manners as the Executive Board may, from time to time, direct by resolution passed by the Executive Board.

The Executive Board shall have the full and irrevocable power to appoint a substitute trustee or trustees to be exercised at any time, from time to time, without notice and without specifying any reason therefor the trustee or trustees so appointed to become fully vested with identically the same title and estate in and to the land, premises and property forming the subject matter of the trust, with all the rights, powers, trusts and duties of the trustee or trustees or their predecessor in the trust, with like effect as if originally named as one of the trustees.

Section 7—Finance Committee

The Finance Committee shall consist of five members, the Secretary-Treasurer of the Union and four members appointed by the President and approved by the Executive Board. The Secretary-Treasurer shall be the only member of this Committee who is a full-time employee of the Union or a member of the Executive Board and the Secretary-Treasurer shall not serve as

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Chair of the Committee.

The Committee shall meet prior to the assembling of the regular Convention at the call of its Chair and review the financial operations of the Union for the year preceding the regular Convention including the audits of the books of the Secretary-Treasurer.

The Committee shall make a report of its findings to the Convention and make recommendations to the Convention including a budget for the succeeding year's operations.

Section 8—Other Committees

The Convention, or the President with the approval of the Executive Board, may appoint such other committees as may from time to time be necessary.

Section 9—Vacancies on Committees

Except as otherwise required by this Constitution, whenever a vacancy occurs on any Committee, the President, with the approval of the Executive Board, may appoint a member to serve for the unexpired term of the Committee.

Article XVII Collective Bargaining

Section 1—Bargaining Authority

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(a) The Communications Workers of America shall be the collective bargaining representative of the members of the Union.

(b) Collective bargaining within the established bargaining unit or units shall be conducted under the direction of the Executive Board of the National Union and all contracts or agreements entered into shall be in the name of the National Union and bear the signature of approval of an authorized agent or representative of the National Union.

(c) Subjects for negotiations through collective bargaining may be initiated by representatives of the bargaining unit or units to be affected but must be approved by the applicable Bargaining Council, the Executive Board or its authorized representative before submission to any employer. This paragraph shall not be construed to restrict the presentation and submission of grievances through established channels of the administrative organization of the Units and the National Union.

Section 2—Bargaining Councils

(a) The Convention or the Executive Board may establish from time to time Bargaining Councils, together with rules and procedures governing such Councils. Bargain-

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ing Councils will formulate bargaining programs or policies to apply to a single employer, associated employers or a number of employers, but limited to those policies and programs affecting bargaining units represented on a Bargaining Council. The Executive Board shall be responsible for the development of bargaining programs for those units or groups for which Bargaining Councils have not been established.

(b) The composition of Bargaining Councils shall be determined on a fair and equitable proportional basis by the Convention or the Executive Board. Where a Bargaining Council is established for more than one collective bargaining unit, each bargaining unit or appropriate group of bargaining units shall have a representative or representatives on the Bargaining Council. The Officers of the Union, the Vice Presidents, National Bargaining Unit Directors, the Independent Telephone Director, and the Public Workers Director may be appointed members of a Bargaining Council as determined by the Convention or the Executive Board.

(c) Elections for elected Bargaining Council members and alternates shall take place at Conventions by secret ballot among delegates involved under procedures established by the Executive Board or at such other meetings designated by a majority of the affected delegates under procedural

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rules established by the Executive Board. Beginning with the elections held in 1976, their terms of office shall be three years or until their successors have been duly elected and qualified. Vacancies occurring for any reason for which alternates are not available or willing to serve shall be filled by appointment by the President until the next regular Convention. Elected representatives and alternates of Bargaining Councils shall be composed of members not employed by the Union as Staff personnel.

(d) Elections for elected Bargaining Council members and alternates for Bargaining Councils established by the Executive Board between Conventions shall be held in accordance with election procedures determined by the Executive Board. Their terms of office shall be until the next regular Convention or until their successors have been duly elected and qualified.

(e) Bargaining Councils shall meet at the call of the President of the Union and in accordance with rules established by the Executive Board.

(f) The President of the Union may, with the approval of the Executive Board, designate a director to work with a Bargaining Council.

(g) The President of the Union or the President's designee shall be Chair of all Bar-

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gaining Councils and of meetings called for the election of Bargaining Council members and alternates.

Section 3—Bargaining Committees

(a) The members of a bargaining unit, by popular vote, through delegates representing them at a Convention, or by any other method approved by the Executive Board, may select the members of a Bargaining Committee for its unit to represent the members of the unit in contract negotiations and determine their terms of office, subject to such financial and numerical limitations as may be imposed by the National Union and such other limitations as may be set out in this Constitution.

(b) All methods used to select Bargaining Committees shall assure fair representation for all segments of the bargaining unit. Disputes over the method used shall be resolved by the Executive Board, subject to appeal to the Convention, with the decision of the Board standing pending final appeal.

Section 4—Special Bargaining, Contract and Grievance Procedures

There shall be an Independent Telephone Director for those bargaining units composed of employees of other than Bell owned or operated companies who shall be selected by popular vote of the dele-

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gates of such units at Convention, or by such other method as may be determined by representatives of such units if approved by the Executive Board. Such Director shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units. Beginning with the election held in 1971, the term of office of the Director shall be three years or until a successor has been duly elected and qualified.

Section 5—Special Bargaining, Contract and Grievance Procedures—Public Workers

Beginning with the elections held in 1983, there shall be a Public Workers Director who shall be selected by popular vote of the delegates of such public worker units at Convention, or such other methods as may be determined by representatives of such public worker units, if approved by the Executive Board. Such Director shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units. The term of office of the Director shall be for three years, or until a successor has been duly elected and qualified.

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Section 6—National Collective Bargaining Units, Contract and Grievance Procedures

The members of a collective bargaining unit, which extends beyond the boundaries of one District and which is determined by the Executive Board or the Convention to be national in character, by popular vote, through delegates representing them at a Convention, or by any other method approved by the Executive Board, shall select a National Director for the unit who shall be responsible under the direction of the Executive Board for processing and disposing of grievances above the Local level, for supervising collective bargaining in such bargaining unit and for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions. Beginning with the elections held in 1971, their term of office shall be three years or until their successor has been duly elected and qualified. This section shall not apply to national collective bargaining units having District status.

Section 7—Contract Ratification

Any contract entered into through collective bargaining, or otherwise dealing with wages, hours, terms of employment or other conditions of employment shall be subject to ratification by secret ballot of

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the members affected if the delegates to a National Convention representing such members or the members themselves determine ratification to be desirable

Article XVIII Strikes

Section 1—Authorization

A Local or group of Locals shall strike as provided in this Constitution. Approval of the Executive Board of the Union shall be obtained before strike action may be taken.

Section 2—Notification

After a strike vote has been taken by a Local or groups of Locals in a District and a strike is imminent, the Vice President shall notify the President of the Union in writing.

Section 3—Executive Board Action

(a) The Executive Board of the Union shall be advised by the President that a strike is imminent and shall immediately determine the action to be taken;

(b) Within ten (10) days after such notice has been received, the Executive Board of the Union shall determine whether strike action is approved;

(c) In deciding whether to approve strike action, the Executive Board of the Union shall consider all factors connected therewith. If approved, the Executive Board of

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the Union shall assist therein and direct the support to be given by the Union.

Section 4—Penalties for Unauthorized Strikes

(a) Any Local engaged in a strike which is called in violation of this Constitution or without approval of the Executive Board of the Union or the Convention may be denied financial, organizational or other assistance from the Union or any portion thereof.

(b) When a Local continues to engage in a strike that is not approved as provided in this Article or refuses or fails to terminate a strike when so ordered by the Convention or by the Executive Board of the Union, the Executive Board of the Union or the Convention may institute Charter revocation proceedings in accordance with Article XIII of this Constitution with respect to the offending Local

Section 5—Convention Approval of Strike

A strike of a Local or group of Locals may be approved by the Convention.

Section 6—Procedure for Local Strike Vote

In taking a strike vote Locals shall act in accordance with the following minimum requirements:

(a) The Locals shall, upon reasonable notice, call a meeting of its members, wherever feasible, and present the issue

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or issues involved in the proposed strike.

(b) The members present at such meeting shall vote by secret ballot on the question of whether or not a strike shall be called.

(c) Where meetings cannot, feasibly, be called, a secret ballot shall be taken of the members, by mail or otherwise, on the question of whether or not a strike shall be called;

(d) A majority of the members voting shall determine whether or not a strike shall be called;

(e) Copies of notice of the result of strike vote shall be sent to the Vice President and to the President of the Union.

Section 7—Local Strike Assistance

When Locals, not directly involved in the negotiations, the breakdown of which has caused or is about to cause a strike, desire to aid the striking Local or Locals by strike action, they shall first notify the Vice President and President of the Union of such desire, and, if they receive approval by the Convention or the Executive Board, they shall proceed according to the provisions of Section 6 of this Article.

Section 8—Termination of Local Strikes within a District

(a) A Local or Locals engaging in a Local strike may terminate such strike in accord-

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ance with Local Bylaws and Rules and approval of the Vice President.

(b) The Convention or Executive Board may terminate such strike by majority affirmative vote.

Section 9—General, Inter-District or Intra-District Strike

A General, Inter-District or Intra-District strike of all Locals or Locals in more than one District may be called following:

(1) Authorization by a majority of the Union members affected who vote on the question, by secret ballot, at special meetings or by mail ballot in those Locals where Local meetings are not feasible.

(2) Authorization by a majority of the Union members affected who vote on the question in a referendum conducted by the Union.

Section 10—Conduct and Termination of a General or Inter-District Strike

(a) Such strikes shall be conducted under the supervision of the Union and may be terminated by the Convention or Executive Board.

(b) The Convention or the Executive Board may terminate such strike by majority affirmative vote.

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Article XIX Charges Against Members

**Section 1—Specifications of Offenses—
Locals**

Members may be fined, suspended or expelled by Locals in the manner provided in the Constitution for any of the following acts:

- (a) Making false material statements or withholding material information when applying for membership;
- (b) Wilfully refusing to pay dues or assessments properly established or fines properly imposed or other valid financial obligations to the Union or Local;
- (c) Wilfully violating the Constitution of the Union, Local Bylaws or Rules;
- (d) Disobeying or wilfully failing to comply with any lawful decision or order of the Union or Local;
- (e) Working without proper Union authorization, during the period of a properly approved strike in or for an establishment which is being struck by the Union or Local
- (f) Instigating or knowingly participating in an unauthorized strike or slowdown;
- (g) Wilfully violating the adopted standards as to wages, hours or working conditions;

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(h) Misappropriating money or property of the Union or Local;

(i) For such other offenses, equally serious, which tend to bring the Union or Local thereof into disrepute.

**Section 2—Specifications of Offenses—
Union**

Members may be fined, suspended or expelled by trial courts selected by the Executive Board of the Union in the manner provided in the Constitution for any of the following acts:

- (a) Wilfully supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with the jurisdiction of the Union;
- (b) Wilfully supporting or assisting any person, group of persons, or organization in any act or activities for the purpose of seeking or obtaining the replacement of the Union as collective bargaining representative.

Section 3—Suspension Pending Trial

An officer of the Union, member of the Executive Board, National Director, Independent Telephone Director, Bargaining Council member, Local officer or other

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elected official against whom charges have been filed for conduct set forth in Paragraphs (a) and (b) of Section 2 of this Article may be suspended from office by a two-thirds (2/3) vote of the Executive Board pending final determination of the charges by a trial court or any appeal resulting from such trial, where such suspension is determined by the Executive Board to be in the best interest of the Union.

Section 4—Non-Immunity

No member of the Union shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union or any Local thereof.

**Article XX Trials And Appeals—General
Membership and Officers of Locals**

Section 1—Persons Subject to Trial

(a) Members of the Union, including Officers of Locals, shall be tried for any of the offenses listed in Article XIX as provided herein;

(b) Officers of a Local may be removed or suspended from office pursuant to Article IX, Section 4, Paragraph (b) as herein

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provided, excepting that the Executive Board of the Union may conduct such trials after notice to the Locals involved, on its own initiative in the event of inaction by the Local. The procedure for such trial shall be in conformity with the standards set forth in Sections 2, 3, and 4 of this Article.

Section 2—Charges

(a) Charges made against a member of the Union or an officer of the Local shall be in writing, signed and sworn to by the accuser. Charges of offenses described in Article XIX, Section 1, shall be filed with the recording officer of the Local of which the accused is a member. In the event the accused is such recording officer, the charges shall be filed with the President of the Local. Should both the recording officer and the Local President be involved as a charging party or as a party charged, the charges shall be filed with the Secretary-Treasurer of the Union. All charges of offenses described in Article XIX, Section 2, shall be filed with the Secretary-Treasurer of the Union. In the event the accused is such Secretary-Treasurer, the charges shall be filed with the President of the Union. Trial procedures for all charges filed with the Secretary-Treasurer or the President of the Union shall be in conformance

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with Section 3 (b) of this Article.

(b) Charges must be submitted within sixty (60) days of the time the accuser becomes aware of the alleged offense;

(c) Charges shall contain an allegation of the facts constituting the offense with which the accused is charged and the approximate date or dates said offense is alleged to have occurred.

Section 3—Trials

(a) The Bylaws or Rules of a Local shall specify the manner in which an accused person shall be tried and must conform with the following minimum standards:

(1) A court, composed of not less than three or more than seven persons, who shall be members of the Local, not parties to the proceeding, shall be selected by the governing body of the Local. The court shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice, based on all the evidence presented;

(2) A prosecutor, who is a member of the Local, but not an accuser, shall be appointed by the governing body of the Local to assist the accuser in the trial and presentation of evidence. If, after investigation, the prosecutor is of the opinion that there is not

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probable cause to believe that a violation punishable under this Article has been committed, the prosecutor shall report the findings in writing to the governing body of the Local with a recommendation that the charge not be prosecuted. Copies of the findings and recommendation shall be delivered to the accuser and the accused. The recommendation shall become final unless appealed by the accuser within thirty (30) days after receipt using the procedures established pursuant to Article IX, Section 7, of this Constitution.

(3) If the prosecutor determines that probable cause does exist, the trial shall be held speedily with due notice to the accused;

(4) The accused shall have the right to select a member of the Local as counsel, the right to produce witnesses and present documentary evidence and to be heard on the accused's own behalf. The accused shall have the opportunity to cross-examine witnesses:

(5) All witnesses shall testify under oath.

(6) Notice of the decision and penalty, if any, shall be given to the person charged within five (5) days after the close of the trial.

(7) A faithful and accurate record of the proceedings shall be made.

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(8) The Local may suspend the accused pending the final decision on an appeal

(b) Trials conducted by courts selected by the Executive Board of the Union must conform with the following minimum standards:

(1) A court composed of three persons who shall be members of the Union not employed by the National Union as Staff personnel and not parties to the proceeding shall be selected by the Executive Board from a Trial Panel composed of one elected member from each of the geographical Districts by secret ballot, after nominations from the floor at the meeting of the delegates from the District in conjunction with the Union Convention. Beginning with the elections held in 1971, members of the Trial Panel shall serve for three years or until their successors are elected and qualified. The court shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice, based on all of the evidence presented. In the case of trials based on offenses specified in Article XIX, Section 2, a report shall be placed in the Union's official publication with the name of the accused and decision of the court and the names of the Trial Panel;

(2) A prosecutor, who is a member of the

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Union, but not an accuser, shall be appointed by the Executive Board of the Union to assist the accuser in the trial and presentation of evidence, and such prosecutor shall have the same authority and discretion granted to Local prosecutors under Section 3 (a) (2) of this Article:

(3) The trial shall be held speedily, with due notice to the accused, at a time and place determined by the trial court to be fair and reasonable to the accused;

(4) The accused shall have the right to select a member of the Union as counsel, the right to produce witnesses and present documentary evidence and to be heard on the accused's own behalf. The accused shall have the opportunity to cross-examine witnesses;

(5) All witnesses shall testify under oath;

(6) Notice of the decision and penalty, if any, shall be given to the person charged within five (5) days after the close of the trial;

(7) A faithful and accurate record of the proceedings shall be made;

(8) The Executive Board of the Union may suspend the accused pending the final decision on an appeal.

Section 4—Appeals

(a) A member or officer of a Local upon being found guilty by a Local court may appeal as provided in this Section:

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(1) Have the right to refer the matter to a membership meeting of the Local, within thirty (30) days after being found guilty by a court, which may affirm or reverse the decision or reduce the penalty; provided that where a Local membership meeting is held by sections, units or areas, the appeal shall be to the governing body of the Local

(2) Have the right to appeal from the final decision of the Local to the Executive Board of the Union within thirty (30) days after such final decision of the Local;

(3) The appeal to the Executive Board of the Union shall be directed, in writing, to the Secretary-Treasurer of the Union, who shall obtain the record of the case. The Executive Board shall review the case and affirm or reverse the decision or reduce the penalty or return the case for a new trial;

(4) Have the right to appeal from the decision of the Executive Board of the Union to the next Convention by giving a notice of appeal in writing within thirty (30) days after the decision to the Secretary-Treasurer of the Union. If the Executive Board has failed to render a decision within thirty (30) days preceding the Convention, the accused may appeal directly to the Convention which may affirm or reverse the decision or reduce the penalty.

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(b) A member or officer of a Local upon being found guilty by a court selected by the Executive Board of the Union shall have the right to appeal to the Executive Board and the Convention as provided in Paragraphs 3 and 4 Subsection (a) of this Section.

(c) The thirty (30) day time limit provided in this section for filing of appeals from decisions of trial courts may be extended at the discretion of the body to which the appeal is being taken for an additional period not to exceed thirty (30) days, upon showing of justification by the party making the appeal.

Section 5—Determination of Appeal

Decisions on appeal shall be determined by majority vote.

Article XXI Recall Petition Against Persons Holding Elective Office in The Union

Section 1—Petition for Recall of Union Officers, Executive Board Members, National Directors, Independent Telephone Director, and Bargaining Council Members

A petition for recall of an officer of the

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Union, any member of the Executive Board,
any National Director, Independent Telephone
Director or Bargaining Council Member:

- (1) May be preferred by one-third (1/3) of the full membership of the Executive Board;
- (2) May be preferred by twenty percent (20%) of Locals representing twenty percent (20%) of the membership of the Union;
- (3) May be preferred against a Vice President by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership within the District;
- (4) May be preferred against a National Director or Independent Telephone Director by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership of the National Unit the Director represents;
- (5) May be preferred against a Bargaining Council Member by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership of the Unit the Bargaining Council Member is elected to represent;
- (6) Shall be in writing and signed by the accusing member or members or may be accompanied by attested copies of appro-

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appropriate resolutions adopted by a Local or Locals;

- (7) Shall contain a description of the offense or offenses as specified in Article XIX, Section 1, and the approximate date or dates thereof;
- (8) Shall be submitted within sixty (60) days from the time the accusing members became aware of the alleged offense or offenses;
- (9) Shall be filed with the Secretary-Treasurer of the Union, provided, however, that a Petition directed against the Secretary-Treasurer shall be filed with the President;
- (10) Should the Secretary-Treasurer or the President receiving the petition conclude that the offense or offenses described are too vague or frivolous to warrant submission to a referendum, that determination shall be presented in writing to the petitioners and to the accused. The determination shall become final unless appealed by one or more of the petitioners within thirty (30) days after receipt, using the procedures established pursuant to Article IX, Section 7, of the Constitution.

Section 2—Recall Petition Against Local Officers

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A petition for recall of an Officer of a Local

- (1) May be preferred by twenty percent (20%) of the membership of a Local;
- (2) Shall be in writing and signed by the accusing members;
- (3) Shall contain the description of the offense or offenses as specified in Article XIX, Section 1, and the approximate dates thereof;
- (4) Shall be submitted within sixty (60) days from the time the accusing members became aware of the alleged offense or offenses;
- (5) Shall be filed with the recording officer of the Local, provided, however, that a petition directed against the recording officer shall be filed with the President of the Local. Should both the recording officer and the President of the Local be involved as either accuser or accused the petition shall be filed with the Local election committee;
- (6) Should the officer or the election committee receiving the petition determine that the offense or offenses described are too vague or frivolous to warrant submission to a referendum, a report and recommendation to that effect shall be presented in writing to the governing body of the Local.

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Copies of the report and recommendation shall be served on all petitioners and the accused. Unless reversed by the governing body or appealed by one or more of the petitioners within thirty (30) days after receipt, the recommendation shall become final. If appealed, the procedures of Article IX, Section 7, shall apply.

Section 3—Suspension Pending Determination

An Officer of the Union, Member of the Executive Board, National Director, Independent Telephone Director, Bargaining Council Member or Local Officer against whom a petition for recall has been filed for alleged "misappropriating money or property of the Union or Local" may be suspended by a majority vote of the Executive Board, pending the determination of the recall proceedings, and the Union shall cause a substitute to be appointed to serve in the person's stead during the person's suspension.

Section 4—Recall Proceedings

The proceedings on a petition for recall shall be in accordance with the provisions of Article XXII.

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Article XXII Referendum and Recall

Section 1

The Convention or the Executive Board may order a referendum with respect to any subject or policy within their jurisdiction or as otherwise provided in this Constitution.

Section 2

The notice of referendum and requisite number of printed ballots shall be forwarded to each Local by mail by the Secretary-Treasurer of the Union. The notice of referendum and the ballots shall contain the proposition to be voted upon and shall require a return within sixty (60) days from the date of mailing to the Local.

Section 3

Upon receipt of the notice of referendum each Local shall conduct the referendum among its members and shall forward the results to the Secretary-Treasurer of the Union by receipted registered mail.

Section 4

All referenda shall be by secret ballot. A

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majority of the votes cast shall determine the referendum.

Section 5

A referendum shall also be ordered by the Executive Board of the Union if twenty percent (20%) or more of the Locals representing twenty percent (20%) or more of the members of the Union, shall certify in writing to the Secretary-Treasurer of the Union their desire for a referendum on any particular subject.

Section 6

Any officer or member of the Executive Board may be recalled by two-thirds (2/3) of those voting at the Convention or in a general referendum if two-thirds (2/3) of the votes cast in such a referendum favor recall.

Section 7

Any Vice President may be recalled by the Delegates from that District at a National Convention by a two-thirds (2/3) vote of those voting on the question or by a referendum among the members of the Union in the District if two-thirds (2/3) of the votes cast in such referendum favor recall.

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Section 8

Any National Director or Independent Telephone Director may be recalled by the Delegates at a National Convention from the unit the Director represents by a two-thirds (2/3) vote of those voting on the question or by referendum among the members of the Union of the unit the Director represents if two-thirds (2/3) of the votes cast in such referendum favor recall.

Section 9

Any Bargaining Council Member may be recalled by the Delegates at a National Convention from the unit that the Bargaining Council Member represents by a two-thirds (2/3) vote of those voting on the question or by referendum among the members of the unit the Bargaining Council Member represents if two-thirds (2/3) of the votes cast in such a referendum favor recall.

Section 10

Local Officers shall be recalled by an affirmative vote of two-thirds (2/3) of the members voting on the question in a referendum which shall be conducted in accordance with Article XV, Section 4 (a), of the Constitution.

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Section 11

All recall votes of the membership must meet the procedural requirements which apply to the election of officers.

Article XXIII Quorum

Section 1

A majority of the delegates to the Union Convention shall constitute a quorum.

Section 2

A majority of its members shall constitute a quorum of the Executive Board or any committee of the Union.

Section 3

A majority of the delegates within a District shall constitute a quorum for District meetings held in conjunction with the Union Convention.

Section 4

A majority of the delegates within a Bargaining Unit shall constitute a quorum for Bargaining Unit meetings.

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Section 5

A majority of the Locals required to be present within the geographical area covered shall constitute a quorum at all other District, State or Area Meetings.

Section 6

Each chartered Local shall provide in its Bylaws or Rules for the quorum necessary to hold meetings of the Local.

Article XXIV Proxy Voting

There shall be no voting by proxy, except that a Local composed of less than 200 members may assign its vote to a delegate from another Local attending the Convention. No Local shall be allowed to vote more than one such assignment.

Article XXV Gender

Words in this Constitution indicating the masculine gender shall be deemed also to refer to the feminine gender.

Article XXVI Union Publication

The Union shall print, publish and distribute to its members an official publication at least monthly. Said publication shall be

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sent to all members and shall contain matters pertaining to Union functions, policies and activities as well as matters of labor and public interest generally.

Article XXVII Affiliation

The affiliation or disaffiliation of the Union with any other labor organization shall be accomplished solely by referendum of the entire membership.

Article XXVIII Amendments

Section 1

This Constitution may be amended by the Convention or by referendum submitted to the members as provided in Article XXII.

Section 2

Any proposed amendment of this Constitution, submitted to the Locals sixty (60) or more days in advance of the Convention, shall require a majority vote of the approved delegates at the Convention to effectuate such proposed amendments.

Section 3

Any amendment proposed at the Convention shall require a three-fourths (3/4) vote of those voting thereupon at the

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Convention to effectuate such proposed amendment, but in no event shall the vote be less than a majority vote of the delegates at the Convention

Section 4

Any amendment submitted by referendum to the members shall require a majority vote of those voting thereon.

Section 5

Repeal of any provision of this Constitution shall be by amendment procedure

Section 6

Amendments or repeals adopted in a Convention shall become effective on the thirtieth (30th) day following the adjournment of the Convention, provided the Convention does not specify a later date, unless within thirty (30) days a referendum vote on the amendment or repeal is initiated in which event, the amendment or repeal shall not become effective unless it is sustained by such referendum. Amendments or repeals adopted or sustained by referendum procedure shall become effective on the thirtieth (30th) day following such action or on a later date if so specified

PERMANENT RULES GOVERNING CONDUCT OF CWA CONVENTIONS
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Source of Rules

The CWA Convention shall be conducted in accordance with these rules and the CWA Constitution and if these rules and the CWA Constitution do not specifically cover a matter, Robert's Rules of Order shall apply.

Delegates to the Convention

Section 1—Certification—

"Each local shall certify to the Secretary-Treasurer of the Union, not less than five (5) days prior to the opening date of an Annual or Special Convention, on credential forms provided by the Union, the names, addresses and voting strength of its delegates and alternates, if any, and the name of the Chair of its delegation."

Section 2—Seating of Delegates—

Delegates to a Convention shall be seated prior to the exercise of any other rights and privileges of the delegates. They shall be seated by acting on the Credentials Committee Report.

(a) In the event there is a protest within a Local over the seating of delegates from a Local, the delegates under dispute shall not vote on the question of their seating.

Rule III

Voting at Conventions

A delegate shall vote in the Convention District meeting, or a meeting of a Bargaining Unit in accordance with Article VIII Section 5, of the Constitution which reads as follows:

"(a) A Local delegate shall have one vote in the Convention, District Meeting or a meeting of a bargaining unit, except on a roll call vote.

"(b) A roll call vote of the Convention District Meeting, or a meeting of a bargaining unit may be had upon the request of twenty percent (20%) of the delegates

"(c) Voting by roll call shall be by per capita vote with each delegate casting the number of votes assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention. On roll call votes, a delegate shall cast one vote for each member in good standing as assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention."

Rule V

Rule VI

Rule IV

Alternate Delegates and Visitors to the Convention

All persons, other than delegates and alter

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nate delegates certified by the Credentials Committee and approved by the Convention, shall be permitted to attend the Convention upon the following conditions:

(a) They present themselves to the Credentials Committee and secure approval of the Committee;

(b) They not be permitted in the section of the convention reserved for voting delegates and shall be allowed to speak on questions before the Convention when recognized by the Chair.

Conduct during the Convention

The Chair shall be responsible for maintaining order in the Convention. The Chair may request the Convention to act on the question of expelling a person for misconduct. A delegate may request the Chair to have the Convention act on expelling a person for misconduct. A majority of delegates voting shall decide the question of expulsion for misconduct.

Hours of Convention

The hours of the Convention, recesses and other arrangements relating to the Convention shall be established by resolution or motion by each Convention.

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EXHIBIT 3

b (167)

Rule VII

Microphones

Section 1—Microphones—

There shall be one of each of the following microphones on the floor of the Convention which shall be placed in the most convenient locations possible.

- (a) Privileged Microphone
- (b) Questions Microphone
- (c) Motions Microphone
- (d) "For" Microphone
- (e) "Against" Microphone

Section 2—Use of Privileged Microphone—

The following motions are the only motions that can be made at the Privileged Microphone and are listed in the order of their rank.

- (a) **ADJOURN** (Undebatable—Majority vote required).
This motion loses its privileged character and is a main motion if in any way qualified or if its effect, if adopted, is to dissolve the Annual Convention.
- (b) **TAKE A RECESS** (Undebatable—Majority vote required).
This motion is privileged only when other business is pending before the Convention.

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(c) RAISE A QUESTION OF PRIVILEGE—

The question can only be raised when a Delegate wishes to:

1. Rise to a point of personal privilege.
2. Request the Chair to explain the parliamentary situation at the time.
3. Appeal a decision of the Chair.

(d) CALL FOR THE ORDERS OF THE DAY
(Undebatable).

It is a demand that the Convention conform to its program or order of business. It requires no second, and is in order when another delegate has the floor, even though it interrupts a speech, as a single member has a right to demand that the order of business be conformed to. A call for the orders of the day cannot be debated or amended or have any subsidiary motion applied to it.

(e) RAISE A POINT OF ORDER (Undebatable)

Section 3—Recognition at Privileged Microphone—

A delegate requesting recognition at the privileged microphone shall use the telephone to advise the platform of the delegate's name and Local number. A parliamentarian shall be connected directly by telephone with the privileged microphone and shall make a parliamentary ruling on

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whether or not the person at the microphone has a privileged motion or question. In the event the parliamentarian determines the person has a privileged motion or question, the parliamentarian shall notify the Chair and the person shall be recognized. If the parliamentarian determines the person does not have a privileged question or motion, the delegate shall relinquish the microphone unless the delegate notifies the parliamentarian that the delegate desires to appeal from the parliamentarian's ruling. In the event of a notice of a desire to appeal, the parliamentarian shall notify the Chair and the delegate shall be recognized to present the delegate's appeal.

Section 4—Use of Motions Microphone—

The motions microphone shall be used in the following manner:

(a) A delegate desiring to make a motion shall, by the use of the telephone, notify the platform of the delegate's name and Local number, and if it is a motion which is in order, or, is a motion of higher rank than the one before the Convention, the delegate shall be recognized to make a motion and after it is seconded, the delegate shall be permitted to speak from that microphone in favor of the delegate's

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motion. After the maker of the motion, if the delegate chooses, has spoken, the Chair shall recognize the "Against" microphone and shall proceed to rotate as provided in Section 7, Paragraph (h) of the Rules.

(b) If there is not a delegate waiting to use any of the microphones in the Convention, motions can be made from any microphone on the floor of the Convention.

(c) A parliamentarian shall be connected directly by telephone with the motions microphone when needed for the purpose of making a parliamentary ruling on the rank or priority of the motion. If the parliamentarian determines the person has a priority motion, the parliamentarian shall notify the Chair and the person shall be recognized. If the parliamentarian determines the person does not have a motion that would have priority over other motions waiting at the microphone, the delegate shall relinquish the microphone unless the delegate notifies the parliamentarian that the delegate desires to appeal from the parliamentarian's ruling. In the event of a notice of a desire to appeal, the parliamentarian shall notify the Chair and the delegate shall be recognized to present the delegate's appeal at the motions microphone.

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EXHIBIT 3

6(169)

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**Section 5—Use of "For" and Against
Microphones—**

These microphones shall be used for the debating microphones and shall be used in the following manner:

- (a) A delegate wishing to speak for or against a motion or subject on the Convention floor, shall approach the appropriate microphone and shall use the telephone to inform the platform of the delegate's name and Local number

Section 6—Use of Questions Microphone—

The questions microphone shall be used only for the purpose of asking questions of clarification of a report, motion, resolution or other matter before the Convention. The questions microphone shall be placed in rotation with the "For" and "Against" microphones and shall be used in the following manner:

- (a) A delegate having questions of clarification shall use a telephone at this microphone, which is connected directly with the platform, to advise the platform of the delegate's name and Local number.
- (b) No person shall be permitted to ask more than two (2) questions before relinquishing the person's place at the micro-

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phone and the Chair shall rotate to the next microphone in order.

- (c) In the event a person at the questions microphone only asks one question, the Chair shall rotate to the next microphone in order.

Section 7—General Provisions—

General provisions relating to the use of the microphones and recognition of delegates are as follows:

- (a) When a delegate is in line to use a particular microphone the delegate shall use the telephone to advise the platform of the delegate's name and Local number. This procedure will materially assist in having delegates recognized without loss of time

(b) Each day the Chair shall appoint two observers from the delegates to witness the tabulation of telephone calls from the floor of the Convention to the platform.

- (c) No person shall be permitted to speak a second time on any question as long as any delegate who has not spoken on the subject desires to do so. No person shall be recognized a second time at the "questions" microphone as long as any delegate who has not asked questions desires to do so.

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EXHIBIT 3

6(170)

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(d) No person shall speak more than five (5) minutes at one time on a question before the Convention. The Chair shall give each person one minute notice of the expiration of the person's five (5) minute time limit. This provision shall not apply to the parties involved in an appeal made in compliance with Article XX, Section 4, of the Constitution.

(e) A person wishing to address the Convention on any matter, having been recognized by the Chair, shall provide identification as a member of the Executive Board, National Director, Independent Telephone Director, delegate, alternate delegate or visitor and shall give their Local number and the state in which their Local is located.

(f) When a motion is made to table, and there are amendments appended to the original motion, the motion to table then shall apply only to the amendment or amendments, and it shall require a new motion to table the original motion.

(g) When a delegate intends to make a motion to table, warning of the maker's intent must be given, and the motion to table shall not be made until the introducer of the motion is given five (5) minutes to speak on the question, if the delegate so desires.

(h) The Chair shall rotate between the

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"For" microphone, the "Against" microphone and "Questions" microphone in that order. The Chair shall not pass up the rotation of microphones in those cases where a person is out of order.

(i) Any delegate wishing to raise a point of order may use the privileged microphone or rise and upon saying "point of order" in a loud voice, approach any microphone on the Convention floor where the delegate shall be recognized for the purpose of stating the delegate's point.

(j) That a vote will not be taken on any issue before the Convention until at least two (2) delegates have had the opportunity to speak for a question and two (2) delegates have had the opportunity to speak against a question.

Article VIII

General Information and Committee Booth

There shall be a booth established in a convenient place within the Convention building to be known as "General Information and Committee Booth" which shall be utilized by all delegates to seek information or ask questions with regard to any matter before the Convention. Each Committee of the Convention shall have a representative in the Booth, or available to come to the Booth immediately upon request. The

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b(171)

Booth shall be open during the Convention hours and also one hour before and after regular established Convention sessions where feasible.

Rule IX

Convention Committees

Regular committees of the Union, the Rules Committee and any other committee established to serve the Convention, shall be required to make themselves available between the hours of 2:00 p.m. and 6:00 p.m. on the two days preceding the Convention with the purpose of establishing a uniform schedule for those delegates wishing to appear before such committee.

All committees of the Convention shall notify delegates who appear before them as to the results of the committees' action upon any suggestion or request the delegate made of the committee. This shall be done as expeditiously as possible by the committee.

Rule X

Suspension of Rules

Any one or all of these rules may be temporarily suspended for any subject before the Convention by a majority of the delegates voting on the question.

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Amendments

These rules, upon adoption, may be amended in the following manner:

(a) Proposed amendments submitted to the Rules Committee prior to or during the Convention shall require action of a majority of the delegates voting on the proposition.

(b) Proposed amendments, not submitted to the Rules Committee, shall require three-fourths (3/4) vote of the delegates voting on the proposition.

(c) Amendments shall be effective immediately upon their adoption.

6(172)

INTERNAL APPEALS PROCEDURES

The purpose of these appeal procedures is to provide reasonable regulations for the consideration and review of complaints of members regarding actions of the Union or Local, or Union or Local Officers or governing bodies, which are alleged to be in violation of the Union Constitution, Local Bylaws, rights and privileges of members.

The appeal procedures set forth herein are in addition to those provided in the Union Constitution which govern (1) appeals from decisions of the Executive Board- Article VII, Section 1, Paragraph (b); (2) appeals from revocations of Local charters- Article XIII, Section 6; and (3) appeals from decisions of trial courts- Article XX, Section 4; and are also in addition to any other appeal procedures provided in Local Bylaws or rules.

The authority for these appeal procedures is set forth in the Union Constitution, Article IX, Section 7:

"The Executive Board of the Union shall establish reasonable appeal procedures within the structure of the Union to review complaints of members which allege violation of the Constitution, Local Bylaws or the rights and privileges of members."

Appeals from the decision of a Local

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with reference to the conduct and challenge of Local elections under Article XV, Section 4 of the Union Constitution shall be governed by Section 1 (C) of these appeal procedures.

I. Complaints against the Local, its officers or governing body.

A. The Complaint.

1. All complaints shall be:

(a) In writing;

(b) Signed by the complainant;

(c) Filed with the Secretary or Secretary-Treasurer of the Local of which the complainant is a member; however, if the complaint is about the action of such officer, then it shall be filed with the Local President; and

(d) Submitted within sixty (60) days of the time the complainant became aware of the alleged violation.

2. The complaint shall also:

(a) Contain an allegation of the facts on which the complaint is based, including applicable dates;

(b) Specify the nature of relief sought; and

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EXHIBIT 3

6(173)

(c) Shall state that it is filed in good faith

B. Consideration of the complaint.

1. The complaint shall be placed on the agenda of the next regular Local general membership meeting after the date the complaint is filed, provided, however, that where such a meeting is not scheduled, or otherwise will not be held, within thirty (30) days after the filing date or where Local membership meetings are held by areas, sections or units the complaint shall be placed on the agenda of the next regular meeting of the governing body of the Local. In the event the complaint is not considered by either the Local membership or the Local governing body within ninety (90) days, the complaint may be filed directly with the President of the Union within one hundred twenty (120) days from the date of original filing.

In the event the complainant demonstrates that there is a willful refusal by the Local officers, the Local membership or the Local governing body to consider the complaint, a copy of the complaint may be filed with the President of the Union by the complainant.

Complaints filed directly with the President may be referred by the President to the appropriate geographical

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Vice President for handling under the provisions of Section I (C)(2) of these Appeal Procedures or in the discretion of the President retained for handling under Section II(B)(1) and II(C)(1) of these Appeal Procedures.

2. Upon consideration of the complaint, either at a general membership meeting or meeting of the governing body, it shall be determined what action, if any, is to be taken with reference to the complaint, and the complainant shall be so notified in writing within five (5) days of the date of decision.

3. Regardless of which body considers the complaint, the decision reached shall be recognized as being the decision of the Local.

C. Appeal

1. The decision of the Local may be appealed in writing to the appropriate geographical Vice President within thirty (30) days following the date of the notice of the Local's decision.

2. The Vice President shall take whatever steps are deemed necessary to secure the facts of the matter complained about, which may include investigation and the obtaining of all records of the matter in possession of

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EXHIBIT 3

6(174)

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the Local, its officers or governing body

3. The Vice President shall review the complaint and within thirty (30) days affirm, reverse or modify the decision of the Local, or return the complaint to the Local with such direction or order as may be determined to be appropriate. He or she shall notify interested parties of his or her action.

4. The decision of the Vice President may be appealed in writing by the complainant or the Local to the President of the Union within thirty (30) days following the date of the notice of the Vice President's action.

5. The President shall take whatever steps are deemed necessary to secure the facts of the matter complained about, which may include an investigation and the obtaining of all records of the matter in the possession of the Vice President, the Local, its officers or governing body.

6. The President shall review the complaint and within thirty (30) days affirm, reverse or modify the decision of the Vice President, or return the complaint to the Vice President with such direction or order as may be determined to be appropriate. He or she shall notify interested parties of his or her action.

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7. The decision of the President may be appealed in writing by the complainant to the Vice President or the Local to the Executive Board of the Union within thirty (30) days following the date of notice of the President's decision. The appeal shall be filed with the Secretary or Treasurer of the Union.

8. The Executive Board shall review the complaint and affirm, reverse or modify the decision of the President.

9. The Executive Board shall base its decision upon the record of the matter including such statements as may be filed by the complainant, the Local, the Vice President or the President, and any other facts that may be developed.

10. There shall be no right to appear personally before the Union Executive Board, except at the invitation of the Executive Board.

11. Interested parties shall be notified in writing of the decision and action of the Executive Board.

12. The decision of the Executive Board may be appealed to the Convention in accordance with the provisions of Article VII, Section 1, Paragraph (b) of the Constitution.

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II. Complaints against the Union, its officers or Executive Board.

A. The Complaint.

1. All complaints shall be:
 - (a) In writing;
 - (b) Signed by the complainant;
 - (c) Filed with the President of the Union however, if the complaint is about the action of such officer, then it shall be filed with the Union Secretary-Treasurer and considered by the Executive Committee subject to appeal to the Executive Board and Convention; and
 - (d) Submitted within sixty (60) days of the time the complainant became aware of the alleged violation.
2. The complaint shall also:
 - (a) Contain an allegation of the facts on which the complaint is based, including applicable dates;
 - (b) Specify the nature of relief sought; and
 - (c) Shall state that it is filed in good faith.

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B. Consideration of the complaint.

1. The President shall determine what action, if any, is to be taken within thirty (30) days and notify interested parties.
2. In the event such complaint is against the President, the Executive Committee shall determine what action, if any, is to be taken within thirty (30) days and cause interested parties to be notified.

C. Appeal.

1. The decision of the President may be appealed to the Executive Committee of the Union in writing within thirty (30) days of the notice of the President's decision, and shall be filed with the Union Secretary-Treasurer.
2. The complaint shall be placed on the agenda of the next Executive Committee meeting after the date the appeal is filed.
3. The Executive Committee shall review the appeal and affirm, reverse or modify the decision of the President within thirty (30) days and cause interested parties to be notified.
4. The decision of the Executive Committee may be appealed in writing to

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6 (196)

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the Executive Board within thirty (30) days of notice of the Executive Committee decision, and shall be filed with the Union Secretary-Treasurer.

5. The complaint shall be placed on the agenda of the next Executive Board meeting after the date the appeal is filed.

6. Upon consideration of the appeal, the Executive Board shall determine what action, if any, is to be taken with reference to the complaint, and interested parties shall be so notified in writing.

7. There shall be no right to appear personally before the Union Executive Board, except at the invitation of the Executive Board.

8. The decision of the Executive Board may be appealed to the Convention in accordance with the provisions of Article VII, Section 1, Paragraph (b), of the Constitution.

Motion: Move that the appeal procedures as amended be adopted. Adopted: By the CWA Executive Board, October 20, 1978.

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CWA POLICY ON REBATES

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The CWA Policy on Rebates to Objectors is as follows:

1. Any member covered by a collective bargaining agreement containing a union shop provision, and any nonmember covered by a collective bargaining agreement containing an agency shop provision, shall have the right to object to the expenditure of dues or fees paid for political and ideological activities not reasonably related to collective bargaining, contract administration and grievance resolution. Objectors following the procedure set forth in this policy shall be entitled to a rebate of the portion of their dues or fees for the year of objection corresponding to the portion of the union's expenditures on rebatable activities during that year.

2. Objections must be in writing and must be received in the Secretary-Treasurer's office during the first three weeks of March each year. The Secretary-Treasurer will notify the financial officer of any Local involved in an objection.

3. An objection will be good only for the following year, from April 1 through March 31. During that year, the portion of the objector's dues or fees corresponding to an estimate of the portion of the Union's expenditures on rebatable activities will be

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EXHIBIT 3

6 (1977)

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kept in an escrow account with interest accruing.

4. Each year the Executive Committee of the Executive Board will determine the amount of the Union's expenditure on rebatable activities. Locals representing objectors shall submit a report to the Executive Committee on the portion of their expenditures on rebatable activities during the relevant period, April 1 through March 31 of the preceding year, with supporting documentation. This material shall be submitted to the Executive Committee by May 1. Based on the materials submitted to it and its independent investigation, the Executive Committee shall determine by July 1 the portion of each objector's dues that is to be rebated and shall remit that amount plus interest to the objector, along with an explanation of how that amount was determined.

5. Any objector disagreeing with the Executive Committee's determination shall have the right to appeal to the Executive Board by filing a written appeal within thirty days of the date of receipt of the determination. The appeal should be addressed to the President. The Executive Board shall consider and decide appeals from the determination of the Executive Committee at its first official meeting following the filing of such appeals.

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6. From the Executive Board, an objector has the right to appeal to an impartial Public Review Board established in accordance with Paragraph 7 below. The appeal must be filed within fifteen days of receipt of the Executive Board's decision and shall be made in writing to the President. The Public Review Board shall have the authority to review the Union's determination of what portion of the appealing objector's dues was rebatable. The Public Review Board shall also have the authority to adopt such procedures as will insure a full and fair hearing to all objectors. The Board's decisions shall be in writing and shall be issued within a reasonable time. Decisions of the Public Review Board are final.

7. The Public Review Board shall consist of three persons selected by the President with the approval of the Executive Board. With the exception of the first three members, selection shall be made from a list submitted by the current Public Review Board. Such persons shall not be otherwise associated with the Union and shall be of unquestionable ability and integrity.

The Public Review Board shall be funded by the Union in accordance with a budget submitted by the Public Review Board.

8. Notice of this rebate policy shall be published in CWA News together with an

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explanation of its procedural requirements. This notice and explanation will be published in the first issue after its adoption and thereafter in the first issue of *CWA News* for each year. In addition, this policy statement will be printed in the booklet containing the CWA Constitution.

9. All CWA Locals shall have the responsibility of determining for each year in which an objection is made what portion of their total expenditures were for political and ideological activities not reasonably related to collective bargaining, contract administration and grievance resolution.

10. Where the laws of any state require any additional right of protest or appeal, this policy shall be applied so as to comply with such laws. In particular, where state law requires a right of appeal to a state agency or board, the decision of the agency or board shall be final.

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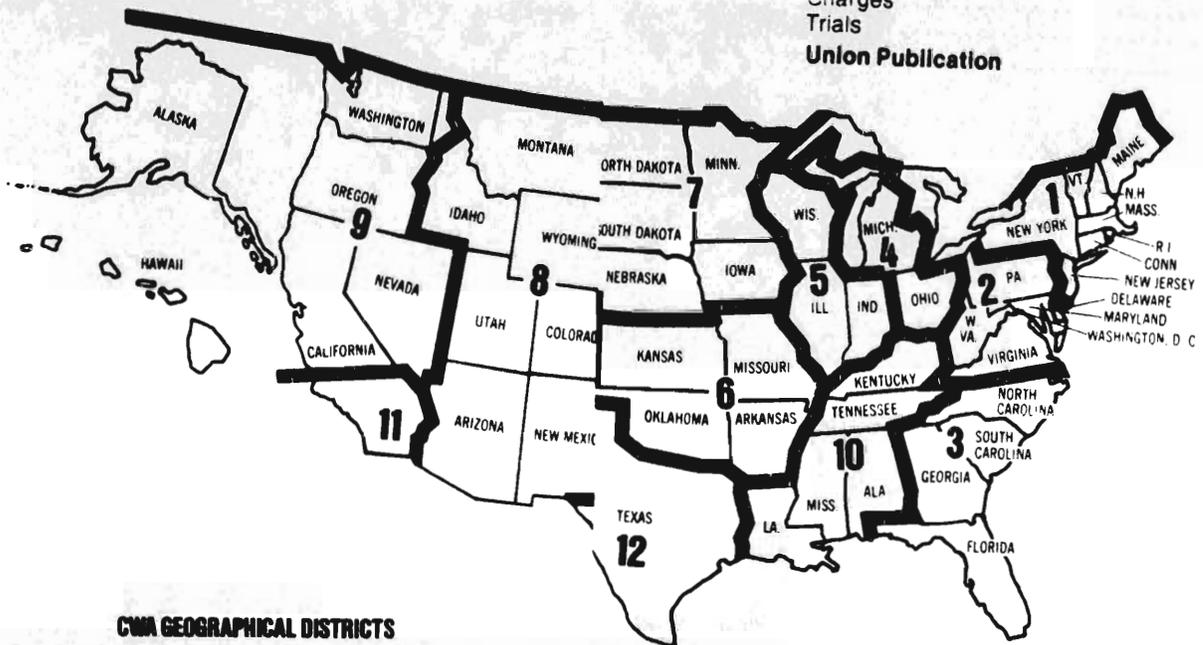
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CWA GEOGRAPHICAL DISTRICTS

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CWA
CONSTITUTION
.....
AS AMENDED AUGUST 1984
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PERMANENT RULES GOVERNING CONDUCT OF CWA CONVENTIONS
AND INTERNAL APPEALS PROCEDURES

EXHIBIT 4

6(183)

Preamble

We, the Communications Workers of America, believing that as an integral part of society we are entitled to an equitable share in the products of our labor and realizing that our welfare can best be protected and advanced through the united effort of all workers, do, through this Constitution, under God, seek to form a more perfect means of securing for ourselves and labor generally full enjoyment of the inherent rights and dignities which our institutions were ordained to preserve.

CONSTITUTION
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Article I

Name

This organization, hereinafter referred to as the Union, shall be known as the Communications Workers of America and shall be identified by the initials CWA.

Article II

Jurisdiction

The Union shall have jurisdiction of all communications work and of the persons engaged therein. The Union shall also include those workers who wish to become part of the Union regardless of their field of endeavor. There shall be no geographical limitation on the jurisdiction of the Union.

Article III

Objects

The objects of the Union shall be:

- (a) To unite the workers within its jurisdiction in a single cohesive labor union for purpose of collective effort;
- (b) To improve the conditions of the workers with respect to wages, hours, working conditions and other conditions of employment;
- (c) To disseminate information among workers respecting economic, social, political and other matters affecting their lives and welfare;

.....
(d) To advance the interests of the workers by advocating the enactment of laws beneficial to them and the defeat or repeal of laws detrimental to them;

(e) To do all things which may be necessary or proper to secure for the workers the enjoyment of their natural rights.

Article IV Organizational Structure

The structure of the organization shall consist of the following, all hereinafter described:

1. The Convention;
2. The Executive Board;
3. Districts;
4. Chartered Locals.

Article V Membership

Section 1—Eligibility

(a) All persons engaged in the communications field and other fields of endeavor, excepting those excluded by law, shall be eligible for membership in the Union.

(b) All persons who are officers of labor organizations representing workers within the jurisdiction of the Union shall be eligible for membership in the Union.

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(c) Members of the Union who are on leave of absence from their employment or who are employed on a full-time or part-time basis by the Union or a Local or who are or may be retired by reason of age or disability may continue to be active members.

(d) No person, otherwise eligible for membership, shall be denied membership in the Union because of sex, race, color, creed or nationality.

(e) No person, otherwise eligible for membership in this Union, shall be admitted membership if the person has been fine suspended or expelled by a Local in this Union, until the person has complied with the terms of such fine, suspension or expulsion.

Section 2—Applications

(a) Membership in the Union shall be obtained and maintained through membership in a chartered Local of the Union.

(b) Each application for membership shall be accompanied by the initiation fee established by the Local which shall not be less than two dollars (\$2.00) nor more than five dollars (\$5.00), without approval of the Executive Board.

(c) The Union's portion of an initiation fee shall be one dollar (\$1.00). Each Local

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pay the Union its portion of initiation fees in such manner as required by the Convention or the Executive Board.

(d) The Executive Board may waive the Union's portion of the initiation fee. A Local may waive its portion of the initiation fee with the approval of the Executive Board.

(e) In the event an application for membership is denied, the initiation fee shall be refunded to the applicant.

(f) Each Local shall establish a membership committee or membership committees which shall act upon applications for membership. Membership committees shall accept or reject such applications subject to the right of the Local to overrule the committee.

(g) A Local shall not establish qualifications for membership which contravene qualifications set forth in this Constitution.

Section 3—Transfers

(a) The Executive Board shall establish rules and procedures for the transfer of the membership of a member of the Union who changes employment from the jurisdiction of one Local to another.

(b) The transferred member shall not be

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required to pay an initiation fee if the transfer is initiated not later than thirty (30) days after the effective date of the change in employment.

(c) The member shall be granted such transfer of membership if the member is in good standing.

(d) All Locals shall be supplied with certificate of transfer forms by the Union.

(e) Members of a Local who are or may be retired by reasons of age or disability or who are, or who may be on leaves of absence, may elect to continue to be active members or to assume the status of associate members. In the event any such person elects to become an associate member, the person shall lose voting privileges but shall not be required to pay dues.

Section 4—Termination

(a) Membership in the Union shall be terminated when any member shall accept a position which would render the person ineligible for membership, except that a member who temporarily assumes such a position may retain membership for a period not to exceed thirty (30) days, provided during such period such member shall not hold any office within the Union.

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(b) Membership may be terminated by expulsion as provided in this Constitution.

(c) A withdrawal card shall be issued by the Local upon application of a member in good standing leaving the jurisdiction of the Union. Should the holder of a withdrawal card later return to the jurisdiction of the Union, that person shall not be required to pay an initiation fee if such card is presented to the Secretary of the Local having jurisdiction of the member within thirty (30) days of that person returning to the Union's jurisdiction. Failure to present the card within the time limit specified herein shall void the rights and privileges granted by such withdrawal card.

(d) Membership in the Union shall be terminated following receipt of a member's written request sent by certified or registered mail to the Local of the Union in which the membership is maintained.

Section 5 - Retired Members Clubs

All associate members of the Union who are or may be retired by reasons of age or disability shall be members of the Retired Members Clubs, with such rights and prerogatives as may be granted by the Convention or Executive Board. Such members may attend the Convention, will be issued appropriate credentials, be seated in space reserved for such members and may have a member address

Article VI

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the Convention for a predetermined period considered appropriate by the Convention.

Dues, Fines and Assessments:

Section 1 - Membership Dues

(a) Each member of the Union shall pay membership dues established by their Local. Membership dues shall be collected in the manner as determined by the Convention or the Executive Board.

(b) Locals shall establish membership dues.

(c) The Convention may establish minimum membership dues.

Section 2 - Per Capita Dues to Union

(a) The Convention shall establish per capita dues to the Union. Locals shall be required to pay the per capita dues to the Union at the time and in the manner set forth by the Convention or the Executive Board.

Section 3 - Local Special Assessments

(a) Locals may levy a special assessment in cases of emergency or when income dues and initiation fees is inadequate to finance necessary expense of the Local.

(b) Before a Local may levy a special assessment it shall

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(1) Give the reason for the assessment to the members subject thereto;

(2) Obtain approval by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot.

Section 4—Union Special Assessments

(a) A special assessment may be levied by the Convention. A special assessment may be initiated by the Executive Board, and submitted to referendum in accordance with Article XXII.

(b) The sums collected by assessments under this Section shall be used only for the purposes of the assessments, except that any unexpended surplus of such assessment shall be allocated to the contingency fund of the Union and may be re-allocated by the Convention.

(c) A complete record of all monies collected by assessments under this Section shall be kept by the Secretary-Treasurer of the Union, and shall be available for inspection by duly authorized representatives of any Local.

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Section 5—Non-Payment of Dues

A member in default, without good cause, in the payment of any installment of dues for sixty (60) days from the date such amount becomes due, shall be automatically suspended from the rights of membership and, if the default continues without good cause for an additional thirty (30) days, after notice in writing by the Local Secretary, shall be automatically expelled from the Union. "Good Cause" shall be that which the governing body of the Local determines to be good cause.

Article VII Governing Authority

Section 1

The affairs of the Union shall be governed by its membership in the following manner:

a) By the Convention as the highest governing authority of the Union, subject to the right of referendum of the membership

b) By the Executive Board exercising the authority of the Convention between Conventions, in accordance with the Constitution and the mandates of the Convention subject to the right of appeal to the Convention, the referendum and the recall. Except as provided in Article XIII, Section 6 the decisions of the Executive Board

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must be complied with before the right to appeal can be exercised and such decisions shall remain in effect until reversed or modified;

(c) By the President as the principal executive officer of the Union, who shall have the authority to carry out the policies of the Union in accordance with the Constitution and the mandates of the Convention and the Executive Board, subject to the right of appeal to the Convention, the referendum and the recall;

(d) By the Locals of the Union conducting their affairs in accordance with this Constitution and Local Bylaws and Rules which they may adopt so long as they do not contravene any provision of this Constitution.

Article VIII Conventions

Section 1—Annual Conventions

The Union shall meet in Annual Convention at a place selected by the Executive Board or the Secretary-Treasurer when authorized by the Executive Board to do so.

Section 2—Special Conventions

(a) Special Conventions may be called by the Executive Board and shall be called

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upon the request of twenty per cent of the Locals representing two percent (20%) of the membership of the

(b) The date and place of Special Conventions shall be specified on the

(c) Action of a Special Convention shall be confined to the matters for which it was called

Section 3—Convention Call

(a) Annual Convention

The Secretary-Treasurer shall notify in writing all Locals of the date and place of the Annual Convention not less than ninety (90) days in advance of the opening date of the Convention.

(b) Special Conventions

The Secretary-Treasurer shall issue a call for a Special Convention within twenty (20) days following the request or direction for a Special Convention. The call shall issue a call for a Special Convention to be held not later than thirty (30) days after the date of the call.

Section 4—Composition of

(a) Subject to the provisions of this Article, the Convention shall be called

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prised of the incumbent officers and Executive Board members of the Union and of delegates elected by the Locals in accordance with their respective Bylaws or Rules. Each Local shall be entitled to:

(1) One delegate if the Local has less than two hundred (200) members in good standing;

(2) Two delegates if the Local has two hundred (200) or more but less than four hundred (400) members in good standing;

(3) Three delegates if the Local has four hundred (400) but less than six hundred (600) members in good standing;

(4) One additional delegate for each four hundred (400) members or major fraction thereof above six hundred (600) members.

(b) Locals shall elect their delegates in accordance with paragraph (a) on the basis of the average number of members on which dues were paid or collected by the National for the twelve (12) months ending the fifth month preceding that in which the Convention begins its session. Locals chartered less than twelve (12) months preceding the fifth month shall each be averaged according to the number of months chartered. Locals chartered after the fifth month preceding the Convention shall be allowed to elect delegates in

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accordance with this Section or of members in the Local at the chartered; provided, however, delegate representation because of membership from one Local to shall not be allowed

(c) Each Local may elect an alternate delegate for each delegate elected shall attend the Convention in the delegate is unable to attend

(d) Each Local shall determine the number of its delegates. A Local delegate shall not exceed the maximum number of delegates as provided in Paragraph (a) of this Section. Each Local shall assign the number of votes to which it is entitled equal to the number of its delegates. The number of votes may be left over after such equal division shall be assigned to the Chair of the Convention of the Local.

Section 5—Method of Voting

(a) A Local delegate shall have one vote in the Convention. District Meeting, District Meeting, or a meeting of a bargaining unit, except a roll call vote

(b) A roll call vote of the Convention, District Meeting, or a meeting of a bargaining unit may be had upon the request of twenty percent (20%) of the delegates

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(c) Voting by roll call shall be by per capita vote with each delegate casting the number of votes assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention. On roll call votes, a delegate shall cast one vote for each member in good standing as assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention.

Section 6—Certification of Delegates

Each Local shall certify to the Secretary-Treasurer of the Union, not less than five (5) days prior to the opening of an Annual or Special Convention, on credential forms provided by the Union, the names, addresses and voting strength of its delegates and alternates, if any, and the name of the Chair of its delegation.

Section 7—Powers of Convention

The Convention shall have the power to:

- (a) Pass upon the credentials and seating of delegates;
- (b) Establish the policies to be followed by the Union;
- (c) Interpret and amend this Constitution;

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(d) Establish the number of Locals and Districts, and determine their jurisdiction and boundaries;

(e) Cause the issuance and revocation of Local Charters subject to the provisions of Article XIII, Section 5;

(f) Determine the number of Executive Vice Presidents;

(g) Cause the selection of delegates to AFL-CIO Conventions;

(h) Do all things necessary for the proper disposition of any matter which may come before it for consideration.

Section 8—Order of Business

The Order of Business at a Convention shall be as follows:

1. Call to Order;
2. Report on Credentials;
3. Reading of Convention Rules;
4. Reports of Officers and Executive Board of the Union;
5. Report of Committees;
6. Unfinished Business;
7. Nomination and Election of Officers;
8. Installation of Officers;
9. New Business;
10. Adjournment.

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The order of business may be suspended by a two-thirds (2/3) vote of the delegates present.

Section 9—Committees of Convention

The Executive Board shall have the authority to appoint those committees which are not required by this Constitution or the Convention to be elected; and which may be necessary to promote and achieve the objectives of the Convention and the Union.

Section 10—Expenses of Convention

The Union shall pay the normal and usual expenses incident to the meetings of the Convention together with the expenses of the Executive Board and of those other members or agents whose attendance at the Convention may be required by the Executive Board. The Locals shall pay the expenses of their respective delegates.

Section 11—Attendance. Individual Members

Any member of the Union in good standing may attend the general meetings of the Convention as an observer.

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Section 12—Officers at Conventions

Officers of the Union and Executive Board members shall not be selected as delegates to the Convention. They shall have the privilege of speaking on the Convention floor but shall not have the right to vote.

Section 13—Convention Rules and Procedures

The Convention shall be governed by the CWA Constitution. Rules adopted by the 10th Annual Convention, and amendments to the Rules which may be adopted by future conventions. In situations where neither the CWA Constitution nor Rules adopted by the Convention are applicable, the Convention shall be governed by Robert's Rules of Order.

Article IX

Executive Board

Section 1

The Executive Board of the Union shall consist of the following:

- (a) The President;
- (b) The Executive Vice Presidents;
- (c) The Secretary-Treasurer;
- (d) The Vice Presidents (District Vice President AT&T Communications and Vice President AT&T Technologies)

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Section 2

(a) Except in the case of the President, if a vacancy should occur among the members of the Executive Board, the Executive Board shall designate a successor, having the same constitutional qualifications as the member whose place the person takes and that person shall serve until the next regular Convention, at which time a successor shall be elected for the balance of the unexpired term, if any.

(b) If the office of President becomes vacant, the Executive Board shall designate a successor from among the Executive Committee, who shall serve until the next regular Convention at which a successor shall be elected for the balance of the unexpired term, if any.

(c) The President shall vote in Executive Board Meetings only in the event of a tie vote.

Section 3

The Executive Board shall meet not less than two (2) times a year. In the event the President shall refuse to call a meeting of the Executive Board when requested to do so by one-third (1/3) of its members, the Secretary-Treasurer of the Union shall call such a meeting.

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Section 4

The Executive Board shall have the authority to:

(a) Issue Local Charters;

(b) Remove any officer of a Local only clear proof of fraud or dishonesty after sworn charges have been made and a fair trial and opportunity for appeal as provided in this Constitution;

(c) Terminate the service of full-time representatives other than elected representatives of the Union. Such persons dismissed shall have the right to be heard by the Executive Board and a final appeal to Convention;

(d) Have an independent audit made of books of the Secretary-Treasurer of the Union not less than once each year and publish to the membership the results of such audit;

(e) Cause an inspection to be made of financial records of any Local and order an independent audit of the books of a Local when convinced that such audit is necessary and proper to protect the membership of the particular Local and in the interest of the Union and to publish to members affected the results of such audit; the cost of such audit to be born by the Union;

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(f) Establish and maintain organizing, publicity, educational and research departments and to establish and maintain such other departments as the Convention may authorize to promote the purposes of the Union;

(g) Approve the employment of personnel not elected which may be necessary to carry out the objects and to effectuate the policies of the Union and to fix the compensation of such personnel within the limitations of the budget approved by the Convention;

(h) Approve strikes called by a Local or Locals and render financial and other assistance in connection therewith as hereinafter more fully set forth;

(i) Call for strikes in the manner specified in this Constitution;

(j) Call a meeting of any Local or its governing board, in which meeting the Executive Board or its representatives may participate when the Local has been requested to call such a meeting and has refused or failed to do so. The Executive Board may take this action only under one or more of the following conditions:

- (1) When so directed by the Convention;
- (2) When the Executive Board has re-

ceived written charges that the Officers of a Local are withholding from their members information necessary for the effectuation of current policy or the achieving of important objectives of the Union;

(3) When a Local is pursuing a course of action which, if continued, would warrant its expulsion or the appointment of a temporary administrator as provided in Article XIII.

(k) The Executive Board shall interpret this Constitution, except as it may have been interpreted by the Convention, subject to referendum;

(l) The Executive Board may order the repeal of any Bylaw or Rule of a Local inconsistent with this Constitution. The affected Local may appeal to the Convention. However, the order of the Executive Board shall be effective pending such appeal

Section 5

The Executive Board shall have authority to establish and dissolve organizing committees upon such terms and conditions as may be deemed for the best interest of the Union. Such organizing committees may be granted all of the rights and privileges of Locals under this Constitution.

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No organizing committee shall be granted jurisdiction which conflicts with that of any chartered Local of the Union.

Section 6

The Executive Board shall have authority to provide for the affiliation of any labor organization with such rights and privileges and under such terms and conditions as may be acceptable to the Executive Board, subject to the right of appeal to the Convention. The rights, privileges, terms and conditions of affiliation shall not be required to be uniform for such affiliated labor organizations.

Section 7—Appeal Procedure

The Executive Board of the Union shall establish reasonable appeal procedures within the structure of the Union to review complaints of members which allege violation of the Constitution, Local Bylaws or the rights and privileges of members.

Article X

Executive Committee

There shall be an Executive Committee of the Union consisting of the President, the Executive Vice Presidents and the Secretary-Treasurer who shall have such

Article XI

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administrative powers, duties and authorities as may be assigned by the Convention or the Executive Board.

Districts

Section 1

The Districts established under this Constitution shall be administrative units of the Union.

Section 2

(a) Delegates representing the Locals within each District shall meet at least once every three years in conjunction with the Union Convention for the purpose of electing a Vice President.

(b) Representatives of Locals within each District shall meet at least twice in each calendar year at the call of the Vice President. One of these meetings shall be in conjunction with the Convention

(c) In addition, the Vice President shall call meetings of representatives of the Locals in particular states or other appropriate geographical areas within the District not less than twice in each calendar year.

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Section 3

District, State and Area meetings shall be conducted by the respective Vice Presidents or their authorized representatives. Attendance of Locals at such meetings shall be required.

Section 4

Representation at District meetings held in conjunction with Conventions shall be determined in accordance with the credentials approved by the Convention. Voting strength of representatives to other District, State and Area meetings shall be determined in accordance with the credentials approved by the most recent Convention.

Section 5

No Local shall have representation in more than one District. A Local whose jurisdiction crosses District lines shall be assigned to the District in which it maintains its Local headquarters.

Section 6

Expenses incidental to District, State and Area meetings shall be borne by the Union. Expenses of Local delegates to District.

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State or Area meetings shall be borne by the Locals.

Section 7

District, State and Area meetings shall review total Union programs established by the Convention or Executive Board, discuss matters of common interest and concern, and shall have the authority to initiate and approve programs and policies not in conflict with the programs and policies established by higher policy making levels within the Union, for implementation only within that District, State or Area. Dues and assessments, however, may be established and levied only by the Convention and Locals as provided in Article VI of this Constitution.

Article XII Officers and Their Duties

Section 1—The President

(a) The President, as the principal executive officer of the Union, shall have full authority to execute the policies of the Union as established under this Constitution. Should the President find that the policy of the Union has not been clearly formulated, the President shall poll the members of the Executive Board and the affirmative opinion of a majority of the

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Board shall have the force and effect of a decision reached in a meeting of the Executive Board and the results of the poll shall be entered in the minutes of the next meeting of the Board.

(b) The President shall preside over the Convention and meetings of the Executive Board and Executive Committee of the Union.

(c) The President shall call regular and special meetings of the Executive Board as required by the Constitution.

(d) The President shall be the official spokesperson for the Union in all its external relations and may authorize counsel or other agents of the Union to speak for the Union in the President's place and stead.

(e) The President shall recommend to the Executive Board the employment of such personnel as may be required in the President's opinion to effectuate the programs of the Union.

(f) The President shall hold no other office in the Union and shall not be engaged in any other employment. The President shall receive the annual salary established for the office by the Convention, payable in twelve (12) equal monthly installments.

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Section 2—The Executive Vice Presidents

(a) The Executive Vice Presidents shall act under the direction of the President and shall perform such duties as may be assigned by the President or the Executive Board.

(b) The Executive Vice Presidents shall hold no other office in the Union and they shall not be engaged in any other employment. They shall receive the annual salary established for the office by the Convention payable in twelve (12) equal monthly installments.

Section 3—The Secretary-Treasurer

The Secretary-Treasurer shall act under the direction of the President and the Executive Board and shall:

(a) Attend all meetings of the Convention, the Executive Board and the Executive Committee and shall cause a faithful record to be made of the proceedings;

(b) Keep all contracts, books, records, monies, securities and all other property of the Union not otherwise given by this Constitution to someone else;

(c) Have the custody of the Union Seal and cause it to be impressed upon such docu-

ments as the Executive Board of the Union shall direct;

(d) Supervise the maintenance of such membership lists as may be required by the National and shall cause the collection of per capita dues, initiation fees, assessments and all other monies due to the Union;

(e) Cause the President of a Local to be notified whenever such Local becomes delinquent for a period of thirty (30) days in the payment of any financial obligation to the Union;

(f) Cause the funds belonging to the Union to be deposited in a bank or banks approved by the Executive Board of the Union;

(g) Cause the payment of proper bills and expenses of the Union, when evidenced by satisfactory statements or vouchers, by checks countersigned by the President or by such other persons who may be thereunto authorized by the Executive Board of the Union;

(h) Invest the funds of the Union as instructed by the Convention or by the Executive Board in the absence of such instructions by the Convention;

(i) Prepare, publish and distribute to the Executive Board a monthly financial statement which shall list the total assets, liabil-

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ities, receipts and disbursements of the Union;

(j) Make loans to Locals when authorized by the Executive Board of the Union and when secured by promissory note or other evidence of obligation therefore drawn and signed by the Officers of the borrowing Local;

(k) Cooperate with the auditor in the annual audit of the Secretary-Treasurer's books and such other audits as may be directed by the Executive Board;

(l) Give bond in an amount to be determined by the Executive Board for the faithful performance of the trust in the Secretary-Treasurer reposed, the cost thereof to be borne by the Union;

(m) Turn over all funds, books, records and all other documents and property of the Union in the Secretary-Treasurer's custody to the Secretary-Treasurer's successor in office;

(n) Perform all duties imposed upon the Secretary-Treasurer by this Constitution and such other duties as shall from time-to-time be assigned to the Secretary-Treasurer by the Convention, the President or the Executive Board;

(o) The Secretary-Treasurer shall hold no other office in the Union and shall not be

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engaged in any other employment. The Secretary-Treasurer shall receive the annual salary established by the Convention for the office, payable in twelve (12) equal monthly installments.

Section 4 – Vice Presidents – District, AT&T Communications and AT&T Technologies

Within the District of each District Vice President, and within the areas of responsibility of the Vice President AT&T Communications and the Vice President AT&T Technologies, the Vice President shall:

- (a) Act under the direction of the President and perform such duties as may be assigned by the President or the Executive Board.
- (b) Recommend to the President the employment of such personnel as may be required.
- (c) Recommend to the President that service of such personnel as may be assigned to the Vice President be terminated for cause.
- (d) Appoint members of bargaining committees in bargaining units to fill vacancies that may occur and that are not otherwise filled and to appoint bargaining committees for bargaining units who have failed to select bargaining committees under the provisions of this Constitution;

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(e) Supervise full-time and part-time personnel as may be assigned to the Vice President and employ and terminate the employment of clerical forces subject to the limitations of the budget;

(f) Supervise the negotiations of contracts and approve or authorize the approval of such contracts in accordance with Executive Board direction;

(g) Designate when necessary one or more Union representatives to assist in the negotiation of each contract negotiated;

(h) Designate where necessary one or more Union representatives to process grievances above the Local level;

(i) Preside at meetings;

(j) Hold no other office in the Union and shall not be engaged in any other employment. The Vice President shall receive the annual salary established for the office of the Vice President by the Convention, payable in twelve (12) equal monthly installments.

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Article XIII Locals

Section 1—Charter

- (a) A Local shall be a unit of the Union and shall be chartered by the Executive Board.
- (b) Locals shall be identified by number.
- (c) Local jurisdiction shall be assigned and described at the time Charters are issued.
- (d) No Local Charter shall be issued which grants jurisdiction in conflict with that of another Local except as herein provided.

Section 2—Applications

Application for Charter or change of jurisdiction shall be in writing upon forms provided by the Secretary-Treasurer of the Union and shall be signed by at least five individuals who are eligible for membership in the Local.

Section 3—Jurisdiction Changes

- (a) The Convention or the Executive Board by an affirmative vote of three-fourths (3/4) may change the jurisdiction of any Local.
- (b) Locals may combine or waive jurisdiction by an affirmative vote of a majority of those voting by referendum in each Local affected.

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Section 4—Causes for Revocation or Suspension of Charter

The Charter of a Local may be revoked or suspended by the Executive Board for:

- (a) Failure to meet any financial obligation to the Union within sixty (60) days after it is due;
- (b) Refusing or neglecting to install a successor to any Officer removed by the Union;
- (c) Refusing or neglecting to make returns and reports required by the Union;
- (d) Refusing or neglecting to bring a member to trial within thirty (30) days after being directed to do so by the Union;
- (e) Resorting to a civil suit or criminal action against the Union or any Officer thereof before exhausting remedies within the Union organization;
- (f) Refusing or neglecting to conform to or abide by any directions or decisions of the Convention, Executive Board or referendum vote of the membership;
- (g) Refusing or neglecting to conform to this Constitution or the policies of the Union as set forth by the Convention.

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Section 5—Procedure for Revocation

The Charter of any Local shall not be revoked until the Local has been given proper notice of the charges against it and an opportunity to be heard in its defense. It may be represented by counsel. The Local shall be given at least ten (10) days to prepare its defense after receiving notice from the Secretary-Treasurer of the Union of any charges. The hearing will be conducted before a member or members of the Executive Board of the Union who shall be required to make a report and recommendations thereon to the Executive Board. A vote of at least two-thirds (2/3) of the Executive Board of the Union shall be required for a finding of suspension or revocation of a Charter or any other penalty that may be imposed. In the event penalties other than suspension or revocation are imposed, such findings shall state that if the Local fails to comply with the finding or to appeal within the allotted time, its Charter will be automatically revoked. The findings shall be published to all Locals.

Section 6—Appeal of Revocation

(a) A Local may appeal the findings of the Executive Board to the next Convention by giving written notice to the Secretary-Treasurer of the Union within thirty (30)

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days after the publication of the findings of the Executive Board of the Union. No findings shall become effective pending the disposition of the appeal.

(b) A two-thirds (2/3) vote of the Convention shall be required to sustain the finding of the Executive Board in the event such finding is appealed.

Section 7—Temporary Administration

(a) Should there be a final decision revoking the Charter of a Local, the Executive Board of the Union may temporarily take control of its affairs through a temporary administrator, who shall take such action subject to the direction of the Executive Board of the Union, as may be necessary to guarantee the continuance of the Union and protect its interests.

(b) The Executive Board may appoint a temporary administrator to temporarily conduct the affairs of a Local after receiving a request from the Officers or members of a Local for such action.

In the event the Local or its Officers shall object to the appointment of a temporary administrator, the President shall give notice in writing to the Local of the reasons which were the basis for the appointment of the temporary administrator; shall appoint a member of the Exec

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and conducted in accordance with this Constitution;

- (h) To provide for the bonding of Local Officers and other persons who handle Union funds and property;
- (i) To hold Local meetings at such time, place and frequency as the members may decide by vote;
- (j) To hold Local elections by secret ballot with provision of reasonable opportunity for all members to vote in accordance with the Bylaws or Rules established by the Local and this Constitution;
- (k) To elect by secret ballot delegates and alternate delegates to the Union Convention as provided in this Constitution and to designate the Chair of such delegation;
- (l) To establish a quorum and other rules of conduct of Local meetings;
- (m) To maintain adequate files and records and have made an annual audit of the financial records of the Local by competent persons; make available Local financial statements to the membership at least annually; furnish to the Union's Secretary-Treasurer in acceptable form, an annual financial statement;
- (n) To furnish the Vice President and Secretary-Treasurer of the Union with

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copies of Bylaws and Rules of the Local and copies of revisions as they may be made;

- (o) To require participation of all Local officers and stewards in appropriate training schools and programs;
- (p) To establish a program designed to keep rank and file members informed of Union activities;
- (q) To process grievances through the step below the top level of the grievance procedure preceding arbitration, where applicable;
- (r) To represent the members of the Local at all District, State or Area Meetings, and at quarterly meetings of Local Representatives with their National Staff, at such times and places as may be set by the Vice President, or the Vice President's accredited representative;
- (s) To maintain an active internal membership development program;
- (t) To do all other things necessary for the proper disposition of matters which may come before the Local for consideration.

Section 9—Contract Responsibility

No Local shall be authorized to make contracts or incur liabilities for the Union.

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Section 10—Assets

All assets of a Local shall be considered a trust fund of the Union to be held and administered by the Local for the members of the Union belonging to the Local so long as the Local remains a chartered Local of the Union. If the Charter of a Local is revoked, its assets will become the property of the Local succeeding to the jurisdiction. If there is no succeeding Local, the assets shall become the property of the Union.

Section 11—Prohibition Against Incorporation

No Local shall be or become incorporated under the laws of any state, territory or country, unless otherwise required by law.

Article XIV Councils

Section 1—State and City Councils

(a) State Councils may be established under the direction of Vice President(s) in all States where the Union has a significant presence as determined by the Executive Board.

(b) In cities where there is more than one chartered Local, Councils may be established under the direction of the Vice President of the geographical District.

Section 2

Each Council shall consist of representatives of Locals within the State or areas of the respective Council.

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Section 3

Councils shall operate under rules they may adopt which are approved by the Vice President(s).

Section 4

Councils shall be financed by participating Locals.

Article XV Elections

Section 1—Union Officers

The President, Executive Vice Presidents and Secretary-Treasurer of the Union shall be elected separately by secret ballot of the delegates to the Convention following nominations made from the floor of the Convention. Beginning with the elections held in 1971, the term of office shall be three years or until their successors have been duly elected and qualified, except for the term of office of any Executive Vice President added by the Convention during a nonelection year, such term of office shall expire at the same time as the terms of office of the other officers.

Section 2—Vice Presidents

(a) District Vice Presidents shall be elected by a secret ballot, after nominations from the floor, at a meeting of the delegates from the District. The Vice President AT&T Communications and the Vice President AT&T Technologies shall be elected by secret ballot, after nominations

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from the floor, at meetings of delegates representing members of AT&T Communications and AT&T Technologies bargaining units, respectively.

(b) The term of office of Vice President shall be three years or until their successors have been duly elected or qualified, except that the initial term of office of the Vice President AT&T Communications and the Vice President AT&T Technologies shall be from their election in August 1984 until the 1986 Annual Convention elections.

(c) In the event a vacancy occurs in the Office of Vice President for any reason, an election shall be held at the next regular Convention for the purpose of electing a Vice President to fill the unexpired term.

Section 3 - Local Officers

(a) Local Officers shall be nominated and elected during the months of September, October, November and December.

(b) Officers of a Local shall be at least a President, Vice President, and Secretary-Treasurer or Secretary and Treasurer.

(c) Beginning with the elections held in 1972, the term of office for Local Officers shall be three years or until their successors have been duly elected and qualified.

(d) In case of vacancy in the office of Local

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President, the Local Vice President shall immediately assume all responsibilities of that office; provided, however, that where a Local has more than one Vice President the Local Bylaws or Rules shall provide the procedure for designating one of the Vice Presidents to immediately assume the responsibilities of the Office of President. Vacancies in other Local offices shall be filled either by appointment of the governing body of the Local, subject to approval of the appointment by the Local membership within sixty (60) days or by election in the same manner as that required for regular elections and within sixty (60) days. A Local may provide in its Bylaws or Rules for the appointment of a member to fill temporarily a vacancy until the office is filled by election. A Local may also provide in its Bylaws or Rules for filling a vacancy in the Office of President by election, and in such case, the Local Vice President, as provided above, shall assume all responsibilities of the Office of Local President until a successor Local President has been elected and qualified.

Section 4 - General Provisions

(a) Locals shall adopt Bylaws or Rules to govern the nomination and election of officers, members of a governing body, delegates and alternate delegates; the

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appointment, selection or election of stewards and committee members; and the filling of vacancies. Locals shall select an election committee which shall conduct all elections and referenda in accordance with the Constitution, Local ByLaws or Rules, and Federal Law. All questions concerning the conduct and challenge of elections shall be determined by the election committee subject to the right of appeal to the governing body and membership of the Local. The election committee shall tally the ballots in all elections and notify the membership of its tentative certification of the results. Absent a challenge to the election, the tentative certification shall become final ten days thereafter.

(b) Any challenge to the conduct of an election must be filed in writing with the election committee within 10 days of the tentative certification of the results. The election committee shall rule on any such challenges and shall within 20 days of the tentative certification of the results make a final determination or certification. Such determination or certification shall be subject to the right of appeal to the governing body and to the membership of the Local. Any appellant must exhaust the remedies available within this section. If the appellant has attempted to exhaust such remedies without obtaining a final decision within 60

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days of the tentative certification of the results, the appellant shall have the right to file an appeal in writing with the appropriate geographical Vice President. Such an appeal shall be filed within 70 days of the tentative certification of the results.

(c) While a challenge to an election is pending, the officers certified by the election committee in its final determination shall be the elected officers of the Local. Those officers shall remain in office unless the election committee's determination is reversed by the Executive Board of the Union or a new determination is made pursuant to the results of a properly ordered rerun election.

(d) Only members of the Union in good standing shall be eligible to vote or hold elective office. No elected officer of the Union or of a Local shall take office unless the elected officer is eligible under the Constitution and Federal Law. No member shall be eligible for candidacy for any elected office in the Union or any Local, the term of which commences after the seventieth birthday of such member, provided any member who reaches their seventieth birthday during a term of office to which the member has been elected should complete that term, but shall not be eligible for reelection to any subsequent term.

(e) The election by Locals of officers, members of a governing body, and dele-

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gates and alternate delegates to the Union Convention shall be by secret ballot among the members in good standing. The nominee in any election receiving a majority of the votes cast shall be declared elected; provided, however, that Locals may provide in their Bylaws or Rules for the election of candidates by a plurality of the votes cast in any election, other than an election of Local President, Vice President, Secretary Treasurer and Secretary-Treasurer.

(f) In the case of elections requiring a majority vote, if no one nominee receives a majority on the first ballot, a run-off election shall be conducted and the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot. If no one nominee receives a majority on the first ballot and there is a tie for second place, a run-off election shall be conducted and the person receiving the greatest number of votes on the first ballot and the two persons who tied for second place shall be the nominees on the second ballot.

(g) In the case of elections requiring a plurality vote, if a tie renders the election indecisive for any position, a run-off election shall be conducted and the nominees who tied for such position on the first ballot shall be the nominees on the second ballot.

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Section 5—Order of Nomination and Election of Officers of the Union

The sequence of nomination and election of Union Officers shall be as follows:

- (a) President;
- (b) Executive Vice Presidents;
- (c) Secretary-Treasurer;
- (d) Vice Presidents.

Article XVI Committees

Section 1—Regular Committees

The Regular Committees of the Union shall be:

- (a) Constitution Committee;
- (b) Credentials Committee;
- (c) Resolutions Committee;
- (d) Legislative-Political Committee;
- (e) Building Committee;
- (f) Finance Committee.

Section 2—Constitution Committee

The Constitution Committee shall be appointed by the President and approved by the Executive Board. It shall consist of five members and be charged with the duty of considering and reporting to the Convention and to the Executive Board on proposals to change this Constitution.

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Section 3—Credentials Committee

The Credentials Committee shall consist of not less than seven members appointed by the President and approved by the Executive Board. It shall meet prior to the opening date of each Convention for the purpose of examining the credentials of delegates and reporting thereon to the Convention. Action taken by the Convention on reports and recommendations of the Credentials Committee shall be final and conclusive.

Section 4—Resolutions Committee

The Resolutions Committee shall consist of not more than seven members, none of whom shall be full-time employees of the Union or members of the Executive Board, appointed by the President and approved by the Executive Board. It shall meet prior to the opening date of the Convention for the purpose of giving consideration to the form and substance of proposed resolutions submitted through the Locals and by members for action by the Convention. The Committee may also originate resolutions for submission to the Convention. The Committee shall serve throughout the Convention.

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Section 5—Legislative-Political Committee

The Legislative-Political Committee shall consist of such members as may be appointed by the President and approved by the Executive Board. It shall execute such assignments with regard to legislation as the Executive Board or the Convention may direct.

Section 6—Building Committee

The Building Committee shall be appointed by the President and confirmed by the Executive Board. It shall be composed of five members. The Building Committee shall manage and control, under the direction of the Executive Board and subject to the functions of the Secretary-Treasurer with respect to the making of disbursements connected therewith, any and all real estate which the Union may acquire for use as National or District headquarters or for the furtherance of any legitimate object of the Union. The members of the Building Committee for the time being, shall serve as trustees for the Union, under the direction of its Executive Board, for the purpose of acquiring and holding title to, managing, controlling, borrowing money upon, pledging by way of mortgage or deed of trust any loan secured thereon, leasing, letting, subletting and conveying in fee simple or in any

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lesser estate any and all real estate which may be acquired or otherwise dealt with for or on behalf of the Union. The foregoing powers shall be exercised only at such times and in such manners as the Executive Board may, from time to time, direct by resolution passed by the Executive Board.

The Executive Board shall have the full and irrevocable power to appoint a substitute trustee or trustees to be exercised at any time, from time to time, without notice and without specifying any reason therefor, the trustee or trustees so appointed to become fully vested with identically the same title and estate in and to the land, premises and property forming the subject matter of the trust, with all the rights, powers, trusts and duties of the trustee or trustees or their predecessor in the trust, with like effect as if originally named as one of the trustees.

Section 7—Finance Committee

The Finance Committee shall consist of five members, the Secretary-Treasurer of the Union and four members appointed by the President and approved by the Executive Board. The Secretary-Treasurer shall be the only member of this Committee who is a full-time employee of the Union or a member of the Executive Board and the Secretary-Treasurer shall not serve as

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Chair of the Committee.

The Committee shall meet prior to the assembling of the regular Convention at the call of its Chair and review the financial operations of the Union for the year preceding the regular Convention including the audits of the books of the Secretary-Treasurer.

The Committee shall make a report of its findings to the Convention and make recommendations to the Convention including a budget for the succeeding year's operations.

Section 8—Other Committees

The Convention, or the President with the approval of the Executive Board, may appoint such other committees as may from time to time be necessary.

Section 9—Vacancies on Committees

Except as otherwise required by this Constitution, whenever a vacancy occurs on any Committee, the President, with the approval of the Executive Board, may appoint a member to serve for the unexpired term of the Committee.

Article XVII Collective Bargaining

Section 1 - Bargaining Authority

- (a) The Communications Workers of America shall be the collective bargaining representative of the members of the Union.
- (b) Collective bargaining within the established bargaining unit or units shall be conducted under the direction of the Executive Board of the National Union and all contracts or agreements entered into shall be in the name of the National Union and bear the signature of approval of an authorized agent or representative of the National Union.
- (c) Subjects for negotiations through collective bargaining may be initiated by representatives of the bargaining unit or units to be affected but must be approved by the applicable Bargaining Council, the Executive Board or its authorized representative before submission to any employer. This paragraph shall not be construed to restrict the presentation and submission of grievances through established channels of the administrative organization of the Units and the National Union.

Section 2 - Bargaining Councils

- (a) The Convention or the Executive Board

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may establish Bargaining Councils. Bargaining Councils will formulate bargaining programs and agendas to apply to a single employer, associated employers or a number of employers, but limited to those agendas and programs affecting bargaining units represented on a Bargaining Council. The Executive Board shall be responsible for the development of bargaining programs for those units or groups for which Bargaining Councils have not been established.

(b) Bargaining Councils shall be composed of one Representative from each Local having members in bargaining units of the Bargaining Council, and they shall be certified to the President of the Union.

(c) At meetings of the Bargaining Council Local representatives shall vote by a show of hands except that upon the request of any Council Representative the vote shall be per capita (based on the number of members of the Local in bargaining units of the Bargaining Council). All necessary expenses of the Local's Bargaining Council member shall be borne by the Local. The officers of the Union, the Vice Presidents, the National Bargaining Unit Directors, the Independent Telephone Director, and the Public Workers Director may be appointed members of a Bargaining Council.

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as determined by the Convention or the Executive Board.

(d) Bargaining Councils shall meet at the call of the President of the Union. The President may, with the approval of the Executive Board designate a person to work with the Bargaining Council, and the President or the President's designee shall be the Chair of all Bargaining Council meetings.

Section 3 - Bargaining Committees

(a) The members of a bargaining unit, by popular vote, through delegates representing them at a Convention, or by any other method approved by the Executive Board, may select the members of a Bargaining Committee for its unit to represent the members of the unit in contract negotiations and determine their terms of office, subject to such financial and numerical limitations as may be imposed by the National Union and such other limitations as may be set out in this Constitution.

(b) All methods used to select Bargaining Committees shall assure fair representation for all segments of the bargaining unit. Disputes over the method used shall be resolved by the Executive Board, subject to appeal to the Convention, with the decision of the Board

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standing pending final appeal.

Section 4 - Special Bargaining, Contract and Grievance Procedures

There shall be an Independent Telephone Director for those bargaining units composed of employees of other than Bell owned or operated companies who shall be selected by popular vote of the delegates of such units at Convention, or by such other method as may be determined by representatives of such units if approved by the Executive Board. Such Director shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units. Beginning with the election held in 1971, the term of office of the Director shall be three years or until a successor has been duly elected and qualified.

Section 5 - Special Bargaining, Contract and Grievance Procedures - Public Workers

Beginning with the elections held in 1983, there shall be a Public Workers Director who shall be selected by popular vote of the delegates of such public worker units at Convention, or such other methods as may be determined by representatives of such public

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worker units, if approved by the Executive Board. Such Director shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units. The term of office of the Director shall be for three years, or until a successor has been duly elected and qualified.

Section 6 - Contract Ratification

Any contract entered into through collective bargaining, or otherwise dealing with wages, hours, terms of employment or other conditions of employment shall be subject to ratification by secret ballot of the members affected if the delegates to a National Convention representing such members, or representatives at a Bargaining Council meeting, or the members themselves determine ratification to be desirable. Procedures for ratification shall be established by each Bargaining Council, or by the Executive Board for those contracts for which a Bargaining Council has not been established.

Article XVII Strikes

Section 1 - Authorization

A Local or group of Locals shall strike as provided in this Constitution. Approval of the Executive Board of the Union shall be obtained before strike action may be taken.

Section 2 - Notification

After a strike vote has been taken by a Local or groups of Locals in a District and a strike is imminent, the Vice President shall notify the President of the Union in writing.

Section 3 - Executive Board Action

- (a) The Executive Board of the Union shall be advised by the President that a strike is imminent and shall immediately determine the action to be taken.
- (b) Within ten (10) days after such notice has been received, the Executive Board of the Union shall determine whether strike action is approved.
- (c) In deciding whether to approve strike action, the Executive Board of the Union shall consider all factors connected therewith. If approved, the Executive Board of the Union shall assist therein and direct the support to be given by the Union.

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Section 4—Penalties for Unauthorized Strikes

(a) Any Local engaged in a strike which is called in violation of this Constitution or without approval of the Executive Board of the Union or the Convention may be denied financial, organizational or other assistance from the Union or any portion thereof.

(b) When a Local continues to engage in a strike that is not approved as provided in this Article or refuses or fails to terminate a strike when so ordered by the Convention or by the Executive Board of the Union, the Executive Board of the Union or the Convention may institute Charter revocation proceedings in accordance with Article XIII of this Constitution with respect to the offending Local.

Section 5—Convention Approval of Strike

A strike of a Local or group of Locals may be approved by the Convention.

Section 6—Procedure for Local Strike Vote

In taking a strike vote Locals shall act in accordance with the following minimum requirements:

(a) The Locals shall, upon reasonable notice, call a meeting of its members, wherever feasible, and present the issue

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or issues involved in the proposed strike.

(b) The members present at such meeting shall vote by secret ballot on the question of whether or not a strike shall be called.

(c) Where meetings cannot, feasibly, be called, a secret ballot shall be taken of the members, by mail or otherwise, on the question of whether or not a strike shall be called.

(d) A majority of the members voting shall determine whether or not a strike shall be called.

(e) Copies of notice of the result of strike vote shall be sent to the Vice President and to the President of the Union.

Section 7—Local Strike Assistance

When Locals, not directly involved in the negotiations, the breakdown of which has caused or is about to cause a strike, desire to aid the striking Local or Locals by strike action, they shall first notify the Vice President and President of the Union of such desire, and, if they receive approval by the Convention or the Executive Board, they shall proceed according to the provisions of Section 6 of this Article.

Section 8—Termination of Local Strikes within a District

(a) A Local or Locals engaging in a Local strike may terminate such strike in accord-

ance with Local Bylaws and Rules and approval of the Vice President.

(b) The Convention or Executive Board may terminate such strike by majority affirmative vote.

Section 9—General, Inter-District or Intra-District Strike

A General, Inter-District or Intra-District strike of all Locals or Locals in more than one District may be called following:

- (1) Authorization by a majority of the Union members affected who vote on the question, by secret ballot, at special meetings or by mail ballot in those Locals where Local meetings are not feasible.
- (2) Authorization by a majority of the Union members affected who vote on the question in a referendum conducted by the Union.

Section 10—Conduct and Termination of a General or Inter-District Strike

- (a) Such strikes shall be conducted under the supervision of the Union and may be terminated by the Convention or Executive Board.
- (b) The Convention or the Executive Board may terminate such strike by majority affirmative vote.

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Article XIX

Charges Against Members

Section 1—Specifications of Offenses Locals

Members may be fined, suspended or expelled by Locals in the manner provided in the Constitution for any of the following acts:

- (a) Making false material statements withholding material information when applying for membership;
- (b) Wilfully refusing to pay dues or assessments properly established or fines or penalties imposed or other valid financial obligations to the Union or Local;
- (c) Wilfully violating the Constitution, Union, Local Bylaws or Rules;
- (d) Disobeying or wilfully failing to comply with any lawful decision or order of the Union or Local;
- (e) Working without proper Union authorization, during the period of a properly authorized strike in or for an establishment which is being struck by the Union or
- (f) Instigating or knowingly participating in an unauthorized strike or slowdown;
- (g) Wilfully violating the adopted standards as to wages, hours or working conditions.

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(h) Misappropriating money or property of the Union or Local;

(i) For such other offenses, equally serious which tend to bring the Union or Local thereof into disrepute.

*Section 2—Specifications of Offenses—
Union*

Members may be fined, suspended or expelled by trial courts selected by the Executive Board of the Union in the manner provided in the Constitution for any of the following acts:

(a) Wilfully supporting or assisting any other labor organization in connection with a claim of jurisdiction in conflict with the jurisdiction of the Union;

(b) Wilfully supporting or assisting any person, group of persons, or organization in any act or activities for the purpose of seeking or obtaining the replacement of the Union as collective bargaining representative.

Section 3—Suspension Pending Trial

An officer of the Union, member of the Executive Board, National Director, Independent Telephone Director, Bargaining Council member, Local officer or other

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elected official against whom charges have been filed for conduct set forth in Paragraphs (a) and (b) of Section 2 of this Article may be suspended from office by a two-thirds (2/3) vote of the Executive Board pending final determination of the charges by a trial court or any appeal resulting from such trial, where such suspension is determined by the Executive Board to be in the best interest of the Union.

Section 4—Non-Immunity

No member of the Union shall be immune from penalty for committing any of the offenses set forth in this Article by reason of the position or office the member may hold in the Union or any Local thereof

Article XX

**Trials And Appeals—General
Membership and Officers of Local**

Section 1—Persons Subject to Trial

(a) Members of the Union, including Officers of Locals, shall be tried for any of the offenses listed in Article XIX as provided herein.

(b) Officers of a Local may be removed or suspended from office pursuant to Article IX, Section 4, Paragraph (b).

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provided, excepting that the Executive Board of the Union may conduct such trials after notice to the Locals involved, on its own initiative in the event of inaction by the Local. The procedure for such trial shall be in conformity with the standards set forth in Sections 2, 3, and 4 of this Article.

Section 2—Charges

(a) Charges made against a member of the Union or an officer of the Local shall be in writing, signed and sworn to by the accuser. Charges of offenses described in Article XIX, Section 1, shall be filed with the recording officer of the Local of which the accused is a member. In the event the accused is such recording officer, the charges shall be filed with the President of the Local. Should both the recording officer and the Local President be involved as a charging party or as a party charged, the charges shall be filed with the Secretary-Treasurer of the Union. All charges of offenses described in Article XIX, Section 2, shall be filed with the Secretary-Treasurer of the Union. In the event the accused is such Secretary-Treasurer, the charges shall be filed with the President of the Union. Trial procedures for all charges filed with the Secretary-Treasurer or the President of the Union shall be in conformance

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with Section 3 (b) of this Article.

(b) Charges must be submitted within (60) days of the time the accuser becomes aware of the alleged offense;

(c) Charges shall contain an allegation of the facts constituting the offense with which the accused is charged and the approximate date or dates said offense is alleged to have occurred.

Section 3—Trials

(a) The Bylaws or Rules of a Local shall specify the manner in which an accusation shall be tried and must conform with the following minimum standards:

(1) A court, composed of not less than three or more than seven persons, who shall be members of the Local, not parties to the proceeding, shall be selected by the governing body of the Local. The court shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice, based on all the evidence presented;

(2) A prosecutor, who is a member of the Local, but not an accuser, shall be appointed by the governing body of the Local to assist the accuser in the trial and presentation of evidence. If, after investigation, the prosecutor is of the opinion that there

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probable cause to believe that a violation punishable under this Article has been committed, the prosecutor shall report the findings in writing to the governing body of the Local with a recommendation that the charge not be prosecuted. Copies of the findings and recommendation shall be delivered to the accuser and the accused. The recommendation shall become final unless appealed by the accuser within thirty (30) days after receipt using the procedures established pursuant to Article IX, Section 7, of this Constitution.

(3) If the prosecutor determines that probable cause does exist, the trial shall be held speedily with due notice to the accused;

(4) The accused shall have the right to select a member of the Local as counsel, the right to produce witnesses and present documentary evidence and to be heard on the accused's own behalf. The accused shall have the opportunity to cross-examine witnesses.

(5) All witnesses shall testify under oath.

(6) A decision shall be reached and written notice of the decision and penalty, if any, shall be given to the person charged within five (5) days after the close of the trial. The requirement of such notice shall be satisfied by personal service or certified mail receipt.

(7) A faithful and accurate record of the proceedings shall be made.

(8) The Local may suspend the accused pending the final decision on an appeal.

(b) Trials conducted by courts selected by the Executive Board of the Union must conform with the following minimum standards:

(1) A court composed of three persons who shall be members of the Union not employed by the National Union as Staff personnel and not parties to the proceeding shall be selected by the Executive Board from a Trial Panel composed of one elected member from each of the geographical Districts by secret ballot, after nominations from the floor at the meeting of the delegates from the District in conjunction with the Union Convention. Beginning with the elections held in 1971, members of the Trial Panel shall serve for three years or until their successors are elected and qualified. The court shall be bound to render a decision and impose a penalty, if the accused be found guilty, without bias or prejudice, based on all of the evidence presented. In the case of trials based on offenses specified in Article XIX, Section 2, a report shall be placed in the Union's official publication with the name of the accused and decision of the court and the names of the Trial Panel.

(2) A prosecutor, who is a member of the

Union, but not an accuser, shall be appointed by the Executive Board of the Union to assist the accuser in the trial and presentation of evidence, and such prosecutor shall have the same authority and discretion granted to Local prosecutors under Section 3 (a) (2) of this Article;

(3) The trial shall be held speedily, with due notice to the accused, at a time and place determined by the trial court to be fair and reasonable to the accused;

(4) The accused shall have the right to select a member of the Union as counsel, the right to produce witnesses and present documentary evidence and to be heard on the accused's own behalf. The accused shall have the opportunity to cross-examine witnesses;

(5) All witnesses shall testify under oath;

(6) Notice of the decision and penalty, if any, shall be given to the person charged within five (5) days after the close of the trial;

(7) A faithful and accurate record of the proceedings shall be made;

(8) The Executive Board of the Union may suspend the accused pending the final decision on an appeal.

Section 4—Appeals

(a) A member or officer of a Local upon being found guilty by a Local court may appeal as provided in this Section:

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(1) Have the right to refer the matter to a membership meeting of the Local, within thirty (30) days after being found guilty by a court, which may affirm or reverse the decision or reduce the penalty; provided that where a Local membership meeting is held by sections, units or areas, the appeal shall be to the governing body of the Local

(2) Have the right to appeal from the final decision of the Local to the Executive Board of the Union within thirty (30) days after such final decision of the Local;

(3) The appeal to the Executive Board of the Union shall be directed, in writing, to the Secretary-Treasurer of the Union, who shall obtain the record of the case. The Executive Board shall review the case and affirm or reverse the decision or reduce the penalty or return the case for a new trial;

(4) Have the right to appeal from the decision of the Executive Board of the Union to the next Convention by giving a notice of appeal in writing within thirty (30) days after the decision to the Secretary-Treasurer of the Union. If the Executive Board has failed to render a decision within thirty (30) days preceding the Convention, the accused may appeal directly to the Convention which may affirm or reverse the decision or reduce the penalty

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(b) A member or officer of a Local upon being found guilty by a court selected by the Executive Board of the Union shall have the right to appeal to the Executive Board and Convention as provided in Paragraphs 3 and 4 Subsection (a) of this Section.

(c) The thirty (30) day time limit provided in this section for filing of appeals from decisions of trial courts may be extended at the discretion of the body to which the appeal is being taken for an additional period not to exceed thirty (30) days, upon showing of justification by the party making the appeal.

Section 5 - Determination of Appeal

Decisions on appeal shall be determined by majority vote.

Article XXI Recall Petition Against Persons Holding Elective Office in The Union

Section 1 - Petition for Recall of Union Officers, Executive Board Members, National Directors, and Independent Telephone Director

A petition for recall of an officer of the Union, any member of the Executive Board, any National Director or Independent Telephone Director:

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(1) May be preferred by one-third (1/3) of the full membership of the Executive Board.

(2) May be preferred by twenty percent (20%) of Locals representing twenty percent (20%) of the membership of the Union.

(3) May be preferred against a Vice President of a District by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership within the District, and may be preferred against the Vice President AT&T Communications or Vice President AT&T Technologies by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership of the units the affected Vice President represents:

(4) May be preferred against a National Director or Independent Telephone Director by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership of the National Unit the Director represents:

(5) Shall be in writing and signed by the accusing member or members or may be accompanied by attested copies of appropriate resolutions adopted by a Local or Locals.

(6) Shall contain a description of the offense or offenses as specified in Article XIX, Section 1 and the approximate date or dates thereof.

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(7) Shall be submitted within sixty (60) days from the time the accusing members became aware of the alleged offense or offenses:

(8) Shall be filed with the Secretary-Treasurer of the Union, provided, however, that a Petition directed against the Secretary-Treasurer shall be filed with the President.

Should the Secretary-Treasurer or the President receiving the petition conclude that the offense or offenses described are too vague or frivolous to warrant submission to a referendum, that determination shall be presented in writing to the petitioners and to the accused. The determination shall become final unless appealed by one or more of the petitioners within thirty (30) days after receipt using the procedures established pursuant to Article IX, Section 7, of the Constitution.

Section 2 - Recall Petition Against Local Officers

A petition for recall of an Officer of a Local

(1) May be preferred by twenty percent (20%) of the membership of a Local;

(2) Shall be in writing and signed by the accusing members;

(3) Shall contain the description of the offense or offenses as specified in Article XIX, Section 1, and the approximate dates thereof;

(4) Shall be submitted within sixty (60) days from the time the accusing members became aware of the alleged offense or offenses:

(5) Shall be filed with the recording officer of the Local, provided, however, that a petition directed against the recording officer shall be filed with the President of the Local. Should both the recording officer and the President of the Local be involved as either accuser or accused the petition shall be filed with the Local election committee;

(6) Should the officer or the election committee receiving the petition determine that the offense or offenses described are too vague or frivolous to warrant submission to a referendum, a report and recommendation to that effect shall be presented in writing to the governing body of the Local. Copies of the report and recommendation shall be served on all petitioners and the accused. Unless reversed by the governing body or appealed by one or more of the petitioners within thirty (30) days after receipt the recommendation shall become final. If appealed the procedures of Article IX, Section 7, shall apply.

Section 3 - Suspension Pending Determination

An Officer of the Union, Member of the Executive Board, National Director, Independent Telephone Director, or Local Officer against whom a petition for recall is filed

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been filed for alleged "misappropriating
or property of the Union or Local" may be
suspended by a majority vote of the Executive
Board, pending the determination of the Executive
proceedings, and the Union shall cause a
substitute to be appointed to serve in the
person's stead during the person's suspension.

Section 4 - Recall Proceedings

The proceedings on a petition for recall shall
be in accordance with the provisions of Article
XXII.

Article XXII Referendum and Recall

Section 1

The Convention or the Executive Board may
order a referendum with respect to any
subject or policy within their jurisdiction or
otherwise provided in this Constitution.

Section 2

The notice of referendum and requisite number
of printed ballots shall be forwarded
to each Local by mail by the Secretary-
Treasurer of the Union. The notice of
referendum and the ballots shall contain the
proposition to be voted upon and shall require
a return within sixty (60) days from the date of
mailing to the Local.

Section 3

Upon receipt of the notice of referendum,

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each Local shall conduct the referendum
among its members and shall forward the
results to the Secretary-Treasurer of the Union
by receipted registered mail.

Section 4

All referenda shall be by secret ballot. A
majority of the votes cast shall determine the
referendum.

Section 5

A referendum shall also be ordered by the
Executive Board of the Union if twenty percent
(20%) or more of the Locals representing
twenty percent (20%) or more of the members
of the Union, shall certify in writing to the
Secretary-Treasurer of the Union their desire for
a referendum on any particular subject.

Section 6

Any officer or member of the Executive Board
may be recalled by two-thirds (2/3) of those
voting at the Convention or in a general
referendum if two-thirds (2/3) of the votes cast
in such a referendum favor recall.

Section 7

A Vice President of a District may be recalled
by the Delegates from that District at a
National Convention by two-thirds (2/3) vote of
those voting on the question, or by a
referendum among the members of the Union

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in the District if two-thirds (2/3) of the votes cast in such referendum favor recall. The Vice President AT&T Communications, or the Vice President AT&T Technologies, may be recalled by Delegates at a National Convention, who represent the membership of the AT&T Communications or AT&T Technologies bargaining units, respectively, by a two-thirds (2/3) vote of those voting on the question or referendum among the members of the Union in the units the affected Vice President represents, if two-thirds (2/3) of the votes cast in such referendum favor recall.

Section 8

Any National Director or Independent Telephone Director may be recalled by the Delegates at a National Convention from the unit the Director represents by a two-thirds (2/3) vote of those voting on the question or referendum among the members of the Union of the unit the Director represents if two-thirds (2/3) of the votes cast in such referendum favor recall.

Section 9

Local Officers shall be recalled by an affirmative vote of two-thirds (2/3) of the members voting on the question in a referendum which shall be conducted in accordance with Article XV, Section 4 (a), of the Constitution.

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Section 10

All recall votes of the membership must meet the procedural requirements which apply to the election of officers.

Article XXIII Quorum

Section 1

A majority of the delegates to the Union Convention shall constitute a quorum.

Section 2

A majority of its members shall constitute a quorum of the Executive Board or any committee of the Union.

Section 3

A majority of the delegates within a District shall constitute a quorum for District meetings held in conjunction with the Union Convention.

Section 4

A majority of the delegates within a Bargaining Unit shall constitute a quorum for Bargaining Unit meetings.

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Section 5

A majority of the Locals required to be present within the geographical area covered shall constitute a quorum at all other District, State or Area Meetings.

Section 6

Each chartered Local shall provide in its Bylaws or Rules for the quorum necessary to hold meetings of the Local.

Article XXIV Proxy Voting

There shall be no voting by proxy, except that a Local composed of less than 200 members may assign its vote to a delegate from another Local attending the Convention. No Local shall be allowed to vote more than one such assignment.

Article XXV Gender

Words in this Constitution indicating the masculine gender shall be deemed also to refer to the feminine gender.

Article XXVI Union Publication

The Union shall print, publish and distribute to its members an official publication at least monthly. Said publication shall be

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sent to all members and shall cover matters pertaining to Union functions, policies and activities as well as matters of labor and public interest generally.

Article XXVII Affiliation

The affiliation or disaffiliation of a Local with any other labor organization shall be accomplished solely by referendum of the entire membership.

Article XXVIII Amendments

Section 1

This Constitution may be amended by referendum at a Convention or by referendum of the members as provided in Article XXVIII.

Section 2

Any proposed amendment of this Constitution, submitted to the Locals or more days in advance of the Convention shall require a majority vote of the delegates at the Convention or a majority vote of those voting thereon.

Section 3

Any amendment proposed at a Convention shall require a three-fourths vote of those voting thereon.

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Convention to effectuate such proposed amendment, but in no event shall the three-fourths (3/4) vote of those voting thereupon be less than a majority vote of the approved delegates at the Convention.

Section 4

Any amendment submitted by referendum to the members shall require a majority vote of those voting thereon.

Section 5

Repeal of any provision of this Constitution shall be by amendment procedure.

Section 6

Amendments or repeals adopted in a Convention shall become effective on the thirtieth (30th) day following the adjournment of the Convention, provided, the Convention does not specify a later date, or unless within thirty (30) days a referendum vote on the amendment or repeal is initiated in which event, the amendment or repeal shall not become effective unless it is sustained by such referendum. Amendments or repeals adopted or sustained by referendum procedure shall become effective on the thirtieth (30th) day following such action or on a later date if so specified.

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Rule I

Rule II

PERMANENT RULES GOVERNING CONDUCT OF CWA CONVENTION

Source of Rules

The CWA Convention shall be conducted in accordance with these rules and the CWA Constitution and if these rules and the CWA Constitution do not specifically cover a matter, Robert's Rules of Order shall apply.

Delegates to the Convention

Section 1—Certification—

Each local shall certify to the Secretary and Treasurer of the Union, not less than (5) days prior to the opening date of an Annual or Special Convention, on credential forms provided by the Union, the addresses and voting strength of its delegates and alternates, if any, and the name of the Chair of its delegation.

Section 2—Seating of Delegates—

Delegates to a Convention shall be seated prior to the exercise of any other rights or privileges of the delegates. They shall be seated by acting on the Credentials Committee Report.

(a) In the event there is a protest by a Local over the seating of delegates, the delegates under dispute shall not vote on the question of their seating.

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Rule III

Voting at Conventions

A delegate shall vote in the Convention, District meeting, or a meeting of a Bargaining Unit in accordance with Article VII, Section 5, of the Constitution which reads as follows:

"(a) A Local delegate shall have one vote in the Convention, District Meeting or a meeting of a bargaining unit, except on a roll call vote.

"(b) A roll call vote of the Convention, District Meeting, or a meeting of a bargaining unit may be had upon the request of twenty percent (20%) of the delegates

"(c) Voting by roll call shall be by per capita vote with each delegate casting the number of votes assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention. On roll call votes, a delegate shall cast one vote for each member in good standing as assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention."

Rule IV

Alternate Delegates and Visitors to the Convention

All persons, other than delegates and alter-

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nate delegates certified by the Credentials Committee and approved by the Convention, shall be permitted to attend the Convention upon the following conditions:

(a) They present themselves to the Credentials Committee and secure approval of the Committee;

(b) They not be permitted in the section of the convention reserved for voting delegates and shall be allowed to speak on questions before the Convention when recognized by the Chair.

Rule V

Conduct during the Convention

The Chair shall be responsible for maintaining order in the Convention. The Chair may request the Convention to act on question of expelling a person for misconduct. A delegate may request the Convention to have the Convention act on expelling a person for misconduct. A majority of delegates voting shall decide the question of expulsion for misconduct.

Rule VI

Hours of Convention

The hours of the Convention, reception other arrangements relating to the Convention shall be established by resolution or motion by each Convention.

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Rule VII

Microphones

Section 1—Microphones—

There shall be one of each of the following microphones on the floor of the Convention which shall be placed in the most convenient locations possible.

- (a) Privileged Microphone
- (b) Questions Microphone
- (c) Motions Microphone
- (d) "For" Microphone
- (e) "Against" Microphone

Section 2—Use of Privileged Microphone—

The following motions are the only motions that can be made at the Privileged Microphone and are listed in the order of their rank:

- (a) ADJOURN (Undebatable—Majority vote required).
This motion loses its privileged character and is a main motion if in any way qualified or if its effect, if adopted, is to dissolve the Annual Convention.
- (b) TAKE A RECESS (Undebatable—Majority vote required).
This motion is privileged only when other business is pending before the Convention.

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(c) RAISE A QUESTION OF PRIVILEGE—
The question can only be raised when a Delegate wishes to:

1. Rise to a point of personal privilege.
2. Request the Chair to explain the parliamentary situation at the time.
3. Appeal a decision of the Chair.

(d) CALL FOR THE ORDERS OF THE DAY
(Undebatable).

It is a demand that the Convention conform to its program or order of business. It requires no second, and is in order when another delegate has the floor, even though it interrupts a speech, as a single member has a right to demand that the order of business be conformed to. A call for the orders of the day cannot be debated or amended or have any subsidiary motion applied to it.

(e) RAISE A POINT OF ORDER (Undebatable).

Section 3—Recognition at Privileged Microphone—

A delegate requesting recognition at the privileged microphone shall use the telephone to advise the platform of the delegate's name and Local number. A parliamentarian shall be connected directly by telephone with the privileged microphone and shall make a parliamentary ruling or

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whether or not the person at the microphone has a privileged motion or question. In the event the parliamentary determines the person has a privileged motion or question, the parliamentary shall notify the Chair and the person shall be recognized. If the parliamentary determines the person does not have a privileged question or motion, the delegate shall relinquish the microphone unless the delegate notifies the parliamentary that the delegate desires to appeal from the parliamentary's ruling. In the event of a notice of a desire to appeal, the parliamentary shall notify the Chair and the delegate shall be recognized to present the delegate's appeal.

Section 4—Use of Motions Microphone—

The motions microphone shall be used in the following manner:

(a) A delegate desiring to make a motion shall, by the use of the telephone, notify the platform of the delegate's name and Local number, and if it is a motion which is in order, or, is a motion of higher rank than the one before the Convention, the delegate shall be recognized to make a motion and after it is seconded, the delegate shall be permitted to speak from that microphone in favor of the delegate's

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motion. After the maker of the motion, if the delegate chooses, has spoken, the Chair shall recognize the "Against" microphone and shall proceed to rotate as provided in Section 7, Paragraph (h) of the Rules.

(b) If there is not a delegate waiting to use any of the microphones in the Convention motions can be made from any microphone on the floor of the Convention.

(c) A parliamentary shall be connected directly by telephone with the motions microphone when needed for the purpose of making a parliamentary ruling on the or priority of the motion. If the parliamentary determines the person has a privileged motion, the parliamentary shall notify the Chair and the person shall be recognized. If the parliamentary determines the person does not have a motion that will have priority over other motions waiting the microphone, the delegate shall relinquish the microphone unless the delegate notifies the parliamentary that the delegate desires to appeal from the parliamentary's ruling. In the event of a notice of a desire to appeal, the parliamentary shall notify the Chair and the delegate shall be recognized to present the delegate's appeal at the motions microphone.

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*Section 5—Use of "For" and "Against
Microphones—*

These microphones shall be known as the debating microphones and shall be used in the following manner:

(a) A delegate wishing to speak for or against a motion or subject on the Convention floor, shall approach the appropriate microphone and shall use the telephone to inform the platform of the delegate's name and Local number.

Section 6—Use of Questions Microphone—

The questions microphone shall be used only for the purpose of asking questions of clarification of a report, motion, resolution or other matter before the Convention. The questions microphone shall be placed in rotation with the "For" and "Against" microphones and shall be used in the following manner:

(a) A delegate having questions of clarification shall use a telephone at this microphone, which is connected directly with the platform, to advise the platform of the delegate's name and Local number.

(b) No person shall be permitted to ask more than two (2) questions before relinquishing the person's place at the micro-

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phone and the Chair shall rotate to the next microphone in order.

(c) In the event a person at the questions microphone only asks one question, the Chair shall rotate to the next microphone in order.

Section 7—General Provisions—

General provisions relating to the use of the microphones and recognition of delegates are as follows:

(a) When a delegate is in line to use a particular microphone the delegate shall use the telephone to advise the platform of the delegate's name and Local number. This procedure will materially assist in having delegates recognized without loss of time.

(b) Each day the Chair shall appoint two observers from the delegates to witness the tabulation of telephone calls from the floor of the Convention to the platform.

(c) No person shall be permitted to speak a second time on any question as long as any delegate who has not spoken on the subject desires to do so. No person shall be recognized a second time at the "questions" microphone as long as any delegate who has not asked questions desires to do so.

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(d) No person shall speak more than five (5) minutes at one time on a question before the Convention. The Chair shall give each person one minute notice of the expiration of the person's five (5) minute time limit. This provision shall not apply to the parties involved in an appeal made in compliance with Article XX, Section 4 of the Constitution.

(e) A person wishing to address the Convention on any matter, having been recognized by the Chair, shall provide identification as a member of the Executive Board, National Director, Independent Telephone Director, delegate, alternate delegate or visitor and shall give their Local number and the state in which their Local is located.

(f) When a motion is made to table, and there are amendments appended to the original motion, the motion to table then shall apply only to the amendment or amendments, and it shall require a new motion to table the original motion.

(g) When a delegate intends to make a motion to table, warning of the maker's intent must be given, and the motion to table shall not be made until the introducer of the motion is given five (5) minutes to speak on the question, if the delegate so desires.

(h) The Chair shall rotate between the

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"For" microphone, the "Against" microphone and "Questions" microphone in that order. The Chair shall not pass up the rotation of microphones in those cases where a person is out of order.

(i) Any delegate wishing to raise a point of order may use the privileged microphone or rise and upon saying "point of order" in a loud voice, approach any microphone on the Convention floor where the delegate shall be recognized for the purpose of stating the delegate's point.

(j) That a vote will not be taken on any issue before the Convention until at least two (2) delegates have had the opportunity to speak for a question and two (2) delegates have had the opportunity to speak against a question.

Rule VIII

General Information and Committee Booth

There shall be a booth established in a convenient place within the Convention building to be known as "General Information and Committee Booth" which shall be utilized by all delegates to seek information or ask questions with regard to any matter before the Convention. Each Committee of the Convention shall have a representative in the Booth, or available to come to the Booth immediately upon request. The

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Rule IX

Convention Committees

Regular committees of the Union, the Rules Committee and any other committee established to serve the Convention, shall be required to make themselves available between the hours of 2:00 p.m. and 6:00 p.m. on the two days preceding the Convention with the purpose of establishing a uniform schedule for those delegates wishing to appear before such committee.

All committees of the Convention shall notify delegates who appear before them as to the results of the committees' action upon any suggestion or request the delegate made of the committee. This shall be done as expeditiously as possible by the committee.

Rule X

Suspension of Rules

Any one or all of these rules may be temporarily suspended for any subject before the Convention by a majority of the delegates voting on the question.

Rule XI

Amendments

These rules, upon adoption, may be amended in the following manner:

- (a) Proposed amendments submitted to the Rules Committee prior to or during the Convention shall require action of a majority of the delegates voting on the proposition.
- (b) Proposed amendments, not submitted to the Rules Committee, shall require a three-fourths (3/4) vote of the delegates voting on the proposition.
- (c) Amendments shall be effective immediately upon their adoption.

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INTERNAL APPEALS PROCEDURES

The purpose of these appeal procedures is to provide reasonable regulations for the consideration and review of complaints of members regarding actions of the Union or Local, or Union or Local Officers or governing bodies, which are alleged to be in violation of the Union Constitution, Local Bylaws, rights and privileges of members.

The appeal procedures set forth herein are in addition to those provided in the Union Constitution which govern (1) appeals from decisions of the Executive Board- Article VII, Section 1, Paragraph (b); (2) appeals from revocations of Local charters- Article XIII, Section 6; and (3) appeals from decisions of trial courts- Article XX, Section 4; and are also in addition to any other appeal procedures provided in Local Bylaws or rules.

The authority for these appeal procedures is set forth in the Union Constitution Article IX, Section 7.

"The Executive Board of the Union shall establish reasonable appeal procedures within the structure of the Union to review complaints of members which allege violation of the Constitution, Local Bylaws or the rights and privileges of members."

Appeals from the decision of a Local

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with reference to the conduct and challenge of Local elections under Article XV, Section 4 of the Union Constitution shall be governed by Section 1 (C) of these appeal procedures.

I. Complaints against the Local, its officers or governing body.

A. The Complaint.

1. All complaints shall be:

(a) In writing;

(b) Signed by the complainant.

(c) Filed with the Secretary or Secretary-Treasurer of the Local of which the complainant is a member, however, if the complaint is about the action of such officer, then it shall be filed with the Local President; and

(d) Submitted within sixty (60) days of the time the complainant became aware of the alleged violation

2. The complaint shall also

(a) Contain an allegation of the facts on which the complaint is based, including applicable dates;

(b) Specify the nature of relief sought; and

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(c) Shall state that it is filed in good faith

B. Consideration of the complaint.

1. The complaint shall be placed on the agenda of the next regular Local general membership meeting after the date the complaint is filed, provided, however, that where such a meeting is not scheduled, or otherwise will not be held, within thirty (30) days after the filing date, or where Local membership meetings are held by areas, sections or units the complaint shall be placed on the agenda of the next regular meeting of the governing body of the Local. In the event the complaint is not considered by either the Local membership or the Local governing body within ninety (90) days, the complaint may be filed directly with the President of the Union within one hundred twenty (120) days from the date of original filing.

In the event the complainant demonstrates that there is a willful refusal by the Local officers, the Local membership or the Local governing body to consider the complaint, a copy of the complaint may be filed with the President of the Union by the complainant.

Complaints filed directly with the President may be referred by the President to the appropriate geographical

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Vice President for handling under the provisions of Section I (C)(2) of these Appeal Procedures or in the discretion of the President retained for handling under Section II(B)(1) and II(C)(1) of these Appeal Procedures.

2. Upon consideration of the complaint, either at a general membership meeting or meeting of the governing body, it shall be determined what action, if any, is to be taken with reference to the complaint, and the complainant shall be so notified in writing within five (5) days of the date of decision.

3. Regardless of which body considers the complaint, the decision reached shall be recognized as being the decision of the Local.

C. Appeal

1. The decision of the Local may be appealed in writing to the appropriate geographical Vice President within thirty (30) days following the date of the notice of the Local's decision.

2. The Vice President shall take whatever steps are deemed necessary to secure the facts of the matter complained about, which may include investigation and the obtaining of all records of the matter in possession of

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the Local, its officers or governing body

3. The Vice President shall review the complaint and within thirty (30) days affirm, reverse or modify the decision of the Local, or return the complaint to the Local with such direction or order as may be determined to be appropriate. He or she shall notify interested parties of his or her action.

4. The decision of the Vice President may be appealed in writing by the complainant or the Local to the President of the Union within thirty (30) days following the date of the notice of the Vice President's action.

5. The President shall take whatever steps are deemed necessary to secure the facts of the matter complained about, which may include an investigation and the obtaining of all records of the matter in the possession of the Vice President, the Local, its officers or governing body.

6. The President shall review the complaint and within thirty (30) days affirm, reverse or modify the decision of the Vice President, or return the complaint to the Vice President with such direction or order as may be determined to be appropriate. He or she shall notify interested parties of his or her action.

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7. The decision of the President may be appealed in writing by the complainant, the Vice President or the Local to the Executive Board of the Union within thirty (30) days following the date of the notice of the President's decision. The appeal shall be filed with the Secretary-Treasurer of the Union.

8. The Executive Board shall review the complaint and affirm, reverse or modify the decision of the President.

9. The Executive Board shall base its decision upon the record of the matter, including such statements as may be filed by the complainant, the Local, the Vice President or the President, and any other facts that may be developed.

10. There shall be no right to appear personally before the Union Executive Board, except at the invitation of the Executive Board.

11. Interested parties shall be notified in writing of the decision and action of the Executive Board.

12. The decision of the Executive Board may be appealed to the Convention in accordance with the provisions of Article VII, Section 1, Paragraph (b) of the Constitution.

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II. Complaints against the Union, its officers or Executive Board.

A. The Complaint.

1. All complaints shall be:

- (a) In writing;
- (b) Signed by the complainant;
- (c) Filed with the President of the Union, however, if the complaint is about the action of such officer, then it shall be filed with the Union Secretary-Treasurer and considered by the Executive Committee subject to appeal to the Executive Board and Convention; and
- (d) Submitted within sixty (60) days of the time the complainant became aware of the alleged violation.

2. The complaint shall also:

- (a) Contain an allegation of the facts on which the complaint is based, including applicable dates;
- (b) Specify the nature of relief sought; and
- (c) Shall state that it is filed in good faith.

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B. Consideration of the complaint.

1. The President shall determine what action, if any, is to be taken within thirty (30) days and notify interested parties

2. In the event such complaint is against the President, the Executive Committee shall determine what action, if any, is to be taken within thirty (30) days and cause interested parties to be notified

C. Appeal.

1. The decision of the President may be appealed to the Executive Committee of the Union in writing within thirty (30) days of the notice of the President's decision, and shall be filed with the Union Secretary-Treasurer.

2. The complaint shall be placed on the agenda of the next Executive Committee meeting after the date the appeal is filed

3. The Executive Committee shall review the appeal and affirm, reverse or modify the decision of the President within thirty (30) days and cause interested parties to be notified.

4. The decision of the Executive Committee may be appealed in writing to

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the Executive Board within thirty (30) days of notice of the Executive Committee decision, and shall be filed with the Union Secretary-Treasurer.

5. The complaint shall be placed on the agenda of the next Executive Board meeting after the date the appeal is filed.

6. Upon consideration of the appeal, the Executive Board shall determine what action, if any, is to be taken with reference to the complaint, and interested parties shall be so notified in writing.

7. There shall be no right to appear personally before the Union Executive Board, except at the invitation of the Executive Board.

8. The decision of the Executive Board may be appealed to the Convention in accordance with the provisions of Article VII, Section 1, Paragraph (b), of the Constitution.

Motion: Move that the appeal procedures as amended be adopted. **Adopted:** By the CWA Executive Board, October 20, 1978.

CWA POLICY ON REBATES

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The CWA Policy on Rebates to Objectors is as follows:

1. Any member covered by a collective bargaining agreement containing a union shop provision, and any nonmember covered by a collective bargaining agreement containing an agency shop provision shall have the right to object to the expenditure of dues or fees paid for political and ideological activities not reasonably related to collective bargaining, contract administration and grievance resolution. Objectors following the procedure set forth in this policy shall be entitled to a rebate of the portion of their dues or fees for the year of objection corresponding to the portion of the union's expenditures on rebatable activities during that year.

2. Objections must be in writing and must be received in the Secretary-Treasurer's office during the first three weeks of March each year. The Secretary-Treasurer will notify the financial officer of any objector involved in an objection.

3. An objection will be good only for the following year, from April 1 through March 31. During that year, the portion of the objector's dues or fees corresponding to the estimate of the portion of the Union's expenditures on rebatable activities will

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kept in an escrow account with interest accruing.

4. Each year the Executive Committee of the Executive Board will determine the amount of the Union's expenditure on rebatable activities. Locals representing objectors shall submit a report to the Executive Committee on the portion of their expenditures on rebatable activities during the relevant period, April 1 through March 31 of the preceding year, with supporting documentation. This material shall be submitted to the Executive Committee by May 1. Based on the materials submitted to it and its independent investigation, the Executive Committee shall determine by July 1 the portion of each objector's dues that is to be rebated and shall remit that amount plus interest to the objector, along with an explanation of how that amount was determined.

5. Any objector disagreeing with the Executive Committee's determination shall have the right to appeal to the Executive Board by filing a written appeal within thirty days of the date of receipt of the determination. The appeal should be addressed to the President. The Executive Board shall consider and decide appeals from the determination of the Executive Committee at its first official meeting following the filing of such appeals.

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6. From the Executive Board, an objector has the right to appeal to an impartial Public Review Board established in accordance with Paragraph 7 below. The appeal must be filed within fifteen days of receipt of the Executive Board's decision and shall be made in writing to the President. The Public Review Board shall have the authority to review the Union's determination of what portion of the appealing objector's dues was rebatable. The Public Review Board shall also have the authority to adopt such procedures as will insure a full and fair hearing to all objectors. The Board's decisions shall be in writing and shall be issued within a reasonable time. Decisions of the Public Review Board are final.

7. The Public Review Board shall consist of three persons selected by the President with the approval of the Executive Board. With the exception of the first three members, selection shall be made from a list submitted by the current Public Review Board. Such persons shall not be otherwise associated with the Union and shall be of unquestionable ability and integrity.

The Public Review Board shall be funded by the Union in accordance with a budget submitted by the Public Review Board.

8. Notice of this rebate policy shall be published in CWA News together with a

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CWA GEOGRAPHICAL DISTRICTS



ISSUANCE OF NEW LOCAL CHARTER
84-03

August 1, 1984

File: 1.28.1

To: President Watts, Executive Vice President, Vice President District 13, Independent Telephone Director Browning, Gee, Hassen, Segal, President of Local 13000, Atkins, Brack, Membership Dues, Research Department, Compliance

From: Louis B. Knecht, Secretary-Treasurer

Subject: Issuance of New Local Charter - Local 13000

A new Local charter has been issued to Local 13000, effective August 1, 1984. The jurisdiction for this new Local reads as follows:

LOCAL 13000:

"Over all work performed by employees eligible for Union membership employed by the following: The Bell Telephone Company of Pennsylvania or any of its subsidiaries anywhere in the State of Pennsylvania; The Bell Atlantic Corporation and any of its subsidiaries in the State of Pennsylvania; The AT&T Company and any of its subsidiaries in Pennsylvania except for those employees who are already represented by other CWA Locals; The United Telephone Company at Butler, Pennsylvania; Alltell of Pennsylvania at Kittanning, Carbon, and Muncy, Pennsylvania; The North Pittsburgh Telephone Company at Gibsonia, Pennsylvania; The Murraysville Telephone Company at Murraysville, Pennsylvania; The Continental Telecommunications, Inc. at Selinsgrove, Pennsylvania and Quaker State Telephone Company at Loyalsock, Pennsylvania; The Westmoreland Cable Company at New Kensington, Pennsylvania; The Clear Channel Cable TV Company at Kittanning, Pennsylvania; The Lebanon Valley Cable TV Company at Lebanon, Pennsylvania; Trams Communications Company at Bethlehem, Pennsylvania; The Tele-Tec Corporation

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Local 13000
August 1, 1984
Page 2

at Oaklyn, New Jersey; Economy Answering Service at Philadelphia, Pennsylvania; Answering Services, Inc. at Kittanning, Pennsylvania; The Armstrong County Emergency Operations Center at Kittanning, Pennsylvania; Any other workers in Pennsylvania who may be organized by Local 13000; and such other jurisdictions as may be assigned by the Executive Board of the Union."


L. B. K.

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CWA LOCAL CHARTER JURISDICTION

PENNSYLVANIA

FILE: 1.28.1

CWA LOCAL # 13000

JURISDICTION ASSIGNED:

"Over all work performed by employees eligible for Union membership employed by the following: The Bell Telephone Company of Pennsylvania or any of its subsidiaries anywhere in the State Pennsylvania; The Bell Atlantic Corporation and any of its subsidiaries in the State of Pennsylvania; The AT&T Company and any of its subsidiaries in Pennsylvania except for those employees who are already represented by other CWA Locals; The United Telephone Company at Butler, Pennsylvania; Alltell of Pennsylvania at Kittanning, Carbon, and Muncy, Pennsylvania; The North Pittsburgh Telephone Company at Gibsonia, Pennsylvania; The Murraysville Telephone Company at Murraysville, Pennsylvania; The Continental Telecommunications, Inc. at Selinsgrove, Pennsylvania and Quaker State Telephone Company at Loyalsock, Pennsylvania; The Westmoreland Cable Company at New Kensington, Pennsylvania; The Clear Channel Cable TV Company at Kittanning, Pennsylvania; The Lebanon Valley Cable TV Company at Lebanon, Pennsylvania; Trams Communications Company at Bethlehem, Pennsylvania; The Tele-Tec Corporation at Oaklyn, New Jersey; Economy Answering Service at Philadelphia, Pennsylvania; Answering Services, Inc. at Kittanning, Pennsylvania; The Armstrong County Emergency Operations Center at Kittanning, Pennsylvania; Any other workers in Pennsylvania who may be organized by Local 13000; and such other jurisdictions as may be assigned by the Executive Board of the Union."

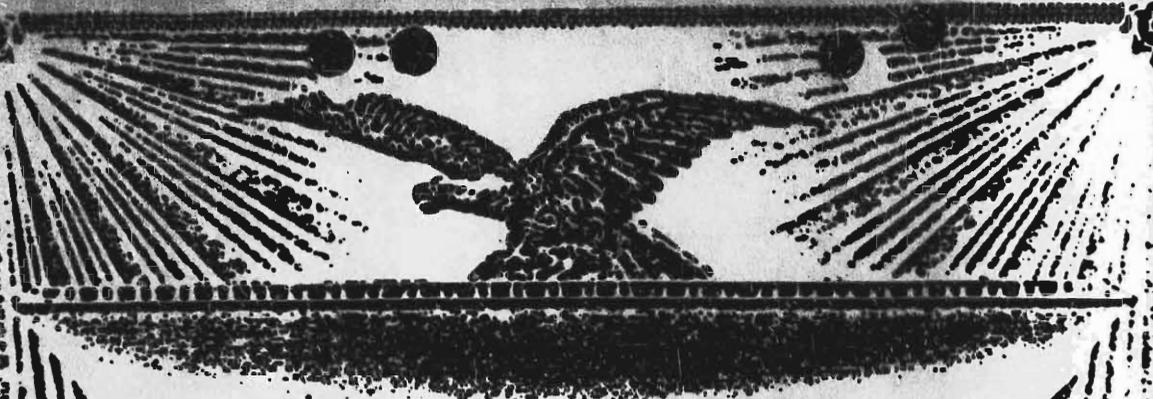
ORIGINAL CHARTER ISSUED:

August 1, 1984

ORIGINAL CHARTER ISSUED TO:

**W. E. Wallace, Vice Pres.
CWA District 13
1410 Chestnut Street
2nd Floor
Philadelphia, PA 19102**

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**COMMUNICATIONS WORKERS
OF
AMERICA
AFL-CIO**

LOCAL CHARTER

KNOW ALL PERSONS BY THESE PRESENTS THAT:

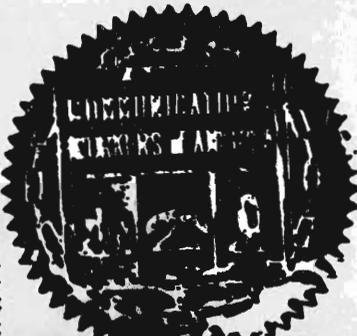
**By Authority of the Constitution this Charter is hereby granted to:
LOCAL 19000**

**of the Communications Workers of America, with the following
jurisdiction:**

"Over all work performed by employees eligible for Union membership employed by the following: The Bell Telephone Company of Pennsylvania or any of its subsidiaries anywhere in the State of Pennsylvania; The Bell Atlantic Corporation and any of its subsidiaries in the State of Pennsylvania; The AT&T Company and any of its subsidiaries in Pennsylvania except for those employees who are already represented by other CWA locals; The United Telephone Company at Butler, Pennsylvania; Alltel of Pennsylvania at Kittanning, Carbon, and Muncy, Pennsylvania; The North Pittsburgh Telephone Company at Gibsonia, Pennsylvania; The Murrysville Telephone Company at Murrysville, Pennsylvania; The Continental Telecommunications, Inc. at Sellersville, Pennsylvania and Quaker State Telephone Company at Loysock, Pennsylvania; The Westmoreland Cable Company at New Kensington, Pennsylvania; The Clear Channel Cable TV Company at Kittanning, Pennsylvania; The Lebanon Valley Cable TV Company at Lebanon, Pennsylvania; Trans Communications Company at Bethlehem, Pennsylvania; The Tele-Tec Corporation at Oaklyn, New Jersey; Economy Answering Service at Philadelphia, Pennsylvania; Answering Services, Inc. at Kittanning, Pennsylvania; The Armstrong County Emergency Operations Center at Kittanning, Pennsylvania; Any other workers in Pennsylvania who may be organized by Local 19000; and such other jurisdictions as may be assigned by the Executive Board of the Union."

This Charter is granted with all the rights and privileges conveyed in the Constitution upon the condition that the said Local shall at all times comply with the Constitution and the Rules and Regulations thereunder and may be revoked only upon violation thereof and in accordance with the provisions of the Constitution.

In witness whereof we have hereunto attached our signatures and caused the seal of the Communications Workers of America to be affixed.



Dated this 1st day of August, 1964

Ken E. Natta
President
Don B. Frank
Secretary-Treasurer

662457

2/18/64

OFFICIAL COPY

COMMUNICATIONS WORKERS OF AMERICA
MINUTES OF THE MEETING
OF THE
EXECUTIVE BOARD

WASHINGTON, D. C.

APRIL 9-13, 1984

APPROVED BY THE EXECUTIVE BOARD: JUNE 10, 1984

ISSUED: JUNE 22, 1984

NS-9 (224)

RECEIVED
JUL 2 '84
WEBB

EXHIBIT 6 6(246)

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CONVENTION ARRANGEMENTS/STAFFING

A discussion was held concerning the forthcoming Convention which will be called for August 6-9, 1984. All business that is normally handled will be concluded with a three day time span.

Further discussion was entered into concerning the need to have enough Staff at the Convention to handle convention assignments and that it was important to conserve where possible. It was agreed that one half of the Staff would attend the Convention. This decision was made with the knowledge that the conduct of the Convention requires a certain number of Staff in order that the business flows as smoothly as possible and as conveniently as possible for the delegates.

STRATEGIC PLANNING AND BUDGET COMMITTEE REPORT

See Attachment #1

ORGANIZING - OHIO PUBLIC EMPLOYEES ORGANIZING PROJECT

Motion: Moved that expenditures be authorized from the Defense Fund of \$500,000 for the Ohio project to go to August, 1984.

Motion Adopted 4/11/84

DISTRICT 13 RESOLUTION

The delegates to the Eleventh CWA Convention adopted Resolution 11A-57-3 and thereby exercised their Constitutional authority by approving the creation of a new District for the states of Pennsylvania and Delaware and approved the removing of these states from the jurisdiction of District 2. This was reaffirmed by the delegates to the 42nd Convention in 1980.

This Resolution required that the action for the creation of a District for Pennsylvania and Delaware be effective coincident with the Federation of Telephone Workers of Pennsylvania joining CWA and further directed that the Executive Board of CWA take all steps necessary to effectuate this Resolution.

The members of the Federation of Telephone Workers of Pennsylvania, having overwhelmingly voted to join CWA, and pursuant to Resolution 11A-57-3, as adopted by the delegates to the Eleventh CWA Convention.

BE IT RESOLVED: That the Executive Board of CWA hereby establishes CWA District 13 consisting of the states of Pennsylvania and Delaware, effective August 1, 1984. Thereafter, the President of CWA shall convene a meeting of delegates from all Locals in District 13, including the new Local to be chartered for the jurisdiction of the FTWP, for the purpose of electing a Vice President who shall serve until the next regular Constitutional election of Officers.

6(247)

Resolution Adopted
4/11/84

85090521375

July 18, 1984

File: 1.7.13.2377

Mr. Raymond Smith, President
Bell of Pennsylvania
One Parkway
Philadelphia, PA 19102

Dear Sir:

As I am certain you are aware, the Federation of Telephone Workers of Pennsylvania has merged with the Communications Workers of America, effective August 1, 1984. Therefore, as of 12:01 a.m., August 1, 1984, and subsequent to this time, all dues deductions from members of the Communications Workers of America (including former members of the Federation of Telephone Workers of Pennsylvania) should be made payable to the Communications Workers of America and transmitted to Louis B. Knecht, Secretary-Treasurer, 1925 K Street, N.W., Washington, D.C. 20006.

This will also certify that the minimum membership dues for the employees represented by Communications Workers of America have been established at two hours pay per member, per month, based on 40 hours a week, in accordance with the appropriate formula furnished herewith that is applicable to the schedule of payroll deductions being made. If present deductions amount to more than the minimum two hours pay, they should remain in effect until specific authorization is given to change.

This letter of certification, until further notice, authorizes the employer to make payroll deductions from the wages of employees represented by Communications Workers of America Local 17000.

Sincerely,

Louis B. Knecht,
Secretary-Treasurer

Enclosures

/pv

cc: W. E. Wallace, Exec. Pres., F.T.W.P.
Lawrence J. Barnhorst, Comptroller, Bell of PA. (enc.)

EXHIBIT 7

6(248)

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FEC

MAR 12 AIO: 54

From: Michael R. Fanning

Date:

March 11, 1986

TO: Ms. Patty Riley

Per your request.

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Affiliated Graphics
3342 Bladensburg Road
Brentwood, Maryland 20722
Phone: (301) 927-3800



A DIVISION OF FONTANA LITHOGRAPH, INC

ATTACHMENT # 7(249)

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January 7, 1986

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

Please accept the attached as a timely response by EPEC/IUOE in the above-referenced matter. An attempt was made today to file this response by hand with the Office of the General Counsel, 999 E Street, N.W., Washington, D.C., however, we were advised that said offices were closed due to a water main leak.

Sincerely,

Michael R. Fanning
Counsel

MRF/jlw

Attachment

7(250)

January 6, 1986

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

This statement is submitted on behalf of the Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE) and its Treasurer, Frank Hanley, in response to the Complaint filed in the above-captioned matter.

The Complaint, at paragraphs 23 through 25, alleges that EPEC/IUOE and the IUOE Local 68 Political Action Committee violated 2 USC § 441a(a)(2)(A) by contributing a total of \$5,250 to the Jim Hunt Committee (the Hunt Committee) in connection with the 1984 primary election.

A review of the records of EPEC/IUOE discloses that the Committee did contribute \$5,000 to the Hunt Committee on May 18, 1984. While, as of this date, we have not been able to confirm whether or not the allegation with respect to the IUOE Local 68 PAC is accurate, it is the position of EPEC/IUOE that if a violative excess contribution was made in this matter such violation can be attributal only to the Hunt Committee and not EPEC/IUOE or its affiliated committees.

Enclosed herewith is a copy of the cover letter of EPEC/IUOE, dated May 18, 1984, which accompanied its \$5,000 contribution. The first paragraph of this letter specifically designates the contribution for the primary election. The second paragraph directs the Hunt Committee to advise EPEC/IUOE if the \$5,000 contribution, together with any other contributions the Hunt Committee may have

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received from IUOE Local Unions, exceeds the amount provided by federal law. EPEC/IUOE records disclose no notification from the Hunt Committee that it had received any other contributions from IUOE Local Unions in connection with the primary election.

It is the position of EPEC/IUOE that this cover letter placed upon the Hunt Committee the obligation to notify EPEC/IUOE if its contribution may have exceeded federal law as a result of other contributions the Hunt Committee had received from committees affiliated with EPEC/IUOE. If the Hunt Committee had advised EPEC/IUOE of such excess, immediate steps would have been taken to correct the situation.

By letter of this date, a copy of which is attached, EPEC/IUOE has requested that the Hunt Committee review its records in this matter and immediately refund to EPEC/IUOE any portion of its \$5,000 contribution which may have exceeded the limits of 2 USC § 441a(a)(2)(A).

Sincerely,

Michael R. Fanning
Counsel

MRF/jlw

Enclosures



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

James Coppess, Esquire
Communication Workers of America
Legal Department
Suite 111
1925 K Street, N.W.
Washington, D.C. 2006

RE: MUR 2110

1. Communications Workers of America Local 1300 committee ("Local 1300") and Edwin J. Maher, as treasurer
2. Communications Workers of America Committee on Political Education Political Contributions Committee ("CWA/COPE") and James B. Booe, as treasurer

Dear Mr. Coppess:

The Federal Election Commission notified your clients on December 19, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act".) Copies of the complaint were forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your clients, the Commission, on _____, 1986, determined that there is reason to believe that your clients violated 2 U.S.C. § 441a(a)(2)(a), a provision of the Act, as well as 11 C.F.R. § 104.14(d), a provision of the Commission's regulations. Specifically, it appears that CWA/COPE and Local 1300 exceeded their shared contribution limit for the general election when CWA/COPE made a \$3,900 general election contribution to the Hunt Committee after August 1, 1985, the date CWA/COPE Local 1300 became affiliated. Because your clients had reached the \$5,000 contribution limitation through the combined total of their contributions made as of the date of affiliation, they could not make any further contributions to the Hunt Committee for the general election. See AO 1985-27. Moreover, it appears that your clients and the

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Hunt Committee have reported inconsistent designations for your March 1984 and May, 1984 contributions.

You may submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 your clients wishes the matter to be made public.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at 376-8200.

Sincerely,

Enclosures
Procedures

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James Zazzali, Esquire
Zazzali, Zazzali, & Kroll
One Gateway Center
Newark, NJ 07102-5311

RE: MUR 2110
International Union of
Operating Engineers
Local 68 Political
Action Committee and
Vincent J. Giblin, as
treasurer

Dear Mr. Zazzali:

The Federal Election Commission notified your client on December 19, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act".) A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on _____, 1986, determined that there is reason to believe that International Union of Operating Engineers Local 68 Political Action Committee and Vincent J. Giblin, as treasurer, have violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act as well as 11 C.F.R. § 104.14(d), a provision of the Commission's Regulations. Specifically, it appears that the committee made a \$250 excessive contribution to the Jim Hunt for Senate Committee by virtue of its affiliation with its parent union's political committee. It also appears the committee failed to file "timely and complete" reports within the meaning of 11 C.F.R. § 104.14(d).

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on

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probable cause have been mailed to the respondent will not be entertained.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 your clients wishes the matter to be made public.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures
Procedures

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Engineers Political Education Committee/
International Union of Operating Engineers
and Frank Hanley, as treasurer
1125 17th Street, N.W.
Washington, D. C. 20036

RE: MUR 2110
Engineers Political
Education Committee/
International Union
of Operating Engineers
and Frank Hanley, as
Treasurer

Dear Mr. Hanley:

The Federal Election Commission notified Engineers Political Education Committee/ International Union of Operating Engineers and Frank Hanley, and you, as treasurer, on December 19, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act".) A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on , 198 , determined that there is reason to believe that the Engineers Political Education Committee/International Union of Operating Engineers and you, as treasurer, have violated 2 U.S.C. § 441a(a)(2)(A), a provision of the Act, as well as 11 C.F.R. § 104.14(d), a provision of the Commission's Regulations. Specifically, it appears that the Committee made a \$250 excessive contribution to the Jim Hunt for Senate Committee. It also appears the committee failed to file "timely and complete reports" within the meaning of 11 C.F.R. § 104.14(d).

Please submit answers to the enclosed questions within fifteen days of your receipt of this letter. Statements should be submitted under oath.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either

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Ltr to Mr. Hanley
Page 2

proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 have any questions, please contact Patty Reilly, the attorney staff member assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures
Procedures

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert D. Kurnick, Esquire
Sherman, Dunn, Cohen, Leifer
and Counts, P.C.
1125 15th Street, N.W.
Suite 801
Washington, D.C. 20005

- RE: MUR 2110
1. International Brotherhood of Electrical Workers Committee on Political Education and Jack Moore, as treasurer
 2. International Brotherhood of Electrical Workers Local Union 584 ELECTRO-PAC and Gerald H. Edwards, as treasurer

Dear Mr. Kurnick:

The Federal Election Commission notified your clients on December 19, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your clients, the Commission, on _____, 1986, determined that there is reason to believe that your clients have violated 2 U.S.C. §§ 441a(a)(2)(A), 434(b)(2)(I) and 434(b)(6)(B)(i), as well as 11 C.F.R. § 104.14(d), provisions of the Act and the Commission's Regulations. Specifically, it appears that your clients made a \$100 excessive contribution to the Jim Hunt Committee, with inconsistent dates and identities reported by your clients and the Hunt Committee regarding this contribution. Additionally, your clients failed to report a refund made by the Hunt Committee on June 18, 1984. Finally, it appears your clients have failed to file "timely and complete" reports as required by 11 C.F.R. § 104.14(d).

Because of the uncertainties regarding the date of this \$100 contribution and the failure to report this refund, on _____, 1986, the Commission declined to enter into pre-probable cause conciliation with your clients at this time. Upon submission of additional materials documenting these matters, the Commission will entertain this request at a later date. You may

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submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Please file any such response within fifteen days of your receipt of this notification.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 your clients wishes the matter to be made public.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures
Procedures

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

John R. Wallace, Esquire
Kirby, Wallace, Greech, Sarda &
Zaytoun
Washington Square
1020 Washington Street
Raleigh, N.C. 27605

RE: MUR 2110
The Jim Hunt Committee and
Maylon Little, as treasurer

Dear Mr. Wallace:

The Federal Election Commission notified your clients on December 14, 1985, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your clients, the Commission, on _____, 1986, determined that there is reason to believe that your clients have violated 2 U.S.C. § 441a(f) and 434b(3)(A), as well as 11 C.F.R. § 104.14(d), a provision of the Commission's Regulations. Specifically, it appears that your clients accepted \$100 in excessive contributions from the International Brotherhood of Electrical Workers Committee on Political Education and its affiliated political committee, Electrical Workers Union Local 584 Electro PAC in violation of 2 U.S.C. § 441a(f). The Commission also determined that it appears that your clients failed to report the proper date and identity of the \$100 contribution in violation of 2 U.S.C. § 434(b)(3)(A). Additionally, it appears your clients accepted \$5,250 in primary contributions from the International Union of Operating Engineers and its affiliated committee, Engineers Political Education Committee/International Union of Operating Engineers Local 68 PAC in violation of 2 U.S.C. § 441a(f). Although your response stated that you had received a \$5000 general election contribution from these committees, their reports differ in this regard. Inconsistent designations also appear with regard to contributions from the Communications Workers of America Committee on Political Education and its affiliated committees, Communications Workers of America Local 1300. Moreover, it appears the Hunt Committee violated 2 U.S.C.

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§ 441a(f) by accepting a \$3,900 contribution from Communications Workers of America Committee on Political Education ("CWA/COPE"). That contribution, when added to previous contributions made by CWA/COPE and its affiliated committee, Local 1300 (formerly Telephone Workers of Pennsylvania Political Action Committee), exceeded the committees' combined contribution limitation for the general election. Finally, it appears your clients have failed to file "complete and timely reports" within the meaning of 11 C.F.R. § 104.14(d).

Your clients' response to the Commission's initial notification of this complaint did not provide complete information regarding the matters in question. You may submit any factual or legal materials that you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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 your clients wish the matter to be made public.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures
Procedures

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9504021800

INTERROGATORIES

TO: Frank Hanley, treasurer
Engineers Political Education Committee/International Union
of Operating Engineers

As used in these interrogatories the terms listed below are defined as follows:

a. The term "documents" or "records" shall mean, unless otherwise indicated, writings of any kind, including, but not limited to, correspondence, memoranda, reports, transcripts, minutes, pamphlets, leaflets, notes, letters, lists, telexes, telegrams, messages (including reports, notes, memoranda, and any other documentation of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, printouts, account statements, ledgers, billing forms, receipts, checks and other negotiable paper, and compilations in the possession or control of the EPEC/UOE.

b. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any documents which may be otherwise construed to be out of its scope.

Please respond to the following:

1. Did the EPEC/IUOE or any of its affiliated committees make any contributions to the Jim Hunt for Senate Committee during 1983-1984? If so, state the dates, amounts, and designations of these contributions.
2. State the manner in which contributions listed in your answer to interrogatory one have been reported to the Federal Election Commission by EPEC/IUOE . If there are any differences

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between your answers to interrogatory one and this response, account for this difference.

3. Did the International Union of Operating Engineers Local 68 PAC ("Local 68 PAC") make any contributions to the Jim Hunt for Senate Committee during 1983-1984? If so, state the dates, amounts, and designations of these contributions.

4. State the manner in which contributions listed in your answer to interrogatory three have been reported to the Federal Election Commission. If there are any differences between your answers to interrogatory three and this response, account for this difference.

The Commission further requests the following documents:

1. Copies of all contributions checks to the Jim Hunt Committee from the EPEC/IUOE or any affiliated committee.
2. Copies of all documents sent by EPEC/IUOE and any affiliated committee discussing transmittal and designation of contributions.
3. Copies of all documents between EPEC/IUOE and Local 68 PAC discussing the designation of contributions made to the Hunt Committee.

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GC#9962

January 7, 1986

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RECEIVED
GENERAL COUNSEL

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

Please accept the attached as a timely response by EPEC/IUOE in the above-referenced matter. An attempt was made today to file this response by hand with the Office of the General Counsel, 999 E Street, N.W., Washington, D.C., however, we were advised that said offices were closed due to a water main leak.

Sincerely,

Michael R. Fanning
Counsel

MRF/jlw

Attachment

86040521893

January 6, 1986

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

This statement is submitted on behalf of the Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE) and its Treasurer, Frank Hanley, in response to the Complaint filed in the above-captioned matter.

The Complaint, at paragraphs 23 through 25, alleges that EPEC/IUOE and the IUOE Local 68 Political Action Committee violated 2 USC § 441a(a)(2)(A) by contributing a total of \$5,250 to the Jim Hunt Committee (the Hunt Committee) in connection with the 1984 primary election.

A review of the records of EPEC/IUOE discloses that the Committee did contribute \$5,000 to the Hunt Committee on May 18, 1984. While, as of this date, we have not been able to confirm whether or not the allegation with respect to the IUOE Local 68 PAC is accurate, it is the position of EPEC/IUOE that if a violative excess contribution was made in this matter such violation can be attributal only to the Hunt Committee and not EPEC/IUOE or its affiliated committees.

Enclosed herewith is a copy of the cover letter of EPEC/IUOE, dated May 18, 1984, which accompanied its \$5,000 contribution. The first paragraph of this letter specifically designates the contribution for the primary election. The second paragraph directs the Hunt Committee to advise EPEC/IUOE if the \$5,000 contribution, together with any other contributions the Hunt Committee may have

85040521894

January 7, 1986

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

Please accept the attached as a timely response by EPEC/IUOE in the above-referenced matter. An attempt was made today to file this response by hand with the Office of the General Counsel, 999 E Street, N.W., Washington, D.C., however, we were advised that said offices were closed due to a water main leak.

Sincerely,

Michael R. Fanning
Counsel

MRF/jlw

Attachment

8 5 0 4 0 5 2 1 8 9 5

received from IUOE Local Unions, exceeds the amount provided by federal law. EPEC/IUOE records disclose no notification from the Hunt Committee that it had received any other contributions from IUOE Local Unions in connection with the primary election.

It is the position of EPEC/IUOE that this cover letter placed upon the Hunt Committee the obligation to notify EPEC/IUOE if its contribution may have exceeded federal law as a result of other contributions the Hunt Committee had received from committees affiliated with EPEC/IUOE. If the Hunt Committee had advised EPEC/IUOE of such excess, immediate steps would have been taken to correct the situation.

By letter of this date, a copy of which is attached, EPEC/IUOE has requested that the Hunt Committee review its records in this matter and immediately refund to EPEC/IUOE any portion of its \$5,000 contribution which may have exceeded the limits of 2 USC § 441a(a)(2)(A).

Sincerely,

Michael R. Fanning
Counsel

MRF/jlw

Enclosures

8 5 0 1 6



★ OFFICE OF GENERAL PRESIDENT

3 5 0 4 0 5 2 1 3 9 7

★ ★ ★ ★ ★
International Union of Operating Engineers

★ 1125 SEVENTEENTH STREET NORTHWEST ★ WASHINGTON, D.C. 20036



Ms. Patty Riley
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

US MAIL

MIU. 30



CCC #9672

RECEIVED AT THE FEC

HAND DELIVERED
86 FEB 7 12:27

Jim Hunt Committee
Post Office Box 25937
Raleigh, North Carolina 27611

86 FEB 7 3:30

RECEIVED
GENERAL INVESTIGATIVE

February 6, 1986

Mr. Charles N. Steele, Esq., General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D.C. 20463

Att: Ms. Patty Reilly:

RE: Mur 2110

Dear Ms. Reilly:

Enclosed you will find additional information received after my reply of January 27, 1986, relating to contributions from EPEC/IUOE Local 68 PAC and IBEW-Local Union 584 Electro PAC. Our position remains the same in that the Jim Hunt Committee never intentionally accepted excess contributions from either contributor. Correspondence received after the date of my response is attached and our position regarding the contributions is as follows:

Item 1 EPEC/IUOE Local 68 PAC

In the attached letter from Mr. Frank Hanley regarding a \$5,000.00 contribution dated by the EPEC on May 18, 1984 and received by the Jim Hunt Committee on May 31, 1984, our position is unchanged. According to Ms. Jan Parker to whom the letter was addressed, all such primary contributions received after the primary election were referred to Mr. Mark Moskowitz the PAC contact for the Committee. In all cases, the contributing PAC was contacted and advised of the situation. The contributor was given a choice of a refund or redesignation toward the general election limitation. It is apparent that the EPEC/IUOE redesignated their contribution toward the general election, as we neither received nor accepted any further contributions. If the May 18, 1984 contribution is deemed a general contribution the Local 68 PAC contribution of \$250.00 would not be in excess of the primary limitation.

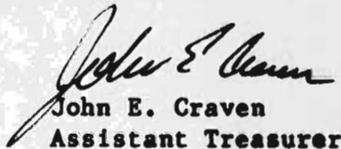
Item 2 IBEW/COPE - IBEW Local Union 584 Electro PAC

The committee received the enclosed letter from Mr. Jack F. Moore, the treasurer of IBEW-COPE dated January 2, 1986. As explained in our reply of January 27, 1986, the committee did accept a contribution on April 30, 1984 which exceeded the primary election limitation from the IBEW. However, upon detection, the contribution was promptly refunded on June 18, 1984. As explained in my letter of January 27, 1986, a contribution from IBEW local union 584 PAC was never received nor accepted by the Jim Hunt Committee.

86040521898

Upon receiving the enclosed correspondence, I attempted to contact Mr. Frank Hanley concerning the \$5,000.00 contribution from EPEC. Both Mr. Hanley and Counsel for the EPEC are attending a conference in Miami and will return on Monday February 10, 1986. I am hopeful that the problem concerning the contributions can be resolved at that. If you have any further questions, please contact Mr. Wallace or Mr. Kirby, our designated counsel.

Sincerely,


John E. Craven
Assistant Treasurer

JEC/lf

cc: Mr. Frank Hanley, Treasurer
Engineers Political Election Fund
1125 Seventeenth Street, N.W.
Washington, D.C. 20036

Mr. Michael Fanning, Counsel
Engineers Political Election Fund
1125 Seventeenth Street, N.W.
Washington, D.C. 20036

Mr. Jack F. Moore, Secretary/Treasurer
IBEW-COPE
1125 Fifteenth Street, N.W.
Washington, D.C. 20025

86040621899

LARRY DUGAN, JR.
Chairman

FRANK HANLEY
Treasurer

1125 Seventeenth Street, N.W.
Washington, D.C. 20036
202-429-9100

Engineers Political Education Committee



January 6, 1986

Mr. Maylon E. Little, Treasurer
Jim Hunt Committee
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611

Dear Mr. Little:

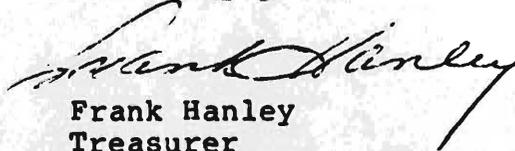
We have recently been served with a Complaint styled MUR 2110 which has been filed with the Federal Election Commission by Jeffrey W. Ryan.

The Complaint alleges that EPEC/IUOE, and its affiliated Committee the IUOE Local 68 PAC, contributed a total of \$5,250 to the 1984 primary election campaign of Governor Hunt. Enclosed is a copy of the cover letter of EPEC/IUOE which accompanied our \$5,000 contribution of May 18, 1984.

Would you please review your records to determine whether our May 18 contribution, together with those received from any other committees of IUOE Local Unions in connection with the 1984 primary election, exceeded the applicable federal limitations and, if so, refund such excess to EPEC/IUOE forthwith.

Your cooperation is appreciated.

Sincerely yours,


Frank Hanley
Treasurer

FH/jlw

Enclosure

85040521900

J. C. TURNER
Chairman

FRANK HANLEY
Treasurer

1125 Seventeenth Street, N.W.
Washington, D.C. 20036
202-429-9100

Engineers Political Education Committee



May 18, 1984

Ms. Jan Parker, Treasurer
JIM HUNT COMMITTEE
P. O. Box 25937
Raleigh, North Carolina 27611

Dear Ms. Parker:

Attached heretò is our check #0001359 in the amount of \$5,000.00 as a contribution from the Engineers Political Education Committee of the International Union of Operating Engineers for Governor Hunt's 1984 Primary Election campaign for the United States Senate from the State of North Carolina.

If this check together with any other contributions from our Local Unions exceeds the amount provided by Federal Law, please advise.

Sincerely,

J. C. Turner
J. C. Turner
CHAIRMAN

Frank Hanley
Frank Hanley
TREASURER

JCT:FH/kmg

Enc. (1)

85040621901



1125 Fifteenth Street, N.W.
Washington, D.C. 20005

January 2, 1986

Mr. James B. Hunt, Jr.
215 Hillsborough Street
P. O. Box 25937
Raleigh, North Carolina 27611

Dear Mr. Hunt:

We have received a letter from the Federal Election Commission concerning our 1984 campaign contributions to you.

The FEC received a complaint from a Jeffery W. Ryan of 4757 Parkman Court, Annandale, Virginia 22003 - Complaint MUR No. 2110, wherein he alleged that IBEW-COPE made excessive contributions to your campaign in 1984.

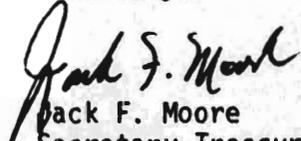
In reviewing our files we find that we did, in fact, inadvertently contribute \$100.00 over the maximum allowable amount in the 1984 General Election.

I, therefore, request that you refund to IBEW-COPE the amount of \$100.00 in order that we may be in compliance with the law.

I am sorry for the inconvenience this has caused you and thank you for your immediate attention to this matter.

With all good wishes.

Sincerely,


Jack F. Moore
Secretary-Treasurer
IBEW-COPE

JFM/ct
opeiu #2
cc: Federal Election Commission

95040521902



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: *mwe* MARJORIE W. EMMONS/CHERYL A. FLEMING *CAF*

DATE: FEBRUARY 10, 1986

SUBJECT: MUR 2110 - First General Counsel's Report
Signed February 4, 1986

The above-named document was circulated by the Commission Secretary's Office to the Commissioners on a 24 hour no-objection basis at 4:00 P.M., Thursday, February 6, 1986.

There were no objections received in the Office of the Secretary of the Commission to the First General Counsel's Report at the time of the deadline.

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF
COMMISSIONER
SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

86 FEB 6 AID: 47

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

MUR #2110
DATE COMPLAINT REC'D BY
OGC: December 3, 1985
DATE NOTIFICATION TO
RESPONDENT: 12/19/85
STAFF MEMBER: Reilly

Complainant's Name: Jeffrey Ryan

Respondent's Names:

1. James B. Hunt, Jr.
2. The Jim Hunt Committee and Maylon E. Little, as treasurer.
3. Maylon E. Little, individually.
4. Jim Hunt Exploratory Committee.
5. Engineers Political Education Committee/International Union of Operating Engineers, and Frank Hanley, as treasurer.
6. Frank Hanley, individually.
7. International Union of Operating Engineers, Local 68 Political Action Committee and Vincent J. Giblin, as treasurer.
8. Vincent J. Giblin, individually.
9. International Brotherhood of Electrical Workers Committee on Political Education, and Ralph A. Leigon, as treasurer.
10. Ralph A. Leigon, individually.
11. International Brotherhood of Electrical Workers Local Union 584 Electro PAC, and Gerald H. Edwards, as treasurer.
12. Gerald H. Edwards.
13. Communication Workers of America Committee on Political Education Political Contributions Committee and Louis B. Knecht, Fred G. Hassen, and Ron Krouse, as treasurers.

R 6 0 4 0 5 2 1 9 0 4

14. Lois B. Knecht, individually.
15. Fred G. Hassen, individually.
16. Ron Krouse, individually.
17. Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee), and Edwin J. Maher, as treasurer.
18. Edwin J. Maher, individually.

RELEVANT STATUTES: 2 U.S.C. § 441a(f)
2 U.S.C. § 441a(a)(2)(A)
2 U.S.C. § 441a(a)(5)
11 C.F.R. § 104.14(d)
A.O. 1985-27
A.O. 1985-5
A.O. 1982-32

INTERNAL REPORTS CHECKED: Disclosure Reports

SUMMARY OF ALLEGATIONS

The Office of the General Counsel received a complaint on December 3, 1985 from Michael Ernest Avakian of the Center on National Labor Policy on behalf of his client, Jeffry Ryan. The complaint alleges that both the Jim Hunt Exploratory Committee and the Jim Hunt Committee and Maylon E. Little, as treasurer, violated 2 U.S.C. § 441a(f) by accepting contributions exceeding the Act's limitations. Additionally, the complaint alleges the following six committees and their treasurers were the sources of these excessive contributions, thus violating 2 U.S.C.

§ 441a(A)(2)(A): 1) Engineers Political Education Committee/International Union of Operating Engineers ("EPEC/IUOE") and Frank Hanley, as treasurer; 2) International

86040521905

Union of Operating Engineers Local 68 Political Action Committee ("IUOE Local 68 PAC") and Vincent J. Giblin, as treasurer; 3) International Brotherhood of Electrical Workers Committee on Political Education ("IBEW/COPE") and Ralph A. Leigon, as treasurer; 4) International Brotherhood of Electrical Workers Local 584 Electro-PAC ("Electro-PAC") and Gerald H. Edwards, as treasurer; 5) Communication Workers of America Committee on Political Education Political Contributions Committee ("CWAC/COPE") and Louis B. Knecht, Fred G. Hassen, and Ron Krouse, as treasurers; and 6) Local 1300 Communication Workers of America, AFL-CIO ("Local 1300") and Edwin J. Maher, as treasurer. The complaint also names all of these treasurers in their individual capacities and alleges violations of 11 C.F.R. 104.14(d).

During the month of January, this Office received initial responses from many of the respondents. Additionally, respondents related to CWAC-COPE and Local 1300 requested and received an extension of time until January 17, 1986, to respond to the complaint. On that date, attorneys for these respondents submitted a voluminous response. Moreover, respondents related to the Hunt Committee requested and received an extension of time until January 13, 1986. On that date an initial response was submitted. Following discussions with staff, a supplemental response was received by this Office on January 29, 1986. The

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Hunt Committee indicates additional documentation may be forthcoming.

The Office of the General Counsel is currently reviewing all responses. Upon completion of this review, this Office will report to the Commission with appropriate recommendations.

Charles N. Steele
General Counsel

3/4/86
Date

BY: Kenneth A. Gross (KG)
Kenneth A. Gross
Associate General Counsel

85040521907

DAVID F. KIRBY
JOHN R. WALLACE
PAUL P. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

RICHARD P. NORDAN

KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN
ATTORNEYS AT LAW
WASHINGTON SQUARE
1080 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27608

RECEIVED AT THE FEC
HAND DELIVERED
86 JAN 28 10:57
GCO# 9582

P. O. BOX 12065
(919) 981-4410

January 27, 1986

FEDERAL EXPRESS

36 JAN 28 P 3: 27

RECEIVED
GENERAL COUNSEL

Ms. Patty Reilly, Esq.
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

RE MUR 2110

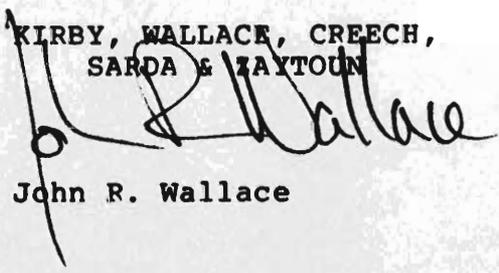
Dear Ms. Reilly:

As I indicated in the response of the Jim Hunt Committee and the other related respondents, I am enclosing additional documentation in support of our denial of the allegations of MUR 2110. The enclosed response of Maylon E. Little, Treasurer, contains photocopies of the pertinent pages of the pertinent reports of the Jim Hunt Committee, demonstrating that contributions received in the primary period were properly designated as primary contributions and that contributions received subsequent to the primary election were designated as contributions for the general election. Excess contributions were timely refunded.

Should you have further questions with regard to this matter, please contact me.

Sincerely,

KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN



John R. Wallace

JRW/dcr

Enclosures

86040521908

James B. Hunt, Jim Hunt Committee
Jim Hunt Exploratory Committee
Maylon E. Little, Treasurer
Post Office Box 25937
Raleigh, North Carolina 27611

January 27, 1986

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Ms. Patty Reilly

RE: Mur 2110

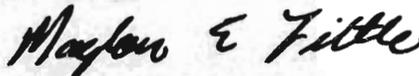
Dear Ms. Reilly:

Attached you will note a statement of Designation of Counsel (attachment number 1) and Treasurer's response (attachment number 2) to the Mur # 2110. After reviewing the attached documentation any further questions and correspondence should be directed to Messrs John Wallace or David Kirby in their capacity of counsel.

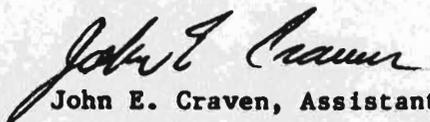
It is the position of the committee that all contributions were reported properly as to their designation as primary or general election and further that any excess amounts were properly refunded. The complaintant was advised of our position prior to the filing of the complaint on November 27, 1985 as shown in attachment number 3. Correspondence from the Federal Election Commission and the actual complaint are included as attachments numbers 4 and 5 respectively.

Please accept our apologies for the delay in making our response. As you are aware, the committee no longer operates an office, nor employs any personnel and has disposed of all our data processing equipment. All files are in print-out form which are maintained at a storage facility. In addition, the complaint was received during the holiday season and our response occurs as we are preparing our January 31 report, and other payroll and tax reports. We regret the delay, but due to timing and our dormant status, our reply is as timely as the circumstances permit.

Sincerely,



Maylon E. Little, Treasurer



John E. Craven, Assistant

Attachments

- | | |
|--|----------------|
| 1. Statement of Designation of Counsel | Page 1 of 1 |
| 2. Treasurer's Reponse and Exhibits | Page 1 thru 21 |
| 3. Response to letter on National Labor Policy | Page 1 of 1 |
| 4. Letter from Federal Election Committee | Page 1 thru 2 |
| 5. Complaint # Mur 2110 | Page 1 thru 25 |

86040521909

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2110

NAME OF COUNSEL: Kirby, Wallace, Creech, Sarda & Zaytoun

ADDRESS: P.O. Box 12065

Raleigh, North Carolina 27605

Mr. John Wallace and Mr. David Kirby

TELEPHONE: (919) 821-4416

The above-named individuals ^{are} hereby designated as my
counsel and ^{are} authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

Date _____

1-27-86
Date

Signature James B. Hunt

Maylon E. Little
Signature Maylon E. Little

RESPONDENT'S NAME: James B. Hunt, Candidate

ADDRESS: Maylon E. Little, Treasurer

Jim Hunt Committee, Jim Hunt Exploratory Committee

P.O. Box 25937, Raleigh, NC 27611

HOME PHONE: (919) 828-4236 (Contact - John E. Craven)

BUSINESS PHONE: (919) 821-4011 (Contact - John E. Craven)

85040521910

TREASURER'S REPOSE

Item 1 EPEC/IUOE LOCAL 68 PAC

Contributions from the above committee were properly received, designated, and reported by the Jim Hunt Committee as follows:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
5/8/84	IUOE Local 68 PAC	\$ 250.00	Primary
5/31/84	EPEC/IUOE	5,000.00	General

The complainant contends that the contribution of May 31, 1984 should be designated as a primary contribution, however, this is incorrect as the contribution was received after the primary election and therefore is properly designated as toward the general election. Therefore, the above contributing committee did not exceed the primary or general limitations. Documentation is attached showing the Treasurer's running total of the contributions as shown in the Jim Hunt Committee PAC Master Register. Additionally, pages from the Jim Hunt Committee periodic reports to the Federal Election Committee are included as documentaion of our reporting.

86040521911

- 1- PCOTHR
- 2- C 1000
- 3-
- 4-
- 5-
- 6-

MARION EOEY

-----DETAIL-----
 TYPE DATE AMOUNT
 PCOTHR 8/02/84 250.00

5003057 LOCAL 68 IUOE PAC
 11 FAIRFIELD PLACE
 WEST ORANGE NJ 7006-0000

TYPE TITLE CONTACT PERSON
 1- PCLABR UNKNOWN
 2- C 1000
 3-
 4-
 5-
 6-

-----DETAIL-----
 TYPE DATE AMOUNT
 PCLABR 5/08/84 250.00

5001132 LOCOMOTIVE ENGINEERS LEGIS. LEAGUE
 1128 ENGINEERS BUILDING
 CLEVELAND OH 44114-0000

TYPE TITLE CONTACT PERSON
 1- PCLABR CHAIRMAN JOHN F. SYSTMA
 2- C 1000 VICE-PRES. EDWARD L. MCCULLOCH
 3- NC CONTACT J.W. WARD
 4- 44 PATTON PLACE, ASHEVILLE 28805
 5-
 6-

-----DETAIL-----
 TYPE DATE AMOUNT
 PCLABR 2/01/84 2,500.00
 PCLABR 8/08/84 2,500.00
 PCLABR 9/14/84 500.00

ID NAME AND ADDRESS

5003067 ENGINEERS POLITICAL EDUCATION COMMITTEE
1125 17TH STREET, N.W.

WASHINGTON DC 20035-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCLABR	CHAIRMAN	J.C. TURNER
2-	C 1000	TREASURER	FRANK HANLEY
3-			
4-			
5-			
6-			

-----DETAIL-----

	TYPE	DATE	AMOUNT
**	PCLABR	5/31/84	5,000.00

5003260 EPIC PAC
5201 LEESBURG PIKE
SUITE 1600
FALLS CHURCH VA 22041-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCBUSN		UNKNCWN
2-	C 1000		
3-			
4-			
5-			
6-			

-----DETAIL-----

	TYPE	DATE	AMOUNT
	PCOTHR	9/26/84	250.00

5003329 ERICKSON AND SEDERSTRGM FEDERAL PAC
10330 REGENCY PARKWAY DRIVE

OMAHA NE 68114-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCBUSN		J. RUSSELL DERR
2-	C 1000		
3-			
4-			
5-			
6-			

-----DETAIL-----

	TYPE	DATE	AMOUNT
	PCOTHR	10/30/84	25.00

ATTACHMENT 2

Page 3 of 21

8 300 40 6 2 d 9 e l 3

AND PROFESSIONAL WOMEN'S PAC
MASSACHUSETTS AVE N.W.
WASHINGTON DC 20036

TOTAL 1,000.00 ALL TOTAL 1,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 1,000.00 5/07/84

VALLEY PAC
MAYAN LANE
NY 10952

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/08/84

CORP. EMPLOYEES FUND FOR BETTER GOVERNMENT
MUST STREET
AMES IA 50336

TOTAL 500.00 ALL TOTAL 500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 500.00 5/08/84

AL ORGANIZATION FOR WOMEN PAC
BOX 317
WASHINGTON DC 20044

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/08/84

68 IUOE PAC
FAIRFIELD PLACE
ORANGE NJ 07006

TOTAL 250.00 ALL TOTAL 250.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 250.00 5/08/84

GEORGIA CITIZENS FOR GOOD GOVERNMENT
PO BOX 20285
ATLANTA GA 30325

TOTAL 10,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/08/84
5,000.00 6/01/84

ATTACHMENT 2
Page 4 of 21

CITIZENSHIP FUND
LINDBERGH BOULEVARD
CRISTMO 63167

TOTAL 75.00 ALL TOTAL 75.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 75.00 5/30/84

MEMBERS POLITICAL EDUCATION COMMITTEE
17TH STREET, N.W.
WASHINGTON DC 20036

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/31/84

POLITICAL ACTION COMMITTEE
17TH STREET
FLOOR
NEW YORK NY 10019

TOTAL 5,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/26/84

LIPPERT, BERNHARD AND MCPHERSON PAC
11TH STREET, N.W.
WASHINGTON DC 20036

TOTAL 500.00 ALL TOTAL 500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 500.00 6/01/84

AFRICAN SEED TRADE ASSOC. SEED PAC
15TH STREET, N.W.
WASHINGTON DC 20005

TOTAL 500.00 ALL TOTAL 500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 500.00 6/01/84

SEED PAC
P.O. BOX 299008
HOUSTON TX 77299

TOTAL 100.00 ALL TOTAL 100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 50.00 6/01/84
50.00 6/11/84

ATTACHMENT 2
Page 5 of 21

Item 2 IBEW COPE - IBEW LOCAL UNION 584 ELECTRO PAC

The following contributions were properly received and reported from the above contributing committee:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
11/3/83	IBEW-COPE	\$ 1,000.00	Primary
4/18/84	IBEW-COPE	4,000.00	Primary
4/30/84	IBEW-COPE	100.00	Not designated-Refunded
5/31/84	IBEW-COPE	5,000.00	General
	Total	<u>\$10,100.00</u>	(\$5,000.00 primary, \$5,000.00 general and \$100.00 refunded as excess)

The complaintant alleges that the contribution of 5/31/84 was received on April 12, 1984 which is incorrect as to date and designation. The date of receipt in the treasurer's office as shown as May 31, 1984 is proper and the Jim Hunt Committee designation on the contribution toward the general election is correct.

Additionally, the complaintant alleges that a \$100.00 contribution from the IBEW Local 584 was received on February 29, 1984 and not reported by the Jim Hunt Committee. The Jim Hunt Committee has no record of such a receipt on February 29, 1984, however, the committee reported and refunded a \$100.00 contribution from the IBEW-COPE received on 4/30/84. The refund was properly made upon a periodic review of the contributions on June 18, 1984. The complaint again is incorrect as to date and designation of the alleged violations. Copies of the Jim Hunt Committee PAC Master Register and Schedule A and B are attached as documentation of our position.

85040521916

5C03297 BRIGGS AND MORGAN PAC
2200 1ST NATIONAL BANK BLDG

ST. PAUL MN 55101-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCBUSN	CONTACT	ROBERT G. SHARP
2-	C 1000	TREASURER	STEVE A. BRAND
3-			
4-			
5-			
6-			

-----DETAIL-----
TYPE DATE AMOUNT
PCBUSN 10/23/84 50.00

5C00006 BROTHERHOOD OF ELECTRICAL WORKERS COPE
1125 15TH STREET, N.W.

WASHINGTON DC 20005-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCLABR	SEC. TREAS.	RALPH A. LEIGON
2-	C 1000		JOE CAVANAGH
3-			
4-			
5-			
6-			

-----DETAIL-----
TYPE DATE AMOUNT
PCLABR 11/03/83 1,000.00
PCLABR 4/19/84 4,000.00
PCLABR 4/30/84 100.00
PCLABR 5/31/84 5,000.00

Revised - SEE ATTACHED

5C03272 BROWARD CONGRESSIONAL COMMITTEE
P.O. BOX 17335

FORT LAUDERDALE FL 33318-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCJWSH	PRESIDENT	MARTIN LIPNACK
2-	C 1000		
3-			
4-			
5-			
6-			

-----DETAIL-----
TYPE DATE AMOUNT
PCJWSH 9/26/84 1,000.00

ATTACHMENT 2

Page 7 of 21

FIRST UNION EMPLOYEE GOOD GOVERNMENT "F" FUND
FIRST UNION BANK
CHARLOTTE NC 28288

PTD TOTAL 1,850.00 ALL TOTAL 1,850.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 9/06/83
500.00 11/03/83
100.00 11/16/83
100.00 12/12/83
50.00 12/30/83
100.00 12/31/83

INTERNATIONAL LADIES GARMENT WORKERS UNION CAMPAIGN COMMITTEE
1710 BROADWAY
NEW YORK NY 10019

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 4,000.00 11/03/83
1,000.00 12/15/83

SIERRA CLUB COMMITTEE ON POLITICAL EDUCATION
530 BUSH STREET
SAN FRANCISCO CA 94108

PTD TOTAL 2,000.00 ALL TOTAL 2,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 11/03/83
1,000.00 11/04/83

UNITED RUBBER, CORK, LINOLEUM & PLASTIC WORKERS UNION PAC
87 S. HIGH STREET
AKRON OH 44308

PTD TOTAL 1,000.00 ALL TOTAL 1,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 11/03/83

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS COPE
1125 15TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 1,000.00 ALL TOTAL 1,000.00

GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 11/03/83

ATTACHMENT 2
Page 8 of 21

BROTHERHOOD OF ELECTRICAL WORKERS COPE
125 15TH STREET, N.W.
WASHINGTON DC 20005

PID TOTAL 4,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 4,000.00 4/18/84

JOINT ACTION COMM. POLITICAL AFFAIRS
P.O. BOX 105
HIGHLAND PARK IL 60035

PID TOTAL 5,000.00 ALL TOTAL 10,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 5,000.00 4/16/84

ROUND TABLE POLITICAL ACTION COMMITTEE
666 FIFTH AVENUE
EIGHTH FLOOR
NEW YORK NY 10103

PID TOTAL 1,000.00 ALL TOTAL 3,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 1,000.00 4/18/84

DRIVE POLITICAL FUND
12 LOUISIANA AVENUE, N.W.
WASHINGTON DC 20001

PID TOTAL 1,500.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 1,500.00 4/16/84

NATIONAL ACTION COMMITTEE
6791 N.W. 14TH STREET
THIRD FLOOR
MIAMI FL 33126

PID TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 5,000.00 4/11/84

COMMITTEE ON LETTER CARRIERS POLITICAL EDUCATION
100 INDIANA AVENUE, N.W.
WASHINGTON DC 20001

PID TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER

RECEIPT HISTORY- 5,000.00 4/18/84

ATTACHMENT 2
Page 9 of 21

169193



RUBBER, CORK WORKERS PAC
HIGH STREET
PH 544308

TOTAL 1,500.00 ALL TOTAL 2,500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 1,500.00 5/07/84

BROTHERHOOD OF ELECTRICAL WORKERS COPE
15TH STREET, N.W.
WASHINGTON DC 20005

TOTAL 5,100.00 ALL TOTAL 10,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 100.00 4/30/84 → REFUNDED 6-18-84
5,000.00 5/31/84 SEE SCHEDULE B
LINE 20C

UNICATIONS WORKERS OF AMERICA COPE
STREET, N.W.
11
WASHINGTON DC 20006

TOTAL 600.00 ALL TOTAL 6,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 600.00 5/08/84

PAC
STREET, N.W.
WASHINGTON DC 20036

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 6/28/84

CRATS FOR THE 80'S
BOX 3797
WASHINGTON DC 20007

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/21/84

ED PAPERWORKERS INTERNATIONAL PAC
WEST BROAD STREET
MOND VA 23230

TOTAL 2,500.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 2,500.00 5/01/84

ATTACHMENT 2
Page 10 of 21

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 20-C
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Jim Hunt Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
International Brotherhood of Electrical Workers 1125 157th St. N.W. Washington, D.C.	Refund of Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	6-18-84	100.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only) **100.00**

85040541921

ATTACHMENT 2
 Page 11 of 21

Item 3 CWA - COPE PAC AND FEDERATION OF TELEPHONE WORKERS OF PENNSYLVANIA
POLITICAL ACTION COMMITTEE

The following contributions were properly received and reported by the Jim Hunt Committee:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
11/3/83	CWA-COPE	\$ 5,000.00	Primary
3/27/84	CWA-COPE	500.00	General
5/8/84	CWA-COPE	600.00	General
9/20/84	CWA-COPE	3,900.00	General
	Total	<u>\$10,000.00</u>	(\$5,000.00 primary and \$5,000.00 general)

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>	<u>Designation</u>
7/25/84	Fed. Of Telep Workers-PA	\$5,000.00	General

The Jim Hunt Committee properly reported all contributions from the above committees. Any contributions made prior to the date of primary election was designated as general election contributions and were held in escrow accounts which were transferred and used after the primary election. Copies of the PAC Master Register and Schedules A are attached as documentaion of our position.

It is the position of the Jim Hunt Committee that the \$5,000.00 accepted from the Federation of Telephone Workers of Pennsylvania PAC was not in violation of FEC regulations. The committee was unaware of the pending merger of the two organizations at the time of the receipt of the contributions. The subsequent merger did not prohibit the PAC from making the contribution as the merger was not official until August 1986 as shown in the attachment to the complaint, included again in our response for your consideration. While the Jim Hunt Committee had no knowledge of the impending merger, this fact is irrevelant as the contribution was received prior to the consumation of the merger. Again the allegations included in the complaint are incorrec and the Jim Hunt Committee is not in violation of FEC regulations.

85040621922

ID NAME AND ADDRESS

5C03007 COMMUNICATIONS WORKERS OF AMERICA COPE
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20006-0000



	TYPE	TITLE	CONTACT PERSON
1-	PCLABR	CHAIRMAN	JAMES B. BOGE
2-	C 1000	TREASURER	LOUIS B. KNECHT
3-		STATE CONTAC	DELBERT GORDON
4-			
5-			
6-			

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	11/03/83	5,000.00
PCLABR	3/27/84	500.00
PCLABR	5/08/84	600.00
PCLABR	9/20/84	3,900.00

5C03302 CONGRESSIONAL ACTION COMMITTEE OF TEXAS
5701 WOODWAY, SUITE 332

HOUSTON TX 77057-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCJWSH		LIVINGSTON KOSBERG
2-	C 1000		R. ALAN RUDY
3-			
4-			
5-			
6-			

-----DETAIL-----

TYPE	DATE	AMOUNT
PCJWSH	10/25/84	2,000.00

5C03344 CONGRESSIONAL AGENDA: '80S
3148 O STREET, N.W.

WASHINGTON DC 20007-0000

	TYPE	TITLE	CONTACT PERSON
1-	PCOTHR	TREASURER	JOHN R. WAGLEY
2-	C 1000		
3-			
4-			
5-			
6-			

-----DETAIL-----

TYPE	DATE	AMOUNT
PCOTHR	11/08/84	500.00

333
21923
40521923

0
COMMUNICATIONS WORKERS OF AMERICAN COMMITTEE ON POLITICAL EDUCATION
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20006

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

RAILWAY AND AIRLINE CLERKS RESPONSIBLE CITIZENS POLITICAL LEAGUE
3 RESEARCH PLACE
ROCKVILLE MD 20850

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

BRICKLAYERS AND ALLIED CRAFTSMEN POLITICAL ACTION COMMITTEE
815 15TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

NORTH CAROLINA CAMPAIGN FUND
P.O. BOX 12547
RALEIGH NC 27605

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

AFL-CIO COMMITTEE ON POLITICAL EDUCATION
815 15TH STREET, N.W.
WASHINGTON DC 20006

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

AFSCME POLITICAL ACTION COMMITTEE
1625 L STREET, N.W.
WASHINGTON DC 20036

PTD TOTAL 5,000.00 ALL TOTAL 5,000.00 -- GENERAL PRIMARY -- OTHER
RECEIPT HISTORY- 5,000.00 11/03/83

FIRST UNION 5000 GOVERNMENT "B" FUND
ONE FIRST UNION PLAZA
CHARLOTTE NC 28288

PTD TOTAL 1,300.00 ALL TOTAL 3,150.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 100.00 2/15/84
100.00 2/23/84
100.00 3/01/84
1,000.00 3/09/84

COMMUNICATIONS WORKERS OF AMERICA COPE
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20005

PTD TOTAL 500.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 500.00 3/27/84

WASHINGTON POLITICAL ACTION COMMITTEE
400 N. CAPITOL STREET
SUITE 168
WASHINGTON DC 20001

PTD TOTAL 2,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 2,000.00 3/15/84

AMERICAN POSTAL WORKERS UNION PAC
817 14TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 3,000.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 3,000.00 3/20/84

PLANTERS BANK FEDERAL PAC
P.O. BOX 1220
ROCKY MOUNT NC 27801

PTD TOTAL 750.00 ALL TOTAL 1,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 750.00 3/30/84

THE JIM HUNI COMMITTEE
SCHEDULE A ITEMIZED RECEIPTS
FOR PERIOD 4/19/84 TO 6/30/84

RUBBER, CORK WORKERS PAC
HIGH STREET
DC 20008

TOTAL 1,500.00 ALL TOTAL 2,500.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 1,500.00 5/07/84

BROTHERHOOD OF ELECTRICAL WORKERS COPE
15TH STREET, N.W.
WASHINGTON DC 20005

TOTAL 5,100.00 ALL TOTAL 10,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 100.00 4/30/84 → REFUNDED 6-18-84
5,000.00 5/31/84
SEE SCHEDULE B
LINE 20C

COMMUNICATIONS WORKERS OF AMERICA COPE
15TH STREET, N.W.
WASHINGTON DC 20006

TOTAL 600.00 ALL TOTAL 6,100.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 600.00 5/08/84

PAC
15TH STREET, N.W.
WASHINGTON DC 20036

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 6/28/84

PLATS FOR THE 80'S
BOX 3797
WASHINGTON DC 20007

TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 5,000.00 5/21/84

UNITED PAPERWORKERS INTERNATIONAL PAC
WEST BROAD STREET
MONROE VA 22230

TOTAL 2,500.00 ALL TOTAL 5,000.00 GENERAL PRIMARY OTHER
RECEIPT HISTORY- 2,500.00 5/01/84

THE JIM HUNT COMMITTEE
SCHEDULE A ITEMIZED RECEIPTS
FOR PERIOD 7/01/84 TO 9/30/84

DATE 10/10/84

ID# C-00169193

PAGE 1 of 26
LINE 11C

FIRST UNION GOOD GOVERNMENT "F" FUND
ONE FIRST UNION PLAZA
CHARLOTTE NC 28288

PTD TOTAL 2,100.00 ALL TOTAL 5,250.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 100.00 7/13/84
2,000.00 8/23/84

NA

ILGWU CAMPAIGN COMMITTEE
1710 BROADWAY
NEW YORK NY 10019

PTD TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 4,000.00 8/15/84
1,000.00 9/26/84

NA

COMMUNICATIONS WORKERS OF AMERICA COPE
1925 K STREET, N.W.
SUITE 211
WASHINGTON DC 20006

PTD TOTAL 3,900.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 3,900.00 9/20/84

NA

RESPONSIBLE CITIZENS POLITICAL LEAGUE (RAILWAY & AIRLINE CLERKS)
3 RESEARCH PLACE
ROCKVILLE MD 20850

PTD TOTAL 3,000.00 ALL TOTAL 8,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 2,000.00 8/24/84
1,000.00 9/14/84

NA

BRICKLAYERS AND ALLIED CRAFTSMEN PAC
815 15TH STREET, N.W.
WASHINGTON DC 20005

PTD TOTAL 5,000.00 ALL TOTAL 10,000.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 5,000.00 9/19/84

NA

AFL-CIO COPE
815 16TH STREET, N.W.
WASHINGTON DC 20006

PTD TOTAL 2,500.00 ALL TOTAL 7,500.00 GENERAL PRIMARY OTHER

RECEIPT HISTORY- 2,500.00 9/20/84

NA

IL NAME AND ADDRESS

5003299 FEDERAL UNION OF SCIENTISTS & ENGINEERS PAC
15 CHERYL AVENUE

PORTSMOUTH RI 2871-0000

TYPE	TITLE	CONTACT PERSON
1- PCBUSN		DOMINICK LEPSORE
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	10/25/84	250.00

5000037 FEDERATION OF GOVERNMENT EMPLOYEES PAC
1325 MASSACHUSETTS AVE N.W.
SUITE 606
WASHINGTON DC 20005-0000

TYPE	TITLE	CONTACT PERSON
1- PCLABR		BETSY REIC
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	12/30/83	5,000.00

5003189 FEDERATION OF TELEPHONE WORKERS OF AMERICA
1410 CHESTNUT STREET

PHILADELPHIA PA 19102-0000

TYPE	TITLE	CONTACT PERSON
1- PCLABR		UNKNOWN
2- C 1000		
3-		
4-		
5-		
6-		

-----DETAIL-----

TYPE	DATE	AMOUNT
PCLABR	7/25/84	5,000.00

850-40-219-238

(*)

1

THE JIM HUNT COMMITTEE
SCHEDULE A ITEMIZED RECEIPTS
FOR PERIOD 7/01/84 TO 9/30/84

DATE 10/10/84

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LINE 11C

0169193
AMERICAN HEALTH CARE ASSOC. PAC
15TH STREET, N.W.
WASHINGTON DC 20005

TOTAL 1,500.00 ALL TOTAL 1,500.00 NA
GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 7/25/84
500.00 9/14/84

COMMITTEE FOR A DEMOCRATIC CONSENSUS
17TH STREET, N.W.
WASHINGTON DC 20036

TOTAL 1,000.00 ALL TOTAL 1,000.00 NA
GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 7/25/84

UNION OF TELEPHONE WORKERS OF AMERICA
CHESTNUT STREET
PHILADELPHIA PA 19102

TOTAL 5,000.00 ALL TOTAL 5,000.00 NA
GENERAL PRIMARY OTHER

RECEIPT HISTORY- 5,000.00 7/25/84

LABOR VOLUNTARY POLITICAL FUND
7 PARK AVENUE
NEW YORK NY 10043

TOTAL 1,000.00 ALL TOTAL 1,000.00 NA
GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,000.00 7/26/84

NY PAC
BOX 1130
NEW YORK NY 10001

TOTAL 1,500.00 ALL TOTAL 1,500.00 NA
GENERAL PRIMARY OTHER

RECEIPT HISTORY- 1,500.00 7/30/84

NATIONAL LONGSHOREMEN'S ASSOC. COPE
BATTERY PLACE
NEW YORK NY 10004

TOTAL 2,000.00 ALL TOTAL 2,000.00 NA
GENERAL PRIMARY OTHER

RECEIPT HISTORY- 2,000.00 7/13/84

PENNSYLVANIA UNION DECIDES TO JOIN CWA; BELL SYSTEM CHANGES CITED AS KEY REASON

An independent telephone union in Pennsylvania votes overwhelmingly to join the Communications Workers of America. A vote among members of the Federation of Telephone Workers of Pennsylvania produced 7,624 ballots in favor of the merger and only 951 opposed.

The merger, which will be completed officially at the CWA annual convention in August, will add 12,250 members to CWA's current membership of about 650,000.

CWA President Glenn E. Watts called it "a great day for both unions," recalling that the two had been united in the old National Federation of Telephone Workers prior to 1947.

Under the merger agreement, the former FTWP members will become members of a new CWA local, Local 13000, which will be one of the largest in the union. CWA also will create a new district, District 13, consisting of members in Pennsylvania and Delaware. Former FTWP members will make up about 75 to 80 percent of this district.

FTWP Secretary Frank S. Wentzel told BNA that FTWP will hold a special convention in June to make necessary changes in bylaws and dues arrangements to prepare for transformation into a CWA local. Elections for local officers and delegates to the CWA convention then will be held.

FTWP President William E. Wallace plans to run for director of District 13, which would make him a CWA vice president, and FTWP Vice President Vincent J. Maisano plans to run for president of Local 13000.

The decision to affiliate with CWA was approved at the FTWP convention in Atlantic City last fall (1983 DLR 206: A-1). Convinced that the merger was a necessity, the union leadership campaigned for three months for approval among the rank and file. FTWP members had been hostile to merger suggestions in the past, spurning proposed ties with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers.

Affiliation with the Telecommunications International Union, an alliance of several independent unions with about 50,000 members, was approved in 1976, but FTWP members withdrew in 1981 because of dissatisfaction with TIU. TIU currently is embroiled in a dispute over possible merger with the American Federation of State, County and Municipal Employees (1984 DLR 32: A-1).

FTWP leaders told their members that merger was necessary because the Bell System divestiture threatened the union's survival. Writing in the current issue of *FTWP News*, union president Wallace noted that Bell of Pennsylvania is now part of Bell Atlantic and that half of the new company's employees are in CWA.

While successorship agreements protect FTWP through its first contract with Bell Atlantic, "the company says that if multiple unions and multiple contracts become burdensome, they will ask the unions to straighten that out," Wallace wrote. "If the unions do not, the company promised to petition the NLRB for a unit clarification."

Furthermore, Wallace continued, FTWP would face an even greater danger from competing unions which might have gone to NLRB for a unit clarification or with an election petition. Because FTWP is an independent, it would not be protected by AFL-CIO no-raiding policies. The situation would be especially critical in AT&T Information Systems where FTWP's 3,000 members would be "a small minority in a nationwide company," he said.

Wallace defended the merger agreement, pointing out that FTWP would have one of the 13 vice president seats on the CWA executive board and that it would wield considerable influence as a large local. Wallace also commented that he had been part of the CWA bargaining team last summer and was satisfied with the results.

- 0 -

Attachment - Page Two

Conclusion

After reviewing the complaint filed with the commission designated as Mur 2110, the Jim Hunt Committee contends that all alleged violations cited in the action are incorrect and without basis. The Jim Hunt Committee at all times maintained a running log of all contributions and periodically reviewed year to date totals to detect any excess contributions which inadvertently were accepted. Prompt refunds were made upon detection of any such excessive contribution. The committee in the course of its existence, raised in excess of 9 million dollars from over 138,000 contributors. While receipt of some excess contributions were inevitable, the committee believes this to be extremely rare and that all were properly refunded upon detection.

We trust that our response will answer any and all questions arising from the complaint and that further action will be unnecessary. Again, any further correspondence should be directed to our counsel, Messrs John Wallace and David Kirby.

85040621931

The Jim Hunt Committee
P. O. Box 25937
Raleigh, North Carolina 27611

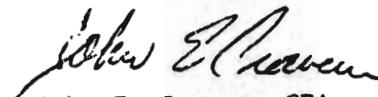
November 27, 1985

Mr. Michael E. Avakian, General Counsel
The Center on National Labor Policy, Inc.
5211 Port Regal Road, Suite 400
North Springfield, Virginia 22151

Dear Mr. Avakian:

Thank you for your letter of November 13, 1985, in regards to discrepancies in the reporting of certain contributions by our campaign and the contributing committees. To the best of our knowledge all such contributions were reported correctly, however, we will review the matter and take all appropriate actions.

Sincerely,


John E. Craven, CPA
Assistant Treasurer

85040521932
ATTACHMENT 3



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Maylon E. Little, C.P.A., Treasurer
Jim Hunt Committee
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611

Re: MUR 2110

Dear Mr. Little:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. 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 the Jim Hunt Committee and you as treasurer, 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.

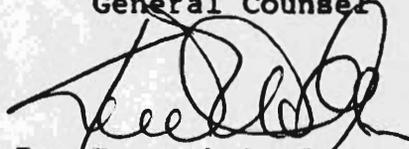
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

9 5 0 4 0 6 2 1 9 3 3
ATTACHMENT 4 Page 1 of 2

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

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Enclosures

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

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

SENSITIVE

RECEIVED
FEDERAL ELECTION COMMISSION
APR 12 1974
P4: 29

Jeffrey W. Ryan)
4757 Parkman Court)
Annandale, Virginia 22003,)
Complainant,)

v.)

Complaint
MUR No. 2110

James B. Hunt, Jr., Jim Hunt)
Committee, Jim Hunt Exploratory)
Committee; Engineers Political)
Education Committee/International)
Union of Operating Engineers)
and its separate segregated fund,)
International Union of Operating)
Engineers, Local 68 PAC;)
International Brotherhood of)
Electrical Workers Committee on)
Political Education and its)
separate segregated fund, IBEW)
Local Union 584 Electro PAC;)
Communication Workers of America)
Committee on Political Education)
Political Contributions Committee)
and its separate segregated fund,)
Local 13000 CWA AFL-CIO and all)
the committees' treasurers,)
Respondents.)

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INTRODUCTION

1. Pursuant to 2 U.S.C. § 437g(a)(1) Jeffrey W. Ryan brings this complaint against former candidate for federal public office, James B. Hunt, Jr., Jim Hunt Committee,¹ James B. Hunt, Jr., Jim Hunt Committee, Jim Hunt Exploratory Committee, Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE) and its affiliated separate segregated fund (SSF), International Union of Operating Engineers, Local 68 PAC (IUOE, Local 68 PAC), International Brotherhood of Electrical Workers Committee on Political Education (IBEW-COPE) and its affiliated separate segregated fund, IBEW Local Union 584 Electro PAC; Communication Workers of America Committee on Political Education Political Contributions Committee (CWA-COPE PCC) and its affiliated separate segregated fund, Local 13000 CWA AFL-CIO² and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. § 441a(f) and 2 U.S.C. § 441a(a)(2)(A) during either the 1984 general or the 1984 primary election cycles.

¹Also known as Jim Hunt Exploratory Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-169-193.

²Local 13000 CWA AFL-CIO was formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-109-595.

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II. PARTIES

2. Complainant is Jeffrey W. Ryan who resides at 4757 Parkman Court, Annandale, Virginia 22003. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Virginia.

Respondents are:

- a. James B. Hunt, Jr.,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- b. Maylon E. Little, C.P.A., individually and in his capacity as treasurer of Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- c. Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- d. Jim Hunt Exploratory Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- e. Frank Hanley, individually and in his capacity as treasurer of Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- f. Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- g. Vincent J. Giblin, individually and in his capacity as treasurer of International Union of Operating Engineers, Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006.

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- h. International Union of Operating Engineers,
Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006
- i. Ralph A. Leigon, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- j. International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- k. Gerald H. Edwards, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Local Union 584 ELECTRO PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- l. International Brotherhood of Electrical
Workers Local Union 584 Electro PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- m. Louis B. Knecht, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- n. Fred G. Hassen, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- o. Ron Krouse, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.

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- p. Communication Workers of America Committee on Political Education Political Contributions Committee, 1925 K Street, N.W. Washington, D.C. 20006.
- q. Edwin J. Maher, individually and in his capacity as treasurer of Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee), 1410 Chestnut Street Second Floor Philadelphia, PA 19102.
- r. Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee), 1410 Chestnut Street Second Floor Philadelphia, PA 19102.

III. LIABILITY

3. Liability may be imposed upon the candidate, James B. Hunt, Jr., Jim Hunt Committee, EPEC/IUOE; IUOE, Local 68 PAC; IBEW-COPE; IBEW Local Union 584 Electro PAC; CWA-COPE PCC and Local 13000 CWA AFL-CIO, pursuant to 2 U.S.C. § 441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum contribution ceiling and 2 U.S.C. § 441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. § 104.14(d).

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5. For purposes of this complaint, contributions made by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5), as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B).

IV. OVERVIEW

6. Based on Complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal primary election or an excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal general election in which James B. Hunt, Jr. was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC; and IBEW-COPE and its affiliated SSF, IBEW

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Local Union 584 Electro PAC filed for the 1984 federal primary election; and which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; and CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO filed for the 1984 federal general election.

7. For the 1984 federal primary election, excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by EPEC/IUOE and its treasurer; IUOE, Local 68 PAC and its treasurer; IBEW-COPE and its treasurer and IBEW Local Union 584 Electro PAC and its treasurer. For the 1984 federal general election excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by the CWA-COPE PCC and its treasurer; and Local 13000 CWA AFL-CIO, and its treasurer.

8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. § 441a(a)(2)(A), which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate and his authorized political committee with respect to any election for federal office, § 441a(f) which prohibits a candidate from receiving illegal contributions, and 11 C.F.R. § 103.3(b) which requires that excessive contributions be refunded.

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V. VIOLATIONS OF THE F.E.C.A.
 BY
 JIM HUNT COMMITTEE
 IN THE
1984 FEDERAL PRIMARY AND GENERAL ELECTIONS

9. Based on a review of the periodic report, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC in the amount of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

10. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
5/8/84	\$ 250.00	IUOE, Local 68 PAC	#84020140805
5/31/84	<u>\$5,000.00</u>	EPEC/IUOE	#84020140807

Total = \$5,250.00

11. A running total of the amount of contributions received from EPEC/IUOE and IUOE, Local 68 PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that

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they had received \$250.00 (TWO HUNDRED FIFTY DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$4,750.00 (FOUR THOUSAND SEVEN HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted an additional contribution and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the amount of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

13. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the following amounts:

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
11/3/83	\$1,000.00	IBEW-COPE	#84020032695
4/18/84	\$4,000.00	IBEW-COPE	#84020101244
5/31/84	\$5,000.00	IBEW-COPE	#84020140797
unreported	\$ 100.00	IBEW-Local Union 584 Electro PAC	

Total = \$10,100.00

14. A running total of the amount of contributions received from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) on April 18, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer could no longer lawfully accept any contributions from IBEW-COPE. In violation of 2 U.S.C. § 441a(f), James B. Hunt, Jr., Jim Hunt Committee and its treasurer accepted contributions from IBEW-COPE and IBEW Local Union 584 Electro PAC in the amount of \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS). This amount exceed the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

15. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of April 12, 1984 designated by IBEW-COPE as a contribution for the primary election. (See F.E.C. Microfilm #84033141419.) In violation of 11 C.F.R. § 104.14(d), James B.

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Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the general election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation 11 C.F.R. § 104.14(d) provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer knowingly misreported the contribution in order to accept contributions in excess of the statutory limit.

16. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to report the \$100.00 (ONE HUNDRED DOLLARS) contribution made on February 29, 1984 by IBEW Local Union 584 Electro PAC for the primary election. (See F.E.C. Microfilm #84033243406.) F.E.C. regulation, 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

17. Based on a review of periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal general election from CWA-

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COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the amount of \$10,000 (TEN THOUSAND DOLLARS).

18. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal general election, accepted contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
3/27/84	\$ 500.00	CWA-COPE PCC	#84020102177
5/8/84	\$ 600.00	CWA-COPE PCC	#84020140797
7/25/84	\$5,000.00	Federation of Telephone Workers of Pennsylvania Political Action Committee	#84020221950
9/20/84	<u>\$3,900.00</u>	CWA-COPE PCC	#84020221938

Total = \$10,000.00

19. A running total of the amount of contributions received from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND

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DOLLARS) the statute permits them to accept.

20. In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer designated the \$500.00 (FIVE HUNDRED DOLLARS) contribution of March 27, 1984 for both the primary and general election. (See F.E.C. Microfilm #84020102177.) The \$500.00 (FIVE HUNDRED DOLLARS) contribution was made by CWA-COPE PCC on February 24, 1984 and designated for the general election. (See F.E.C. Microfilm #84033063535.) F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer by the action described above, knowingly misreported the CWA-COPE PCC contribution in order to accept contributions from CWA-COPE PCC in excess of the statutory limit.

21. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$600.00 (SIX HUNDRED DOLLARS) contribution of April 30, 1984 which was designated by CWA-COPE PCC as a contribution for the general election. (See F.E.C. Microfilm #84033153858.) In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation, 11 C.F.R. §

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104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

22. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to designate whether the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution received from Federation of Telephone Workers of Pennsylvania Political Action Committee on July 25, 1984 and the \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) received from CWA-COPE PCC on September 20, 1984 were for the primary or general election. See F.E.C. Microfilm #s 84020221950 and 84020221938. However, the contributions, respectively designated on July 18, 1984 and July 27, 1984 for the general election, were made more than one month after the North Carolina Senatorial primary election which was held on May 8, 1984. F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer misreported the contribution in order to accept contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in excess of the statutory limit.

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VI. VIOLATIONS OF THE F.E.C.A.
BY
EPEC/IUOE AND
IUOE, LOCAL 68 PAC
IN THE
1984 FEDERAL PRIMARY ELECTION

23. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

24. EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, contributed the following amounts:

a. On April 23, 1984, IUOE, Local 68 PAC contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #84033150899.)

b. On May 18, 1984, EPEC/IUOE contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033173533.)

25. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, would have put them on notice that as of April 23, 1984, they had contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(a)(2)(A), EPEC/IUOE made a \$5,000.00 (FIVE THOUSAND DOLLARS)

contribution on May 18, 1984 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$250.00 (TWO HUNDRED FIFTY DOLLARS).

VII. VIOLATIONS OF THE F.E.C.A.
BY
IBEW-COPE AND
IBEW LOCAL UNION 584 ELECTRO PAC
IN THE
1984 FEDERAL PRIMARY ELECTION

26. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that IBEW-COPE and its affiliated SSF, IBEW Local 584 Electro PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

27. IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC contributed the following amounts:

a. On October 12, 1983, IBEW-COPE contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #83032863448.)

b. On February 29, 1984, IBEW Local Union 584 Electro PAC, contributed \$100.00 (ONE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033243406.)

c. On April 12, 1984, IBEW-COPE contributed \$4,000.00 (FOUR THOUSAND DOLLARS). (See F.E.C. Microfilm #84032863448.)

d. On April 12, 1984, IBEW-COPE contributed \$5,000.00

(FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033141419.)

28. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC that as of February 29, 1984, it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could only contribute \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441a(a)(2)(A), contributions of \$4,000.00 (FOUR THOUSAND DOLLARS) and \$5,000.00 (FIVE THOUSAND DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by IBEW-COPE. The amount exceeded the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

VIII. VIOLATIONS OF THE F.E.C.A.
BY
CWA-COPE PCC AND LOCAL 13000 CWA AFL-CIO
IN THE
1984 FEDERAL PRIMARY ELECTION

29. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, for the 1984 federal general election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,000.00 (TEN THOUSAND DOLLARS).

30. CWA-COPE PCC and Local 13000 CWA AFL-CIO are organizations within the meaning of 2 U.S.C. § 431(b) and are considered affiliated under 2 U.S.C. § 441a(5) as of February 1984 when the Federation of Telephone Workers of Pennsylvania (FTWP), now Local 13000 CWA AFL-CIO voted to merge with the CWA . Thereupon, the FTWP was transformed into a CWA affiliate subject only to formal ratification by the CWA convention later that year. See attached news copy.

31. CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO contributed the following amounts:

a. On February 24, 1984, CWA-COPE PCC contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033063535.)

b. On April 30, 1984, CWA-COPE PCC contributed \$600.00 (SIX HUNDRED DOLLARS). (See F.E.C. Microfilm #84033153858.)

c. On July 18, 1984, Federation of Telephone Workers of Pennsylvania Political Action Committee contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033364113.)

d. On July 27, 1984, CWA-COPE PCC contributed \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033271465.)

32. A running total of contributions made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice CWA-COPE PCC that as of April 30, 1984 it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could

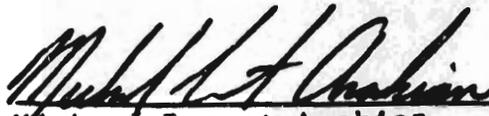
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only contribute an additional \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441A(A)(2)(A), contributions of \$5,000.00 (FIVE THOUSAND DOLLARS), and \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO. This amount exceeded the statutory monetary ceiling by \$5,000.00 (FIVE THOUSAND DOLLARS).

X. CONCLUSION

33. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

34. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions pursuant to 11 C.F.R. § 103.3(b) and that civil sanctions be imposed on the Respondents.


Michael Ernest Avakian
Center on National Labor Policy
5211 Port Royal Road, Suite 400
North Springfield, VA 22151
(703) 321-9180

Attorney for Complainant

December 3, 1985

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CURRENT DEVELOPMENTS SECTION

INDEPENDENT TELEPHONE UNION IN PENNSYLVANIA SETS VOTE ON MERGER WITH COMMUNICATIONS WORKERS

Members of the Federation of Telephone Workers of Pennsylvania will vote early next year on affiliation with the Communications Workers of America. At the FTWP convention in Atlantic City last week, delegates representing the union's 12,500 members voted 103 to 27 to recommend the change.

Ballots will be sent to members on Feb. 1, and the vote will take about two weeks. Because there is "a lot of anti-CWA feelings within our jurisdiction," the three-month delay in the election is needed to conduct an "education process" to convince members that affiliation with CWA is essential, according to FTWP Vice President Vincent J. Maisano.

The leadership of the independent union unanimously supports affiliation, according to Maisano, because of the changes divestiture of the American Telephone & Telegraph Company will bring. All but about 700 of the union's members work for Bell of Pennsylvania. FTWP members "will be scattered" by changes in Bell's operations, and the union could face extinction through unit clarification elections, he commented.

FTWP members have been hostile to merger proposals throughout the union's 40-year history. Plans to merge with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers all were rejected in referendum votes. In 1976 members agreed to join the Telecommunications International Union, an alliance of several independent unions, but FTWP pulled out in 1981 because of dissatisfaction with TIU.

Under the affiliation proposal, CWA would create a new geographic district for Pennsylvania and Delaware, and FTWP would comprise about 75 to 80 percent of its membership, according to Maisano. Former FTWP members would become members of CWA Local 13000, which would be second in size only to a CWA local in New York City. The local would retain representation rights for all present FTWP members and those it might organize in the future. Under current plans, FTWP President William E. Wallace would seek election as a CWA vice president and director of the new region, while Maisano would run for president of the local.

Union dues also would rise under the merger, from the current 0.8 percent of base pay to 1.3 percent of pay, according to Maisano, who added that a dues increase was needed regardless of the merger proposal.

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SINGLE FORUM AND STANDARD URGED IN FAIR REPRESENTATION COMPLAINTS

NEW YORK (By a BNA Special Correspondent) — The confusion in the courts on what constitutes a breach of a union's duty of fair representation prompts a call for labor law changes to establish a single forum in which to bring complaints and to set a standard for violation of the duty.

Speaking at the second conference last week of Cornell University's New York State School of Industrial and Labor Relations on the duty of fair representation, Professor James E. Jones of the University of Wisconsin said there is a "multiplicity" of forums for complaints, and there has been a proliferation of standards of what is a violation of the fair representation duty. "Congress needs to provide statutory guidance," he said.

Fair representation questions most often arises in connection with administration of a contract and representation of an employee who has a grievance that was not satisfied. In some

**PENNSYLVANIA UNION DECIDES TO JOIN CWA;
BELL SYSTEM CHANGES CITED AS KEY REASON**

An independent telephone union in Pennsylvania votes overwhelmingly to join the Communications Workers of America. A vote among members of the Federation of Telephone Workers of Pennsylvania produced 7,624 ballots in favor of the merger and only 951 opposed.

The merger, which will be completed officially at the CWA annual convention in August, will add 12,250 members to CWA's current membership of about 650,000.

CWA President Glenn E. Watts called it "a great day for both unions," recalling that the two had been united in the old National Federation of Telephone Workers prior to 1947.

Under the merger agreement, the former FTWP members will become members of a new CWA local, Local 13000, which will be one of the largest in the union. CWA also will create a new district, District 13, consisting of members in Pennsylvania and Delaware. Former FTWP members will make up about 75 to 80 percent of this district.

FTWP Secretary Frank S. Wentzel told BNA that FTWP will hold a special convention in June to make necessary changes in bylaws and dues arrangements to prepare for transformation into a CWA local. Elections for local officers and delegates to the CWA convention then will be held.

FTWP President William E. Wallace plans to run for director of District 13, which would make him a CWA vice president, and FTWP Vice President Vincent J. Maisano plans to run for president of Local 13000.

The decision to affiliate with CWA was approved at the FTWP convention in Atlantic City last fall (1983 DLR 206: A-1). Convinced that the merger was a necessity, the union leadership campaigned for three months for approval among the rank and file. FTWP members had been hostile to merger suggestions in the past, spurning proposed ties with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers.

Affiliation with the Telecommunications International Union, an alliance of several independent unions with about 50,000 members, was approved in 1976, but FTWP members withdrew in 1981 because of dissatisfaction with TIU. TIU currently is embroiled in a dispute over possible merger with the American Federation of State, County and Municipal Employees (1984 DLR 32: A-1).

FTWP leaders told their members that merger was necessary because the Bell System divestiture threatened the union's survival. Writing in the current issue of *FTWP News*, union president Wallace noted that Bell of Pennsylvania is now part of Bell Atlantic and that half of the new company's employees are in CWA.

While successorship agreements protect FTWP through its first contract with Bell Atlantic, "the company says that if multiple unions and multiple contracts become burdensome, they will ask the unions to straighten that out," Wallace wrote. "If the unions do not, the company promised to petition the NLRB for a unit clarification."

Furthermore, Wallace continued, FTWP would face an even greater danger from competing unions which might have gone to NLRB for a unit clarification or with an election petition. Because FTWP is an independent, it would not be protected by AFL-CIO no-raiding policies. The situation would be especially critical in AT&T Information Systems where FTWP's 3,000 members would be "a small minority in a nationwide company," he said.

Wallace defended the merger agreement, pointing out that FTWP would have one of the 13 vice president seats on the CWA executive board and that it would wield considerable influence as a large local. Wallace also commented that he had been part of the CWA bargaining team last summer and was satisfied with the results.

- 0 -

Attachment - Page Two

ATTACHMENT 5

Page 210P25

COMMUNICATIONS WORKERS DELEGATES WEIGH PROPOSED REORGANIZATION PLAN

PHILADELPHIA (By a BNA Staff Correspondent) — Confronted with the break-up of the industry's largest employer and a projected decline in union membership, delegates to the Communications Workers of America annual convention consider plans for restructuring the union and for persuading consumers to use only unionized long-distance telephone service.

The leadership plan for restructuring the executive board encountered immediate opposition from delegates, however, necessitating a roll-call vote for the first time in the last six conventions. After brief debate among the 1,030 delegates, the entire first afternoon of the three-day convention was consumed by a roll-call vote over whether to create two new vice presidential positions.

A new vice president for AT&T Communications would replace the national director for AT&T Long Lines, while a new vice president for AT&T Technologies would assume duties formerly performed by three national directors for various segments of Western Electric Co.

The proposal is part of a two-year plan formulated by the CWA leadership. Next year national directors for public workers and independent telephone companies would become union vice presidents, and the union's 13 geographic districts would be merged into eight.

The union opened its forty-sixth annual convention on the first anniversary of its three-week national strike against the Bell System. Since that time, American Telephone and Telegraph Co. divested itself of the Bell operating companies. The CWA restructuring plan is an attempt to tailor the union to the structure of the new AT&T and the seven regional operating companies. Opponents argued that the changes were hastily planned and would enlarge an "overstaffed bureaucracy."

Seven of the proposed eight geographic regions would conform to the boundaries of the seven Bell operating companies; the eighth region would cover Pennsylvania. Some 12,000 new members from Pennsylvania joined CWA last week when the Federal Telephone Workers of Pennsylvania officially completed its merger into CWA. Former FTWP President William E. Wallace was sworn in as a new CWA vice president.

Despite the FTWP affiliation and the affiliation of several smaller independents in recent months, the union's membership has been declining steadily in recent months. A budget report from the union's finance committee projects for 1984 a membership of 507,000, down 23,000 from the previous year.

Union officials are convinced that the decline is a temporary one, attributable to divestiture, and that losses will be made up over the short-term by organizing successes in on-going campaigns among new AT&T subsidiaries and among public employees.

The leadership's immediate answer to the threats posed by nonunion long distance firms is a massive \$2 million public relations campaign to persuade consumers that union-represented AT&T, with its emphasis on operator assistance, offers better service than new, heavily computerized nonunion companies. A campaign in the Philadelphia area, which follows Charleston, W. Va., as the next community where "equal access" to long distance service will be introduced, is to be unveiled during the second day of the convention.

CWA President Glenn E. Watts in his keynote address quoted an estimate that for every one percent of market share lost by AT&T, approximately 1,000 union jobs could be lost. He called upon each CWA member to pledge a \$2 contribution to the campaign. That \$1 million would be matched by another \$1 million from the national treasury, he said.

The quest for new members finds CWA embroiled in disputes with other unions. The 45,000-member Telecommunications International Union has been seeking to merge with the American Federation of State, County and Municipal Employees, but CWA has been successful in legally blocking a vote all year and hopes eventually to persuade TIU members to reject

ATTACHMENTS
Page 22 of 25

their leaders' preference for AFSCME. CWA and AFSCME also are rivals in Ohio where a new public employee bargaining law was enacted last year.

A highlight of the convention for many delegates will be an appearance by Democratic presidential candidate Walter F. Mondale. Mondale, who appeared at the two previous CWA conventions, has been strongly supported by the union.

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DISTRICT 1199 OVERWHELMINGLY REJECTS LATEST OFFER BY NEW YORK HOSPITALS

Members of District 1199 of the Retail, Wholesale and Department Store Union overwhelmingly reject the latest two-year contract offer by the League of Voluntary Hospitals and Homes of New York by a vote of 21,769 to 1,242, according to union president Doris Turner. The vote was taken at a series of four meetings over the course of two days last week (1984 DLR 150: A-1).

"There is a very simple reason why our members turned down this proposal," Turner said. "It was almost a carbon copy of the first proposal that was rejected on July 13, the day this strike began."

The size of the rejection vote "means that they're determined to continue" the strike, Turner said of her members.

Meanwhile, District 1199 members ratified contracts over the weekend with four non-League hospitals after the institutions agreed to grant the workers every other weekend off — a major issue in the dispute — and the best terms of the settlement eventually negotiated with the League, Turner said. Almost 2,000 employees are covered by the agreements. The employees will be back at work by August 7, she added.

Three of the four hospitals are municipal institutions that use 1199 workers from certain League institutions, Turner said. The three are Bird S. Coler Memorial Hospital, Lincoln Medical and Mental Health Center, and Metropolitan Hospital Center. The fourth, Hempstead General Hospital, is a proprietary hospital.

In another development, although it had appeared that the union had "purged itself" of a civil contempt citation, the parties are scheduled to go back to court Aug. 7 on a motion by NLRB Regional Director Samuel M. Kaynard to renew his order to show cause why the union should not be held in contempt.

On Aug. 1 Judge Israel Leo Glasser found the union in civil contempt because nurse members, engaged in a sympathy strike, have continually refused to follow a court order to return to work. Judge Glasser set out a number of ways that the union could purge itself of the contempt including sending letters, calling the strikers, and holding a meeting of all involved nurses telling them that the union insisted that they return to work and if they don't it will begin internal proceedings. On Aug. 3 Judge Glasser found that although the nurses had not returned to work the union was complying with his order. The union was ordered to meet with Judge Glasser again Aug. 6 to ascertain what developments, if any, had occurred over the weekend. At that time Kaynard renewed his order.

Union spokesman Bob Carroll told reporters 1199 is complying with the court order, adding that "We have complied with everything" in the order. However, Carroll said, the nurses have not gone back to work despite the union's attempts to get them back. The firing of eight coworkers has contributed to the nurses' resistance, he said.

Union leaders also met with clergy to ask their help in the strike. At the close of the meeting, Rev. Wendell Foster, who is also a city councilman, said the assembled clergy had agreed to discourage members of their parishes or synagogues from filling in for the 1199 workers.

DESIGNATION OF COUNSEL

I, Jeffrey W. Ryan, a complainant to the attached complaint designate the attorney identified below as complainant's attorney of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

December 2, 1985
Date

Jeffrey W. Ryan
Complainant

DESIGNATED COUNSEL

Michael Ernest Avakian
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

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ZAZZALI, ZAZZALI & KROLL
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

ANDREW F. ZAZZALI (1925-1969)
ANDREW F. ZAZZALI, JR.
JAMES R. ZAZZALI (N.J. & D.C. BAR)
ALBERT G. KROLL (N.J., PENN. & D.C. BAR)
ROBERT A. FAGELLA (N.J. & N.Y. BAR)
PAUL L. KLEINBAUM (N.J., PENN. & MICH. BAR)
KENNETH I. NOWAK (N.J., N.Y. & D.C. BAR)

ONE GATEWAY CENTER
NEWARK, N.J. 07102-5311
(201) 623-1822

January 28, 1986

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Mr. Steele:

This letter is submitted on behalf of respondents Local 68 PAC and Vincent J. Giblin in response to the Complaint filed in the above-captioned matter.

According to the Complaint (#10), Local 69 PAC contributed \$250.00 to the James B. Hunt Committee on May 8, 1984 which, when combined with a subsequent contribution to that Committee of \$5,000.00 by the Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE), violated 2 U.S.C. §441(a)(f).

However, as the Complaint concedes, at the time Local 68 and Giblin made the contribution of \$250.00, that contribution was not in excess of the amount allowed by law. The violation only occurred upon the subsequent contribution by EPEC/IUOE. While the federal law may not distinguish between affiliates for purposes of aggregating contributions to a candidate, one affiliate's particular conduct is relevant in determining the propriety of any penalty.

In addition, as EPEC/IUOE points out in its own responsive letter, its contribution was made subject to the Hunt Committee's determination that the contribution would not exceed the permissible amount when viewed in conjunction with any contributions from EPEC/IUOE's affiliates. Surely this caveat protects EPEC/IUOE, and its affiliates, from liability for any excessive contribution. Local 68 and Giblin hereby incorporate EPEC/IUOE's letter herein.

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Charles N. Steele
January 28, 1986
Page 2

In light of Local 68 PAC and Giblin's minimal contribution, and in light of the lawfulness of that contribution at the time it was made, and in view of EPEC/TUOE's subsequent contribution with a notice to the recipient Committee, it is respectfully submitted that no violation be found as to Local 68 PAC and Giblin and that, in any case, no penalty be imposed.

Very truly yours,

ZAZZALI, ZAZZALI & KROLL

By:


James R. Zazzali

KIN:kw

cc: Vincent J. Giblin
Michael R. Fanning, Esq.

36040621951

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ZAZZALI, ZAZZALI & KROLL

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

GATEWAY ONE

NEWARK, N.J. 07102

Charles H. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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STATEMENT OF DESIGNATION OF COUNSEL

JAN 29 P 1: 48

MUR 2110

HAND DELIVERED

NAME OF COUNSEL: Kirby, Wallace, Creech, Sarda & Zaytoun

ADDRESS: P.O. Box 12065

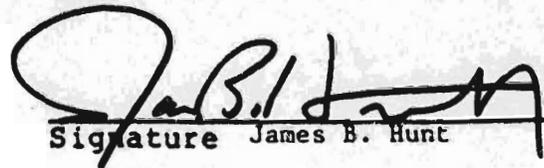
Raleigh, North Carolina 27605

Mr. John Wallace and Mr. David Kirby

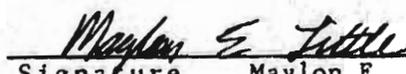
TELEPHONE: (919) 821-4416

The above-named individuals ^{are} hereby designated as my
counsel and ^{are} authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

1-28-86
Date


Signature James B. Hunt

1-27-86
Date


Signature Maylon E. Little

RESPONDENT'S NAME: James B. Hunt, Candidate

ADDRESS: Maylon E. Little, Treasurer

Jim Hunt Committee, Jim Hunt Exploratory Committee

P.O. Box 25937, Raleigh, NC 27611

HOME PHONE: (919) 828-4236 (Contact - John E. Craven)

BUSINESS PHONE: (919) 821-4011 (Contact - John E. Craven)

96040521963

16 JAN 31 A 11: 23

RECEIVED
GENERAL COUNSEL

8 5 0 4 0 5 2 1 9 5 4

MAYLON E. LITTLE
INCORPORATED

Certified Public Accountants

Post Office Box 870

Raleigh, North Carolina 27602

HAND DELIVERED

FEDERAL ELECTION COMMISSION
1325 K STREET, N.W.
WASHINGTON, D.C. 20463

ATTN: MS. PATTY REILLY

(202) 376-8200

36 JAN 17 AM 11:35

RECEIVED
GENERAL COUNSEL

January 17, 1986

Ms. Patty Reilly
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Ms. Reilly:

Enclosed is a copy of the response on behalf of CWA COPE PCC, et al., which was filed today in the above matter. The exhibits referred to in the letter have been filed along with the original of the letter. I am sorry that I did not have enough copies of the documents filed as exhibits to provide you with a full extra set of them.

Also enclosed are designation of counsel forms, which I said would be submitted. The form designating me as counsel for CWA COPE PCC was previously filed.

Finally, you will recall that by letter dated January 13, 1986, the Office of General Counsel granted an extension of time in which to file this response to and including January 17, 1986.

Yours truly,



James Coppess

Enclosure

8 5 0 4 0 5 2 1 9 6 5

STATEMENT OF DESIGNATION OF COUNSEL

NUR 2110

NAME OF COUNSEL: James B. Coppess

ADDRESS: 1925 K Street, N.W., Suite 411
Washington, D.C. 20006

TELEPHONE: (202) 728-2453

RECEIVED
GENERAL COUNSEL
19 JAN 17 AM 11:35

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.

1/3/86
Date

Ron Krouse
Signature

RESPONDENT'S NAME: RON KROUSE - CWA

ADDRESS: 1925 K ST NW
WASH, D.C. 20006

HOME PHONE: _____

BUSINESS PHONE: (202) 728-2500

85040521966

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2110

NAME OF COUNSEL: JIM COPPESS

ADDRESS: 1925 K St., N.W., Suite 411
Washington, D.C. 20006

TELEPHONE: (202) 728-2453

RECEIVED
GENERAL
18 JAN 17 AM 11:35

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.

December 31, 1985
Date

Edwin J. Maher **Treasurer**
Signature
Edwin J. Maher

RESPONDENT'S NAME: LOCAL 13000, CWA, AFL-CIO

ADDRESS: SECOND FLOOR
1410 CHESTNUT STREET
PHILADELPHIA, PA 19102

HOME PHONE: (215) 352-0777

BUSINESS PHONE: (215) 564-6169

85040521957

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2110

NAME OF COUNSEL: James B. Coppess

ADDRESS: 1925 K Street, N.W., Suite 411
Washington, D.C. 20006

TELEPHONE: (202)728-2453

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.

1/5/86
Date

Louis B. Knecht
Signature

RESPONDENT'S NAME: Louis B. Knecht

ADDRESS: 4718 Iris St
Rockville, Md 20853

HOME PHONE: _____

BUSINESS PHONE: _____

8 5 0 4 0 5 2 1 9 6 8

36 JAN 17 11:05

GENERAL INVESTIGATIVE DIVISION

January 17, 1986

Mr. Charles N. Steele
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

36 JAN 17 11:35

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Re: MUR 2110

Dear Mr. Steele:

This is the response of the Communications Workers of America Committee on Political Education Political Contribution Committee (CWA COPE PCC), the CWA Local 13000 Political Action Committee, and the treasurers of the CWA COPE PCC and the Federation of Telephone Workers of Pennsylvania Political Action Committee (FTWP PAC) to the complaint in MUR 2110.¹

The complaint, ¶ 29-32, alleges that the CWA COPE PCC and the FTWP PAC violated 2 U.S.C. §441a(a)(2)(A) by each contributing \$5,000 to the Jim Hunt Committee for the 1984 election. The challenged contributions by CWA COPE PCC were made in February, April and July 1984. The challenged contribution by FTWP PAC was made in July 1984.

¹The present treasurer of Communications Workers of America COPE PCC is James B. Booe. Louis B. Knecht was treasurer of CWA COPE PCC at the time of the contributions in question. Ron Krouse was an assistant treasurer of CWA COPE PCC, and Fred Hassen, who is deceased, was also an assistant treasurer. Edwin J. Maher was the treasurer of the Federation of Telephone Workers of Pennsylvania Political Action Committee and is currently treasurer of the CWA Local 13000 Political Action Committee.

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The complaint is premised upon the erroneous assumption that the Communications Workers of America (CWA) and the Federation of Telephone Workers of Pennsylvania (FTWP) merged in February 1984. The fact of the matter is, however, that prior to August 1, 1984 the CWA and the FTWP were separate independent labor organizations, unaffiliated with each other, and each governed by its own constitution. Exhibit 1 (FTWP Constitution); Exhibit 3 (CWA Constitution). On August 1, 1984, the FTWP joined the CWA as Local 13000. On that date, CWA Local 13000 was chartered, Exhibit 5, the FTWP Constitution was replaced by the Local 13000 bylaws, Exhibit 2, and the former members of FTWP became CWA members and began paying dues to the CWA, Exhibit 7. Also, on that date, a new geographic region of the CWA national union, District 13, came into being; this District is composed primarily of the members of CWA Local 13000. Exhibit 6. Compare Exhibit 3, pp.114-115 with Exhibit 4, pp. 112-113 (showing the creation of the new District 13).

The FTWP, by the terms of its constitution, Exhibit 1, was an independent labor organization, Art. 22, p. 71, with its own requirements for membership, Art. 3, Sec. 1, p. 8, and its own definition of membership rights, Art. 19, pp. 66-67. Under the terms of this constitution, the FTWP was not affiliated with the CWA. Nor could the members of the FTWP have been members of the CWA under the CWA Constitution until their union because chartered CWA Local 13000 and they started paying dues to the CWA. Under the CWA Constitution, Exhibit 3, membership in that union must come through membership in one of its chartered locals, Art. V, Sec. 2(a), p. 3, and members must pay dues to the CWA, Art. VI, Secs. 1 & 2, p. 7. The former FTWP members did not meet either of these requirements until August 1, 1984.

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The CWA Local 13000 bylaws, Exhibit 2, which became effective on August 1, 1984, the date that local was chartered, clearly place the local under the authority of the CWA Constitution and National Convention. See, eg., Exhibit 2, Art. 7, Sec. 3(1), p. 17; Art. 8, Sec. 7, p. 25; Art. 11, p. 33; Art. 12, pp. 34-35; Art. 14, pp. 37-43; Art. 17, p. 4'; Art. 19, p. 46. Those bylaws also made the former members of FTWP into members of the CWA. Compare Exhibit 1 (page facing the index) with Exhibit 2 (page facing the index). See also Exhibit 2, Art. 3, Sec. 1, p. 9; Art. 9, p. 26; Art. 10, Sec. 4, p. 32.

The complaint acknowledges that the merger of the CWA and the FTWP was not accomplished until August 1984, but asserts nevertheless that the FTWP was transformed into an affiliate of the CWA by the vote of the FTWP membership in February 1984 approving a proposal to affiliate with the CWA. Complaint ¶ 30. After the FTWP membership approved affiliation in February 1984, there was only agreement that the two organizations would merge at a future date. An agreement between two organizations to merge at a future date is not sufficient to subject the political committees of the merging organizations to a single contribution limit. F.E.C. Advisory Opinion 1985-27 (Nov. 1, 1985).

All of the political committees established by a labor organization and its locals are subject to a single contribution limit. 2 U.S.C. §441a(a) (5): See 11 CFR §§100.5(g)(2)(i)(B) & 110.3(a)(1)(ii)(B). An agreement to merge one labor organization into another as a local does not, however, make the one organization a local of the other. This occurs only when the organizations actually merge -- when their structures and governing documents are changed to accomplish the merger and when their memberships merge.

"[U]nion constitutions [are the] documents that prescribe the legal relationship and the rights and obligations between the parent and affiliated

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locals . . ." Plumbers & Pipefitters v. Local 334, Plumbers & Pipefitters, 452 U.S. 615, 624 (1981). The constitution is the "fundamental agreement of association" between a national union and its affiliated locals. Coronado Coal Co. v. Mine Workers, 268 U.S. 295, 304 (1925). The Commission's regulations recognize this. 11 CFR §§100.5(g)(2)(ii)(B) & 110.3(a)(1)(iii)(B). As the above factual discussion demonstrates, until August 1, 1984 the CWA and the FTWP were independent labor organizations, each governed by its own constitution and each having its own structure.

Moreover, the members of the FTWP could not possibly be considered members of the CWA before August 1, 1984. It was only on that date that they became members of a chartered local of the CWA, Local 13000, Exhibit 5, and they began to pay dues to the CWA, Exhibit 7. These are the two basic requirements for membership in the CWA. Exhibit 3, Art. V, Sec. 2(a) and Art. VI, Sec. 1. Under the Commission's regulations, only those who satisfy the requirements for membership in a labor organization can be considered members. 11 CFR §§100.8(4)(iv) & 114.1(e). This is the common legal definition of union membership. See 29 U.S.C. §402(o).

From the foregoing, it is clear that the CWA and the FTWP were separate labor organizations until August 1, 1984. The contributions challenged in the complaint were made prior to that date, when the CWA COPE PCC and the FTWP PAC were each subject to separate contribution limits. F.E.C. Advisory Opinion 1985-27 (Nov. 1, 1985) (pre-affiliation contributions were not subject to a shared aggregate limit at the time they were made).

For the foregoing reasons, no action should be taken against the CWA COPE PCC, the Local 13000 PAC, or the treasurers of these committees.

Respectfully submitted,


James Coppess

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Exhibits to the Response of CWA COPE PCC, et al., to MUR 2110

Exhibit 1 - FTWP Constitution

Exhibit 2 - CWA Local 13000 Bylaws

Exhibit 3 - CWA Constitution (1983)

Exhibit 4 - CWA Constitution (1984)

Exhibit 5 - CWA Local 13000 Charter

Exhibit 6 - CWA Executive Board Resolution

Exhibit 7 - Letter to Bell of Pennsylvania

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GENERAL COUNCIL

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**CONSTITUTION
OF THE
Federation of Telephone Workers
of Pennsylvania**



- Adopted—November 1908
- Revised—February 1942
- Revised—June 1944
- Revised—September 1945
- Revised—January 1949
- Revised—January 1950
- Revised—January 1951
- Revised—January 1953
- Revised—January 1955
- Revised—January 1956
- Revised—January 1957
- Revised—October 1959
- Revised—May 1960
- Revised—May 1961
- Revised—May 1962
- Revised—May 1963
- Revised—May 1964
- Supplement issued—June 1965
- Revised—May 1966
- Revised—May 1967
- Revised—September 1968
- Revised—June 1969
- Revised—June 1970
- Revised—May 1972
- Revised—May 1974
- Revised—May 1976
- Revised—May 1977
- Revised—May 1978
- Revised—October 1982



EXHIBIT 1

86040521975

**BYLAWS
AND
RULES
OF
LOCAL 13000**

**Communications Workers
of America
AFL-CIO
formerly
FEDERATION OF
TELEPHONE WORKERS
OF PENNSYLVANIA**



Adopted June 11, 1984
Effective August 1, 1984



CWA
CONSTITUTION
.....
AS AMENDED JUNE 1983
.....

.....
**PERMANENT RULES GOVERNING CONDUCT OF CWA CONVENTIONS
AND INTERNAL APPEALS PROCEDURES**
.....

EXHIBIT 3

85040321976

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CWA
CONSTITUTION
.....
AS AMENDED AUGUST 1984
.....

.....
PERMANENT RULES GOVERNING CONDUCT OF CWA CONVENTIONS
AND INTERNAL APPEALS PROCEDURES

EXHIBIT 4



ISSUANCE OF NEW LOCAL CHARTER
84-03

August 1, 1984

File: 1.28.1

To: President Watts, Executive Vice President, Vice President District 13, Independent Telephone Director Browning, Gee, Hassen, Segal, President of Local 13000, Atkins, Brack, Membership Dues, Research Department, Compliance

From: Louis B. Knecht, Secretary-Treasurer

Subject: Issuance of New Local Charter - Local 13000

A new Local charter has been issued to Local 13000, effective August 1, 1984. The jurisdiction for this new Local reads as follows:

LOCAL 13000:

"Over all work performed by employees eligible for Union membership employed by the following: The Bell Telephone Company of Pennsylvania or any of its subsidiaries anywhere in the State of Pennsylvania; The Bell Atlantic Corporation and any of its subsidiaries in the State of Pennsylvania; The AT&T Company and any of its subsidiaries in Pennsylvania except for those employees who are already represented by other CWA Locals; The United Telephone Company at Butler, Pennsylvania; Alltell of Pennsylvania at Kittanning, Carbon, and Muncy, Pennsylvania; The North Pittsburgh Telephone Company at Gibsonia, Pennsylvania; The Murraysville Telephone Company at Murraysville, Pennsylvania; The Continental Telecommunications, Inc. at Selinsgrove, Pennsylvania and Quaker State Telephone Company at Loyalsock, Pennsylvania; The Westmoreland Cable Company at New Kensington, Pennsylvania; The Clear Channel Cable TV Company at Kittanning, Pennsylvania; The Lebanon Valley Cable TV Company at Lebanon, Pennsylvania; Trams Communications Company at Bethlehem, Pennsylvania; The Tele-Tec Corporation

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Local 13000
August 1, 1984
Page 2

at Oaklyn, New Jersey; Economy Answering Service at Philadelphia, Pennsylvania; Answering Services, Inc. at Kittanning, Pennsylvania; The Armstrong County Emergency Operations Center at Kittanning, Pennsylvania; Any other workers in Pennsylvania who may be organized by Local 13000; and such other jurisdictions as may be assigned by the Executive Board of the Union."


L. B. K.

pu

85040521979

CWA LOCAL CHARTER JURISDICTION

PENNSYLVANIA

FILE: 1.28.1

CWA LOCAL # 13000

JURISDICTION ASSIGNED:

"Over all work performed by employees eligible for Union membership employed by the following: The Bell Telephone Company of Pennsylvania or any of its subsidiaries anywhere in the State Pennsylvania; The Bell Atlantic Corporation and any of its subsidiaries in the State of Pennsylvania; The AT&T Company and any of its subsidiaries in Pennsylvania except for those employees who are already represented by other CWA Locals; The United Telephone Company at Butler, Pennsylvania; Alltell of Pennsylvania at Kittanning, Carbon, and Muncy, Pennsylvania; The North Pittsburgh Telephone Company at Gibsonia, Pennsylvania; The Murraysville Telephone Company at Murraysville, Pennsylvania; The Continental Telecommunications, Inc. at Selinsgrove, Pennsylvania and Quaker State Telephone Company at Loyalsock, Pennsylvania; The Westmoreland Cable Company at New Kensington, Pennsylvania; The Clear Channel Cable TV Company at Kittanning, Pennsylvania; The Lebanon Valley Cable TV Company at Lebanon, Pennsylvania; Trams Communications Company at Bethlehem, Pennsylvania; The Tele-Tec Corporation at Oaklyn, New Jersey; Economy Answering Service at Philadelphia, Pennsylvania; Answering Services, Inc. at Kittanning, Pennsylvania; The Armstrong County Emergency Operations Center at Kittanning, Pennsylvania; Any other workers in Pennsylvania who may be organized by Local 13000; and such other jurisdictions as may be assigned by the Executive Board of the Union."

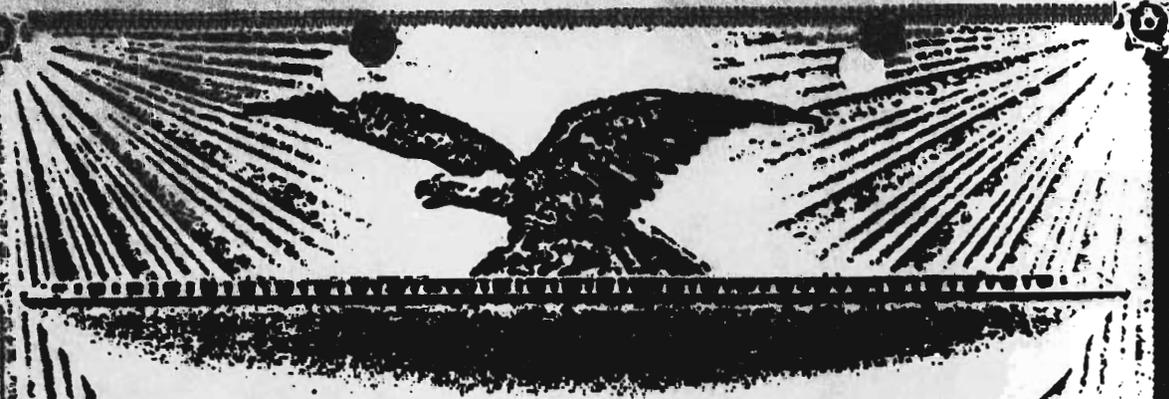
ORIGINAL CHARTER ISSUED:

August 1, 1984

ORIGINAL CHARTER ISSUED TO:

**W. E. Wallace, Vice Pres.
CWA District 13
1410 Chestnut Street
2nd Floor
Philadelphia, PA 19102**

85040521980



COMMUNICATIONS WORKERS

OF

AMERICA

AFL-CIO

LOCAL CHARTER

KNOW ALL PERSONS BY THESE PRESENTS THAT:

By Authority of the Constitution this Charter is hereby granted to:

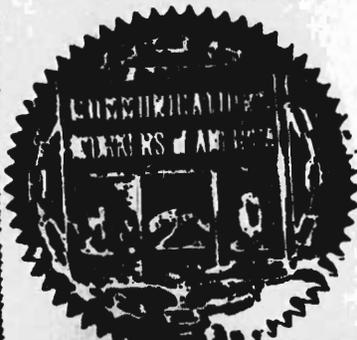
LOCAL 13000

of the Communications Workers of America, with the following jurisdiction:

"Over all work performed by employees eligible for Union membership employed by the following: The Bell Telephone Company of Pennsylvania or any of its subsidiaries anywhere in the State of Pennsylvania; The Bell Atlantic Corporation and any of its subsidiaries in the State of Pennsylvania; The AT&T Company and any of its subsidiaries in Pennsylvania except for those employees who are already represented by other CWA locals; The United Telephone Company at Butler, Pennsylvania; Altell of Pennsylvania at Kittanning, Carbon, and Muncy, Pennsylvania; The North Pittsburgh Telephone Company at Gibsonia, Pennsylvania; The Murraysville Telephone Company at Murraysville, Pennsylvania; The Continental Telecommunications, Inc. at Selinsgrove, Pennsylvania and Quaker State Telephone Company at Loysock, Pennsylvania; The Westmoreland Cable Company at New Kensington, Pennsylvania; The Clear Channel Cable TV Company at Kittanning, Pennsylvania; The Lebanon Valley Cable TV Company at Lebanon, Pennsylvania; Trans Communications Company at Bethlehem, Pennsylvania; The Tele-Tec Corporation at Oaklyn, New Jersey; Economy Answering Service at Philadelphia, Pennsylvania; Answering Services, Inc. at Kittanning, Pennsylvania; The Armstrong County Emergency Operations Center at Kittanning, Pennsylvania; Any other workers in Pennsylvania who may be organized by Local 13000; and such other jurisdictions as may be assigned by the Executive Board of the Union."

This Charter is granted with all the rights and privileges conveyed in the Constitution upon the condition that the said Local shall at all times comply with the Constitution and the Rules and Regulations thereunder and may be revoked only upon violation thereof and in accordance with the provisions of the Constitution.

In witness whereof we have hereunto attached our signatures and caused the seal of the Communications Workers of America to be affixed.



Dated this 1st day of August 1984

Gene E. Nett
President
Don B. [Signature]
Secretary-Treasurer

2/5/8 21

OFFICIAL COPY

COMMUNICATIONS WORKERS OF AMERICA
MINUTES OF THE MEETING
OF THE
EXECUTIVE BOARD

WASHINGTON, D. C.
APRIL 9-13, 1984

APPROVED BY THE EXECUTIVE BOARD: JUNE 10, 1984

ISSUED: JUNE 22, 1984

NS-9 (224)

RECEIVED

JUL 2 '84

WEBB

86040421982

CONVENTION ARRANGEMENTS/STAFFING

A discussion was held concerning the forthcoming Convention which will be called for August 6-9, 1984. All business that is normally handled will be concluded with a three day time span.

Further discussion was entered into concerning the need to have enough Staff at the Convention to handle convention assignments and that it was important to conserve where possible. It was agreed that one half of the Staff would attend the Convention. This decision was made with the knowledge that the conduct of the Convention requires a certain number of Staff in order that the business flows as smoothly as possible and as conveniently as possible for the delegates.

STRATEGIC PLANNING AND BUDGET COMMITTEE REPORT

See Attachment #1

ORGANIZING - OHIO PUBLIC EMPLOYEES ORGANIZING PROJECT

Motion: Moved that expenditures be authorized from the Defense Fund of \$500,000 for the Ohio project to go to August, 1984.

Motion Adopted 4/11/84

DISTRICT 13 RESOLUTION

The delegates to the Eleventh CWA Convention adopted Resolution 11A-57-3 and thereby exercised their Constitutional authority by approving the creation of a new District for the states of Pennsylvania and Delaware and approved the removing of these states from the jurisdiction of District 2. This was reaffirmed by the delegates to the 42nd Convention in 1980.

This Resolution required that the action for the creation of a District for Pennsylvania and Delaware be effective coincident with the Federation of Telephone Workers of Pennsylvania joining CWA and further directed that the Executive Board of CWA take all steps necessary to effectuate this Resolution.

The members of the Federation of Telephone Workers of Pennsylvania, having overwhelmingly voted to join CWA, and pursuant to Resolution 11A-57-3, as adopted by the delegates to the Eleventh CWA Convention.

BE IT RESOLVED: That the Executive Board of CWA hereby establishes CWA District 13 consisting of the states of Pennsylvania and Delaware, effective August 1, 1984. Thereafter, the President of CWA shall convene a meeting of delegates from all Locals in District 13, including the new Local to be chartered for the jurisdiction of the FTWP, for the purpose of electing a Vice President who shall serve until the next regular Constitutional election of Officers.

Resolution Adopted
4/11/84

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July 16, 1984

File: 1.7.13.2377

Mr. Raymond Smith, President
Bell of Pennsylvania
One Parkway
Philadelphia, PA 19102

Dear Sir:

As I am certain you are aware, the Federation of Telephone Workers of Pennsylvania has merged with the Communications Workers of America, effective August 1, 1984. Therefore, as of 12:01 a.m., August 1, 1984, and subsequent to this time, all dues deductions from members of the Communications Workers of America (including former members of the Federation of Telephone Workers of Pennsylvania) should be made payable to the Communications Workers of America and transmitted to Louis B. Knecht, Secretary-Treasurer, 1925 K Street, N.W., Washington, D.C. 20005.

This will also certify that the minimum membership dues for the employees represented by Communications Workers of America have been established at two hours pay per member, per month, based on 40 hours a week, in accordance with the appropriate formula furnished herewith that is applicable to the schedule of payroll deductions being made. If present deductions amount to more than the minimum two hours pay, they should remain in effect until specific authorization is given to change.

This letter of certification, until further notice, authorizes the employer to make payroll deductions from the wages of employees represented by Communications Workers of America Local 17000.

Sincerely,

Louis B. Knecht,
Secretary-Treasurer

Enclosures

/pv

cc: W. E. Wallace, Exec. Pres., F.T.W.P.
Lawrence J. Barnhorst, Comptroller, Bell of PA. (enc.)

85040621984



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 13, 1986

James B. Coppes, Esquire
Communications Workers of America
1925 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2110
Communications Workers of
America on Political
Education Political
Contributions Committee

Dear Mr. Coppes:

The Office of General Counsel is in receipt of your recent letter requesting an extension in the above-captioned matter. After reviewing the circumstances detailed in your letter, this Office will grant the requested extension. Accordingly, your response is due no later than January 17, 1986.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (LH)
By: Kenneth A. Gross
Associate General Counsel

86040521985



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 13, 1986

John R. Wallace, Esquire
Kirby, Wallace, Creech, Sarda,
and Zaytoun
Washington Square
1020 Washington Street
Raleigh, N.C. 27605

RE: MUR 2110
Jim Hunt Committee and
Maylon Little, as treasurer

Dear Mr. Wallace:

The Office of General Counsel is in receipt of your recent letter requesting an extension in the above-captioned matter. After reviewing the circumstances detailed in your letter, this Office will grant the requested extension. Accordingly, your response is due no later than January 13, 1986.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross (LLJ)
By: Kenneth A. Gross
Associate General Counsel

86040521986

Rec. Chm's Office
1-15-86 a.m.

CCC# 9436

KIRBY, WALLACE, GREECH,

SARDA & ZAYTOUN

ATTORNEYS AT LAW
WASHINGTON SQUARE
1050 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27605

DAVID F. KIRBY
JOHN R. WALLAGE
PAUL P. GREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

REC'D
FEC
SECRETARY
JAN 15 11:20

P. O. BOX 12065
(919) 821-4410

January 13, 1986

FEDERAL EXPRESS

The Honorable Joan D. Aikens, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110
Response of James B. Hunt, Jr.,
Jim Hunt Committee, Jim Hunt
Exploratory Committee, and Maylon
E. Little, Treasurer, Jim Hunt
Committee

36 JAN 15 11:55

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Dear Commissioner Aikens:

We have received and examined the complaint in Matter Under Review #2110. Our firm represents each of the foregoing named parties and will forward under separate cover the executed statements of designation of counsel. Additionally, the Committee is preparing and will deliver to the Office of General Counsel photocopies of the pertinent pages of the contribution reports and of the refund reports of the Committee.

The complaint alleges the receipt by the Jim Hunt Committee, FEC Identification #C-00-169-193, of excessive contributions from the named respondent contributors. An examination of the contribution reports of the Hunt Committee demonstrates that each of the contributions reported by the Hunt Committee and attributed to the primary campaign was, in fact, received and deposited on or prior to May 8, 1984, the date upon which the North Carolina primary election occurred. Contributions received and deposited after that date have been, in each instance, properly attributed to the General Election. The Jim Hunt Committee, therefore, denies the receipt of any excess contribution in either the primary period or the General Election period except such contributions as have been received and refunded and reported as having been refunded.

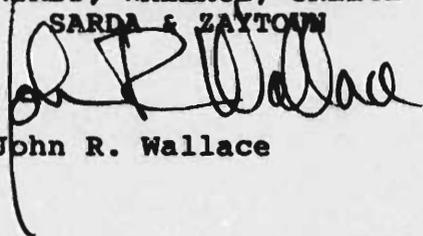
86040621987

The Honorable Joan D. Aikens, Chairman
January 13, 1986
Page Two

As indicated above, additional documentation in support of this response of the Jim Hunt Committee and the other related respondents will be delivered to the Office of General Counsel.

Sincerely,

KIRBY, WALLACE, CREECH
SARDA & ZAYTOUN


John R. Wallace

JRW/efc

cc: Patty Reilly, Esq.
Office of General Counsel

86040521988

600#9467

COPY JAN 16 12:36

**KIRBY, WALLACE, CREECH,
SARDA & ZAYTOUN**

DAVID F. KIRBY
JOHN R. WALLACE
PAUL P. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

ATTORNEYS AT LAW
WASHINGTON SQUARE
1080 WASHINGTON STREET
RALEIGH, NORTH CAROLINA 27608

P. O. BOX 12065
(919) 881-6410

January 13, 1986

FEDERAL EXPRESS

The Honorable Joan D. Aikens, Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110
Response of James B. Hunt, Jr.,
Jim Hunt Committee, Jim Hunt
Exploratory Committee, and Maylon
E. Little, Treasurer, Jim Hunt
Committee

JAN 16 3:36

RECEIVED
GENERAL COUNSEL

Dear Commissioner Aikens:

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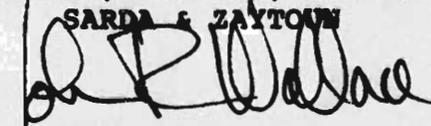
86040521989

The Honorable Joan D. Aikens, Chairman
January 13, 1986
Page Two

As indicated above, additional documentation in support of this response of the Jim Hunt Committee and the other related respondents will be delivered to the Office of General Counsel.

Sincerely,

KIRBY, WALLACE, CREECH
SARDA & ZAYTOUN



John R. Wallace

JRW/efc

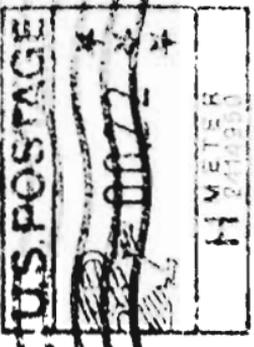
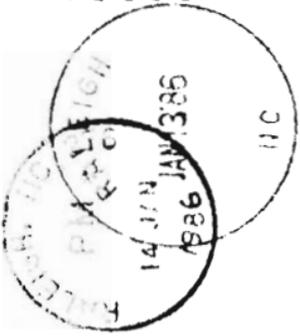
cc: Patty Reilly, Esq.
Office of General Counsel

85040521990

3 5 7 4 7 : 4 1 9 2 1

**KIRBY, WALLACE, GREECH,
SARDA & ZAYTOUN**

ATTORNEYS AT LAW
POST OFFICE BOX 12065
RALEIGH, NORTH CAROLINA 27605



26 JAN 16 12:36

Patty Reilly, Esquire
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Keilly

QCC#9370

LAW OFFICES

SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P. C.

1125 FIFTEENTH STREET, N. W.

SUITE 801

WASHINGTON, D. C. 20005

LOUIS SHERMAN (RET.)
THOMAS X. DUNN (RET.)
LAURENCE J. COHEN
ELIHU I. LEIFER
JOHN P. COUNTS
TERRY R. YELIG
RICHARD M. RESNICK
ROBERT D. KURNICK
VICTORIA L. BOR
MARY E. VOGEL
DAVID H. POTTS-DUPRE

AREA CODE 202
785-9300

86 JAN 8 AIO: 38

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

January 7, 1986

Mr. Charles Steele, General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: FEC MUR 2110

Dear Mr. Steele:

This letter constitutes the response of the International Brotherhood of Electrical Workers Committee on Political Education (IBEW COPE) and IBEW COPE Treasurer, Jack F. Moore^{1/}, to your letters of December 19, 1985 stating that the Commission has received a complaint alleging that IBEW COPE and its treasurer may have violated the Federal Election Campaign Act of 1971 (the Act). The complaint, which the Commission has numbered MUR 2110, alleges that IBEW COPE, IBEW Local Union 584 Electro PAC and their respective treasurers violated §441a(a)(2)(A) by making contributions to candidate James B. Hunt Jr.'s 1984 primary election campaign which in the aggregate totalled \$10,100.00.

IBEW COPE's contribution records reflect that on October 12, 1983 IBEW COPE contributed \$1,000.00 to the Jim Hunt Exploratory Committee for the primary campaign. On April 12, 1984 IBEW COPE contributed \$4,000.00 to Jim Hunt Committee for the primary election and \$5,000.00 to the Jim Hunt Committee for the general election campaign.

1/ The complaint lists Ralph A. Leigon as Treasurer of IBEW COPE. Mr. Leigon, however, has retired and since October 1985 Jack F. Moore has been the treasurer of IBEW COPE.

86040521992

Charles Steele
January 7, 1986
Page - 2 -

The check by which IBEW COPE contributed \$5,000.00 to Hunt's general election campaign stated on its face that it was a contribution for the "1984 [g]eneral" election. (See Attachment A) IBEW COPE also recorded that contribution as a contribution for the general election campaign in its internal ledger of contributions. (See Attachment B) And, the cover letter from the Secretary-Treasurer of IBEW COPE to the IBEW International Representative who actually presented the check to the Hunt Committee described the check as a contribution for Hunt's general election campaign. (See attachment C) As indicated in the complaint in this case, the Hunt Committee apparently treated and reported that check from IBEW COPE as a contribution for the general election campaign.

Despite the fact that the \$5,000.00 check was a contribution to Hunt's general election campaign, IBEW COPE inadvertantly checked the wrong box on Schedule B of its Report of Receipts and Disbursements and thereby incorrectly described the contribution as one to the primary election campaign. IBEW COPE has, however, filed an amended report correcting that error. (See Attachment D)

In addition, IBEW COPE recently discovered that IBEW Local Union 584 Electro PAC, a separate segregated fund established by an IBEW local union, contributed \$100.00 to the Jim Hunt Committee in February 1984.^{2/} This amount was contributed despite the fact that the IBEW had instructed its local unions not to make contributions to federal candidates through separate segregated funds without notifying IBEW COPE. IBEW COPE has specifically instructed IBEW Local Union 584 that such contributions cannot be made without notification to IBEW COPE and has requested a reimbursement of \$100.00 from the Jim Hunt Committee. (See Attachment E)

We submit that under the circumstances of this case no action should be taken against IBEW COPE or its treasurer. IBEW COPE did not, as the complaint alleges, contribute \$10,000 to Jim Hunt Jr.'s primary election campaign. Rather, it contributed

^{2/} The contribution was not designated as one for the primary or the general election campaign.

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Charles Steele
January 7, 1986
Page - 3 -

\$5,000.00 to the primary and \$5,000 to the general election campaign. The \$5,000.00 check of April 12, 1984, which complaint alleges was a contribution to Hunt's primary election campaign, was explicitly marked and recorded by IBEW COPE as a contribution for the general election and was utilized by Hunt in his general election campaign. The inadvertant clerical error on which the complaint is based has already been corrected.

Accordingly, the only contribution that exceeded the limit established by 2 U.S.C. §441a(a)(2)(A) was the \$100.00 contribution by IBEW Local 584 Electro PAC. Although we do not consider this matter trivial, we note that the amount involved is not great, that the contribution was made despite the existence of an IBEW policy requiring notification of such contributions to IBEW COPE, that steps have already been taken to ensure that such an inadvertant error will not be made again, and that IBEW COPE has already sought to bring itself into compliance with the Act by seeking a refund of the \$100.00 excess contribution. Under these circumstances, the policies of the Federal Election Campaign Act will not be furthered by taking any action against IBEW COPE or its treasurer in response to the complaint. Should, however, the commission decide to proceed further we request that the matter be handled through voluntary informal conciliation.

Sincerely,



Robert D. Kurnick
Counsel for International Brotherhood
of Electrical Workers Political
Action Committee and Jack F. Moore

86040621994

I. B. E. W. - C. O. P. E.
1125 - 15TH STREET, NW.
WASHINGTON, DC 20005

1635

4/12/84

15-19

DAY
TO THE
ORDER OF

JIM HUNT COMMITTEE

\$ 4,000.00

REGISTERED # 4000 DOLS 00 CTS
BN191219

DOLLARS

1st AMERICAN
FIRST AMERICAN BANK, NA, WASHINGTON, DC
15TH STREET OFFICE 20005

FOR

1984 Primary

Rahh A. Feigin

⑈001635⑈ ⑆⑆054000043⑆

3 178 307⑈

9 6 0 4 0 5 2

I. B. E. W. - C. O. P. E.
1125 - 15TH STREET, NW.
WASHINGTON, DC 20005

1636

4/12/84

15-19

DAY
TO THE
ORDER OF

JIM HUNT COMMITTEE

\$ 5,000.00

REGISTERED # 5000 DOLS 00 CTS
BN191219

DOLLARS

1st AMERICAN
FIRST AMERICAN BANK, NA, WASHINGTON, DC
15TH STREET OFFICE 20005

FOR

1984 General

Rahh A. Feigin

⑈001636⑈ ⑆⑆054000043⑆

3 178 307⑈

NEW JERSEY

3-13-84	- Howard for Congress Committee (P)	1,000.00
3-20-84	- James J. Florio Campaign Fund, Inc.	250.00
5-1-84	- Bill Bradley for U. S. Senate	1,000.00
6-4-84	- Hedden for Congress (P)	500.00
6-4-84	- Citizens for Rodino	1,000.00
6-8-84	- Citizens for Minish (G)	500.00
7-3-84	- Torricelli Congress Committee (G)	1,000.00
8-7-84	- James J. Florio Campaign Fund, Inc. (G)	500.00
8-7-84	- Guarini for Congress Committee (G)	500.00
8-7-84	- Rinaldo for Congress Committee (G)	500.00
9-21-84	- Hedden for Congress (G)	2,000.00
21-84	- Howard for Congress Committee (G)	2,000.00

NEW MEXICO (N.J. cont'd. on page 6a)

.5-31-84	- Asbury for Congress (P)	500.00
6-7-84	- New Mexicans for Bill Richardson	500.00
7-3-84	- Asbury for Congress (G)	500.00
8-7-84	- Asbury for Congress (G)	500.00
8-7-84	- ...Judy Pratt for U.S. Senate (G)	500.00
8-7-84	- New Mexicans for Bill Richardson (G)	500.00
9-12-84	- Asbury for Congress (G)	2,000.00
9-12-84	- ...Judy Pratt for U.S. Senate (G)	2,000.00
9-12-84	- New Mexicans for Bill Richardson (G)	2,000.00
S 10-11-84	- New Mexico Democratic Party	1,000.00
10-24-84	- Asbury for Congress (G)	1,000.00

NEW YORK

S 3-84	- Comm. to Elect George K. Arthur	1,000.00 E
2-28-84	- Ferraro for Congress 1984	1,000.00
3-9-84	- Peyser for Congress (P)	250.00
3-22-84	- Friends of Peyser (P)	500.00
4-30-84	- Concord Printing Co., INC.	1,703.86 E
5-4-84	- Citizens for Downey	1,000.00
5-4-84	- People for Mrazek (P)	1,000.00
5-16-84	- Toms '84 (P)	500.00
5-21-84	- Friends of Peyser (P)	400.00
6-4-84	Ackerman for Congress stop Payment 1-23-85	1,000.00
6-8-84	- Stan Lundine for Congress Committee (P)	500.00

(cont'd. next line)

(New York cont'd.)

7-3-84	- ...Cong. Joseph P. Addabbo (P)	2,500.00
8-7-84	- Friends of Ham Fish, Jr. (P)	100.00
8-7-84	- Citizens for Gilman (P)	1,000.00
8-7-84	- Friends of Matt McHugh (P)	1,000.00
8-7-84	- Peyser for Congress (P)	500.00
8-21-84	- ...Cong. Joseph P. Addabbo (P)	1,900.00
S 8-30-84	- People to Elect Bob Dandrea	250.00 E
8-30-84	- Stan Lundine for Congress (P)	1,500.00
9-10-84	- People for Mrazek (P)	2,500.00
9-12-84	- Rangle for Cong. Comm. (G)	1,000.00
9-21-84	- ...Cong. Joseph P. Addabbo (G)	2,000.00
9-21-84	- ...Re-Elect Robert Garcia (G)	2,000.00

NORTH CAROLINA (N.Y. cont'd. on page 6a)

2-28-84	- Britt for Congress (P)	250.00
3-19-84	- Susan Green for Congress	1,000.00
4-12-84	- Jim Hunt Committee (General)	4,000.00
4-12-84	- Jim Hunt Committee (General)	5,000.00
4-12-84	- Kenneth D. Spaulding for Cong.	500.00
4-25-84	- Comm. for Cong. Charles Rose	250.00
4-25-84	- Kenneth D. Spaulding for Cong.	500.00
5-2-84	- Kenneth D. Spaulding for Cong.	500.00
5-21-84	- ...James McClue Clarke to Cong.(G)	500.00
5-21-84	- Susan Green for Congress	1,000.00
6-27-84	- Comm. for Cong. Charles Rose (G)	500.00
9-21-84	- Britt for Congress (G)	2,000.00

NORTH DAKOTA (N.C. cont'd. on page 6a)

4-30-84	- Dorgan for Congress	500.00
S 8-23-84	- Jerry Mattern Campaign Fund	100.00 E
9-19-84	- Dorgan for Congress (G)	1,000.00
S 11-2-84	- Sinner Campaign Committee (G)	2,000.00

3,600.00



HUNT
N.C.

1125 Fifteenth Street, N.W.
Washington, D.C. 20005

April 13, 1984

Mr. James R. McInnis
International Representative
12th District, IBEW
2501 Denise Drive
Greensboro, North Carolina 27407

Dear Sir and Brother:

You will find enclosed two checks representing voluntary contributions to Governor Hunt's Senate campaign; \$4,000.00 to his primary campaign and \$5,000.00 for his general election campaign.

Please see that he receives the above mentioned checks.

With all good wishes.

Sincerely and fraternally,

Ralph A. Leigon
Secretary-Treasurer
IBEW-COPE

RAL:pod
cc: John A. Hightower, I.V.P.

ck. # 1635
Primary - \$4,000.-
4-12-84

ck. # 1636
General \$5,000 -
4-12-84

ATTACHMENT C

85040621997

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA ALIGN AREA

1. Name of Committee (In Full)
International Brotherhood of Electrical Workers Committee on Political Education

Address (Number and Street)
1125 - 15th Street, N. W.

City, State and ZIP Code
Washington D. C. 20005

Check here if address is different than previously reported.

2. FEC Identification Number
C00027342

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report
 July 15 Quarterly Report January 31 Year End Report
 July 31 Mid Year Report (Non-Election Year Only)
 Monthly Report for May 1984
 Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
 Thirtieth day report following the General Election
on _____ in the State of _____
 Termination Report

(b) Is this Report an Amendment?
 YES NO

Page 3 of the Itemized Disbursements on Jim Hu and D'Amour's.

SUMMARY

5. Covering Period 4/01/84 through 4/30/84

6. (a) Cash on hand January 1, 1985

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6(a)		\$ 492,446.21
6(b)	\$ 572,843.08	
6(c)	\$ 62,870.98	\$ 228,526.12
6(d)	\$ 635,714.06	\$ 720,972.33
7	\$ 71,100.00	\$ 156,358.27
8	\$ 564,614.06	\$ 564,614.06
9	\$ -0-	
10	\$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Jack F. Moore

Type or Print Name of Treasurer
Jack F. Moore
SIGNATURE OF TREASURER

1/6/86
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4088

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

ATTACHMENT D

85040621998

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(FEC FORM 3X)**

Name of Committee (in Full) **International Brotherhood of Electrical
Workers Committee on Political Education**

Report Covering the Period:

From: **4/01/84**

To: **4/30/84**

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees	\$ 62,870.98	\$228,526.12	11(a)
(b) Political Party Committees	(12.25)*		11(b)
(c) Other Political Committees	\$62,870.98		11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))			11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			12
13. ALL LOANS RECEIVED			13
14. LOAN REPAYMENTS RECEIVED			14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Dividends, Interest, etc.)			17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	\$ 62,870.98	\$228,526.12	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES			19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	\$ 65,900.00	\$145,855.87	21
22. INDEPENDENT EXPENDITURES (use Schedule E)		202,000.00	22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441 e(d)) (Use Schedule F)			23
24. LOAN REPAYMENTS MADE			24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees			26(a)
(b) Political Party Committees		(\$ 500.00)	26(b)
(c) Other Political Committees			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			26(d)
27. OTHER DISBURSEMENTS (Non-Federal Candidates)	\$ 5,200.00	11,002.40	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	\$71,100.00	\$156,358.27	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	\$62,870.98	\$228,526.12	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)			30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	\$62,870.98	\$228,526.12	31
32. TOTAL OPERATING EXPENDITURES from Line 19			32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15			33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			34

* Protected check deposited with unitized amount.

SCHEDULE B

ITEMIZED DISBURSEMENTS

LINE NUMBER 28 for
(Use separate schedule(s) for each category of the Detailed Summary Page)

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

9504032000

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Foglietta in 1984 Committee S. E. Corner, 8th Fitzwater Philadelphia, PA 19147	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/04/84	\$1,000.00
B. Full Name, Mailing Address and ZIP Code Yatron for Congress Committee 1908 Hessian Road Reading, PA 19602	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/04/84	200.00
C. Full Name, Mailing Address and ZIP Code Larry Ann Willis for Congress Route 2, Box 2574 Vale, OR 97918	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
D. Full Name, Mailing Address and ZIP Code Durbin for Congress Committee P. O. Box 2345 Washington D. C. 20013	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
E. Full Name, Mailing Address and ZIP Code Friends of Senator Carl Levin 420 C Street, N. E. Washington D. C. 20002	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
F. Full Name, Mailing Address and ZIP Code Boucher for Congress 306 S. Columbus Street Alexandria, VA 22314	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
G. Full Name, Mailing Address and ZIP Code Harrison for Congress Committee 15 S. Franklin Street, 9th Floor Wilkes Barre, PA 18701	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
H. Full Name, Mailing Address and ZIP Code Committee to elect Esteban Torres for Congress P. O. Box 2884 Washington D. C. 20013	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
I. Full Name, Mailing Address and ZIP Code Dan Kubiak for Congress P. O. Box 272 Rockdale, TX 76567	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
SUBTOTAL of Disbursements This Page (optional)			\$3,950.00
TOTAL This Period (last page this line number only)			

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
McCloskey for Congress P. O. Box 76566 Washington D. C. 20013	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	\$ 250.00
B. Full Name, Mailing Address and ZIP Code Levin for Congress Committee P. O. Box 2884 Washington D. C. 20013	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
C. Full Name, Mailing Address and ZIP Code Paul Simon for Senate 30 W. Washington, Room 615 Chicago, IL 60602	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Ratchford for Congress P. O. Box 334 Danbury, CT 06810	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
E. Full Name, Mailing Address and ZIP Code Volkmer for Congress Committee P. O. Box 991 Hannibal, MO 63401	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	1,000.00
F. Full Name, Mailing Address and ZIP Code Friends of Bob Carr Committee 303 C. Street, S. E. Washington D. C. 20003	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
G. Full Name, Mailing Address and ZIP Code Mavroules for Congress Committee P. O. Box 37274 Washington D. C. 20013	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
H. Full Name, Mailing Address and ZIP Code Friends of Jim Young P. O. Box 1581 Erie, PA 16507	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
I. Full Name, Mailing Address and ZIP Code Friends of Alfred Gore, Jr. P. O. Box 2757 Nashville, TN 37219	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	2,500.00
SUBTOTAL of Disbursements This Page (optional)			\$6,750.00
TOTAL This Period (last page this line number only)			

SCHEDULE B

ITEMIZED DISBURSEMENTS

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)
International Brotherhood of Electrical Workers Committee on Political Education

05040522002

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Friends of Albert Gore, Jr. P. O. Box 2517 Nashville, TN 37219	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	\$5,000.00
B. Full Name, Mailing Address and ZIP Code Citizens for Harkin 3213 S. West, 9th Street Des Moines, IA 50315	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	1,300.00
C. Full Name, Mailing Address and ZIP Code Citizens for Harkin 3213 S. West, 9th Street Des Moines, IA 50315	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
D. Full Name, Mailing Address and ZIP Code D'Amours for Senate Committee 1087 Elm Street, #408 Manchester, NH 03101	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	3,400.00
E. Full Name, Mailing Address and ZIP Code D'Amours for Senate Committee 1087 Elm Street, #408 Manchester, NH 03101	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
F. Full Name, Mailing Address and ZIP Code Jim Hunt Committee 215 Hillboroughs Street P. O. Box 25937 Raleigh, NC 27611	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	4,000.00
G. Full Name, Mailing Address and ZIP Code Jim Hunt Committee 215 Hillboroughs Street P. O. Box 25937 Raleigh, NC 27611	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
H. Full Name, Mailing Address and ZIP Code Winter for Senate Committee P. O. Box 23148 Jackson, MS 39225	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
I. Full Name, Mailing Address and ZIP Code Winter for Senate Committee P. O. Box 23148 Jackson, MS 39225	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
SUBTOTAL of Disbursements This Page (optional)			\$38,700.00
TOTAL This Period (last page this line number only)

SCHEDULE B

ITEMIZED DISBURSEMENTS
(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kenneth D. Spalding for Congress P. O. Box 25175 Durham, NC 27701	Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Fitzgerald for Congress P. O. Box 584 Fort Dodge, IA 50501	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	250.00
C. Full Name, Mailing Address and ZIP Code Friends of Senator Carl Levin 420 C Street, N. E. Washington D. C. 20002	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Gus Savage for Congress 1984 P. O. Box 757 Chicago, IL 60690	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	500.00
E. Full Name, Mailing Address and ZIP Code AFL-CIO COPE-PCC 815 - 16th Street, N. W. Washington D. C. 20006	Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Joint-Fund	4/16/84	1,500.00
F. Full Name, Mailing Address and ZIP Code Lloyd Doggett Campaign Fund 406 W13th Street Austin, TX 78701	Purpose of Disbursement Raising Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/19/84	450.00
G. Full Name, Mailing Address and ZIP Code Bustamante for Congress Committee P. O. Box 15077 San Antonio, TX 78212	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/19/84	250.00
H. Full Name, Mailing Address and ZIP Code Greater Washington Americans for Democratic action 1411 K Street, N. W., #850 Washington D. C. 20005	Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Fund-raising	4/23/84	100.00
I. Full Name, Mailing Address and ZIP Code Dan McGrath for Congress Committee P. O. Box 711 Ottawa, IL 61350	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
SUBTOTAL of Disbursements This Page (optional)			\$4,800.00
TOTAL This Period (last page this line number only)			

35040522003

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kenneth D. Spaulding for Congress P. O. Box 25175 Durham, N.C. 27701	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Norm Dicks for Congress Committee P. O. Box 1663 Tacoma, WA 98401	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
C. Full Name, Mailing Address and ZIP Code Flannery for Congress Committee 8847 N. Yazewell Street Arlington, VA 22207	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
D. Full Name, Mailing Address and ZIP Code McGlennon in 1984 Committee P. O. Box 1492 Williamsburg, VA 23187	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
E. Full Name, Mailing Address and ZIP Code Friends of Max Baucus P. O. Box 216 Helena, MT 59624	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
F. Full Name, Mailing Address and ZIP Code Dowdy for Congress Committee P. O. Box 713 McComb, MS 39648	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
G. Full Name, Mailing Address and ZIP Code Bruce A. Morrison for Congress Committee P. O. Box 303 New Haven, CT 06502-0303	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
H. Full Name, Mailing Address and ZIP Code Soash for Congress P. O. Box 2854, Mystic Route Steamboat Springs, CO 80477	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
I. Full Name, Mailing Address and ZIP Code Wachob for Congress Committee P. O. Box 53 Johnsonburg, PA 15845	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
SUBTOTAL of Disbursements This Page (optional)			\$5,250.00
TOTAL This Period (last page this line number only)			

SCHEDULE B

EMIZED DISBURSEMENTS

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
Dorgan for Congress P. O. Box 871 Bismarck, ND 58502		4/30/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			\$ 500.00
TOTAL This Period (last page this line number only)			\$65,900.00

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Delegates for Mondale 28 W. Laughhead Avenue Boothwynn, PA 19061	Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Get out to vote	4/12/84	\$ 200.00
B. Full Name, Mailing Address and ZIP Code LCLLA TEXAS for GOTV Project c/o J. Otero Brac 815 - 16th Street, N. W., #511 Washington D. C. 20006	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period 5,000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			\$5,200.00
TOTAL This Period (last page this line number only)			\$5,200.00

8504052007



1125 Fifteenth Street, N.W.
Washington, D.C. 20006

January 2, 1986

Mr. James B. Hunt, Jr.
215 Hillsborough Street
P. O. Box 25937
Raleigh, North Carolina 27611

Dear Mr. Hunt:

We have received a letter from the Federal Election Commission concerning our 1984 campaign contributions to you.

The FEC received a complaint from a Jeffery W. Ryan of 4757 Parkman Court, Annandale, Virginia 22003 - Complaint MUR No. 2110, wherein he alleged that IBEW-COPE made excessive contributions to your campaign in 1984.

In reviewing our files we find that we did, in fact, inadvertently contribute \$100.00 over the maximum allowable amount in the 1984 General Election.

I, therefore, request that you refund to IBEW-COPE the amount of \$100.00 in order that we may be in compliance with the law.

I am sorry for the inconvenience this has caused you and thank you for your immediate attention to this matter.

With all good wishes.

Sincerely,

Jack F. Moore
Secretary-Treasurer
IBEW-COPE

JFM/ct
opeiu #2
cc: Federal Election Commission

8504032008

RECEIVED AT THE FEC
0049402
86 JAN 10 8:15

LAW OFFICES
SHERMAN, DUNN, COHEN, LEIFER & COUNTS, P. C.

1125 FIFTEENTH STREET, N. W.
SUITE 801
WASHINGTON, D. C. 20005

LOUIS SHERMAN (RET.)
THOMAS X. DUNN (RET.)
LAURENCE J. COHEN
ELIHU I. LEIFER
JOHN P. COUNTS
TERRY R. YELDIG
RICHARD M. RESNICK
ROBERT D. KURNICK

VICTORIA L. BOR
MARY E. VOGEL
DAVID H. POTTS-DUPRE

AREA CODE 202
785-9300

January 7, 1986

86 JAN 10 AID: 22
OFFICE OF
GENERAL COUNSEL

Mr. Charles Steele, General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: FEC MUR 2110

Dear Mr. Steele:

This letter constitutes the response of the International Brotherhood of Electrical Workers Committee on Political Education (IBEW COPE) and IBEW COPE Treasurer, Jack F. Moore^{1/}, to your letters of December 19, 1985 stating that the Commission has received a complaint alleging that IBEW COPE and its treasurer may have violated the Federal Election Campaign Act of 1971 (the Act). The complaint, which the Commission has numbered MUR 2110, alleges that IBEW COPE, IBEW Local Union 584 Electro PAC and their respective treasurers violated §441a(a)(2)(A) by making contributions to candidate James B. Hunt Jr.'s 1984 primary election campaign which in the aggregate totalled \$10,100.00.

IBEW COPE's contribution records reflect that on October 12, 1983 IBEW COPE contributed \$1,000.00 to the Jim Hunt Exploratory Committee for the primary campaign. On April 12, 1984 IBEW COPE contributed \$4,000.00 to Jim Hunt Committee for the primary election and \$5,000.00 to the Jim Hunt Committee for the general election campaign.

^{1/} The complaint lists Ralph A. Leigon as Treasurer of IBEW COPE. Mr. Leigon, however, has retired and since October 1985 Jack F. Moore has been the treasurer of IBEW COPE.

86040622009

Charles Steele
January 7, 1986
Page - 2 -

The check by which IBEW COPE contributed \$5,000.00 to Hunt's general election campaign stated on its face that it was a contribution for the "1984 [g]eneral" election. (See Attachment A) IBEW COPE also recorded that contribution as a contribution for the general election campaign in its internal ledger of contributions. (See Attachment B) And, the cover letter from the Secretary-Treasurer of IBEW COPE to the IBEW International Representative who actually presented the check to the Hunt Committee described the check as a contribution for Hunt's general election campaign. (See attachment C) As indicated in the complaint in this case, the Hunt Committee apparently treated and reported that check from IBEW COPE as a contribution for the general election campaign.

Despite the fact that the \$5,000.00 check was a contribution to Hunt's general election campaign, IBEW COPE inadvertently checked the wrong box on Schedule B of its Report of Receipts and Disbursements and thereby incorrectly described the contribution as one to the primary election campaign. IBEW COPE has, however, filed an amended report correcting that error. (See Attachment D)

In addition, IBEW COPE recently discovered that IBEW Local Union 584 Electro PAC, a separate segregated fund established by an IBEW local union, contributed \$100.00 to the Jim Hunt Committee in February 1984.^{2/} This amount was contributed despite the fact that the IBEW had instructed its local unions not to make contributions to federal candidates through separate segregated funds without notifying IBEW COPE. IBEW COPE has specifically instructed IBEW Local Union 584 that such contributions cannot be made without notification to IBEW COPE and has requested a reimbursement of \$100.00 from the Jim Hunt Committee. (See Attachment E)

We submit that under the circumstances of this case no action should be taken against IBEW COPE or its treasurer. IBEW COPE did not, as the complaint alleges, contribute \$10,000 to Jim Hunt Jr.'s primary election campaign. Rather, it contributed

^{2/} The contribution was not designated as one for the primary or the general election campaign.

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Charles Steele
January 7, 1986
Page - 3 -

\$5,000.00 to the primary and \$5,000 to the general election campaign. The \$5,000.00 check of April 12, 1984, which complaint alleges was a contribution to Hunt's primary election campaign, was explicitly marked and recorded by IBEW COPE as a contribution for the general election and was utilized by Hunt in his general election campaign. The inadvertant clerical error on which the complaint is based has already been corrected.

Accordingly, the only contribution that exceeded the limit established by 2 U.S.C. §441a(a)(2)(A) was the \$100.00 contribution by IBEW Local 584 Electro PAC. Although we do not consider this matter trivial, we note that the amount involved is not great, that the contribution was made despite the existence of an IBEW policy requiring notification of such contributions to IBEW COPE, that steps have already been taken to ensure that such an inadvertant error will not be made again, and that IBEW COPE has already sought to bring itself into compliance with the Act by seeking a refund of the \$100.00 excess contribution. Under these circumstances, the policies of the Federal Election Campaign Act will not be furthered by taking any action against IBEW COPE or its treasurer in response to the complaint. Should, however, the commission decide to proceed further we request that the matter be handled through voluntary informal conciliation.

Sincerely,



Robert D. Kurnick
Counsel for International Brotherhood
of Electrical Workers Political
Action Committee and Jack F. Moore

85040322011



1125 Fifteenth Street, N.W.
Washington, D.C. 20006

January 2, 1986

Mr. James B. Hunt, Jr.
215 Hillsborough Street
P. O. Box 25937
Raleigh, North Carolina 27611

Dear Mr. Hunt:

We have received a letter from the Federal Election Commission concerning our 1984 campaign contributions to you.

The FEC received a complaint from a Jeffery W. Ryan of 4757 Parkman Court, Annandale, Virginia 22003 - Complaint MUR No. 2110, wherein he alleged that IBEW-COPE made excessive contributions to your campaign in 1984.

In reviewing our files we find that we did, in fact, inadvertently contribute \$100.00 over the maximum allowable amount in the 1984 General Election.

I, therefore, request that you refund to IBEW-COPE the amount of \$100.00 in order that we may be in compliance with the law.

I am sorry for the inconvenience this has caused you and thank you for your immediate attention to this matter.

With all good wishes.

Sincerely,

Jack F. Moore
Secretary-Treasurer
IBEW-COPE

JFM/ct
opeiu #2
cc: Federal Election Commission

ATTACHMENT B

85040522012



HUNT
n.c

1125 Fifteenth Street, N.W.
Washington, D.C. 20005

April 13, 1984

Mr. James R. McInnis
International Representative
12th District, IBEW
2501 Denise Drive
Greensboro, North Carolina 27407

Dear Sir and Brother:

You will find enclosed two checks representing voluntary contributions to Governor Hunt's Senate campaign; \$4,000.00 to his primary campaign and \$5,000.00 for his general election campaign.

Please see that he receives the above mentioned checks.

With all good wishes.

Sincerely and fraternally,

Ralph A. Leigon
Secretary-Treasurer
IBEW-COPE

RAL:pod
cc: John A. Hightower, I.V.P.

ck. # 1635
Primary - \$4,000.-
4-12-84

ck. # 1636
General \$5,000 -
4-12-84

ATTACHMENT C

86040622013

I. B. E. W. - C. O. P. E.
1125 - 15TH STREET, NW.
WASHINGTON, DC 20005

1635

4/12/84 19

1984

PAY TO THE ORDER OF

JIM HUNT COMMITTEE

\$ 4,000.00

REGISTERED # 4000 DOLS 00 CTS
BN191219

DOLLARS

1st AMERICAN
FIRST AMERICAN BANK, NA, WASHINGTON, DC
15TH STREET OFFICE 20005

FOR

1984 Primary

Rahh A. Feijan

⑈001635⑈ ⑆⑈054000043⑈

3 178 307⑈

9504052

I. B. E. W. - C. O. P. E.
1125 - 15TH STREET, NW.
WASHINGTON, DC 20005

1636

4/12/84 19

1984

PAY TO THE ORDER OF

JIM HUNT COMMITTEE

\$ 5,000.00

REGISTERED # 5000 DOLS 00 CTS
BN191219

DOLLARS

1st AMERICAN
FIRST AMERICAN BANK, NA, WASHINGTON, DC
15TH STREET OFFICE 20005

FOR

1984 General

Rahh A. Feijan

⑈001636⑈ ⑆⑈054000043⑈

3 178 307⑈

ATTACHMENT A

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

International Brotherhood of Electrical Workers Committee on Political Education

Address (Number and Street)
1125 - 15th Street, N. W.

City, State and ZIP Code
Washington D. C. 20005

Check here if address is different than previously reported.

2. FEC Identification Number
C00027342

3. This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) April 15 Quarterly Report October 15 Quarterly Report
 July 15 Quarterly Report January 31 Year End Report
 July 31 Mid Year Report (Non-Election Year Only)
 Monthly Report for May 1984
 Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
 Thirtieth day report following the General Election
on _____ in the State of _____
 Termination Report

(b) Is this Report an Amendment? YES NO

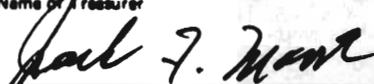
Page 3 of the Itemized Disbursements on Jim Hun and D'Amour's.

85040522015

SUMMARY		COLUMN A	COLUMN B
5. Covering Period	4/01/84 through 4/30/84	This Period	Calendar Year-to-Date
6. (a) Cash on hand January 1, 19 ⁸⁵			\$ 492,446.21
(b) Cash on Hand at Beginning of Reporting Period		\$ 572,843.08	
(c) Total Receipts (from Line 18)		\$ 62,870.98	\$ 228,526.12
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 635,714.06	\$ 720,972.33
7. Total Disbursements (from Line 28)		\$ 71,100.00	\$ 156,358.27
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 564,614.06	\$ 564,614.06
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)		\$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Jack F. Moore

 Type or Print Name of Treasurer


 SIGNATURE OF TREASURER

1/6/86

 Date

For further information contact:
 Federal Election Commission
 Toll Free 800-424-9530
 Local 202-523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

ATTACHMENT D

DETAILED SUMMARY PAGE

Receipts and Disbursements

(Page 2, FEC FORM 3X)

Name of Committee (in Full) International Brotherhood of Electrical Workers Committee on Political Education		Report Covering the Period From: <u>4/01/84</u> To: <u>4/30/84</u>	
		COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees		\$ 62,870.98	\$228,526.12
(Memo Entry Unitemized \$ _____) \$62,883.23			
_____) (12.25) *			
(b) Political Party Committees			
(c) Other Political Committees		\$62,870.98	
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))			
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			
13. ALL LOANS RECEIVED			
14. LOAN REPAYMENTS RECEIVED			
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES			
AND OTHER POLITICAL COMMITTEES			
17. OTHER RECEIPTS (Dividends, Interest, etc.)			
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)		\$ 62,870.98	\$228,526.12
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES			
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND		\$ 65,900.00	\$145,855.87
OTHER POLITICAL COMMITTEES			
22. INDEPENDENT EXPENDITURES (use Schedule E)			202,955.87
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES			
(2 U.S.C. § 441 a(d)) (Use Schedule F)			
24. LOAN REPAYMENTS MADE			
25. LOANS MADE			
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees			
(b) Political Party Committees			(\$ 500.00)
(c) Other Political Committees			
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			
27. OTHER DISBURSEMENTS . . . (Non-Federal Candidates)		\$ 5,200.00	11,002.40
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)		\$71,100.00	\$156,358.27
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)		\$62,870.98	\$228,526.12
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)			
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)		\$62,870.98	\$228,526.12
32. TOTAL OPERATING EXPENDITURES from Line 19			
33. OFFSETS TO OPERATING EXPENDITURES from Line 15			
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			

* Protected check deposited with unitemized amount.

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

957405227

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Delegates for Mondale 28 W. Laughhead Avenue Boothwynn, PA 19061	Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): <u>Get out to vote</u>	4/12/84	\$ 200.00
B. Full Name, Mailing Address and ZIP Code LCLLA TEXAS for GOTV Project c/o J. Otero Brac 815 - 16th Street, N. W., #511 Washington D. C. 20006	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		5,000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			\$5,200.00
TOTAL This Period (last page this line number only)			\$5,200.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
Foglietta in 1984 Committee S. E. Corner, 8th Fitzwater Philadelphia, PA 19147	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/04/84	\$1,000.00
B. Full Name, Mailing Address and ZIP Code Yatron for Congress Committee 1908 Hessian Road Reading, PA 19602	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/04/84	200.00
C. Full Name, Mailing Address and ZIP Code Larry Ann Willis for Congress Route 2, Box 2574 Vale, OR 97918	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
D. Full Name, Mailing Address and ZIP Code Durbin for Congress Committee P. O. Box 2345 Washington D. C. 20013	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
E. Full Name, Mailing Address and ZIP Code Friends of Senator Carl Levin 420 C Street, N. E. Washington D. C. 20002	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
F. Full Name, Mailing Address and ZIP Code Boucher for Congress 306 S. Columbus Street Alexandria, VA 22314	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
G. Full Name, Mailing Address and ZIP Code Harrison for Congress Committee 15 S. Franklin Street, 9th Floor Wilkes Barre, PA 18701	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
H. Full Name, Mailing Address and ZIP Code Committee to elect Esteban Torres for Congress P. O. Box 2884 Washington D. C. 20013	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
I. Full Name, Mailing Address and ZIP Code Dan Kubiak for Congress P. O. Box 272 Rockdale, TX 76567	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
SUBTOTAL of Disbursements This Page (optional)			\$3,950.00
TOTAL This Period (last page this line number only)			

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.			
Name of Committee (in Full)			
International Brotherhood of Electrical Workers Committee on Political Education			
A. Full Name, Mailing Address and ZIP Code McCloskey for Congress P. O. Box 76566 Washington D. C. 20013	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	\$ 250.00
B. Full Name, Mailing Address and ZIP Code Levin for Congress Committee P. O. Box 2884 Washington D. C. 20013	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
C. Full Name, Mailing Address and ZIP Code Paul Simon for Senate 30 W. Washington, Room 615 Chicago, IL 60602	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Ratchford for Congress P. O. Box 334 Danbury, CT 06810	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	250.00
E. Full Name, Mailing Address and ZIP Code Volkmer for Congress Committee P. O. Box 991 Hannibal, MO 63401	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	1,000.00
F. Full Name, Mailing Address and ZIP Code Friends of Bob Carr Committee 303 C. Street, S. E. Washington D. C. 20003	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
G. Full Name, Mailing Address and ZIP Code Mavroules for Congress Committee P. O. Box 37274 Washington D. C. 20013	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
H. Full Name, Mailing Address and ZIP Code Friends of Jim Young P. O. Box 1581 Erie, PA 16507	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/10/84	500.00
I. Full Name, Mailing Address and ZIP Code Friends of Alfred Gore, Jr. P. O. Box 2757 Nashville, TN 37219	Purpose of Disbursement Contribution	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	2,500.00
SUBTOTAL of Disbursements This Page (optional)			\$6,750.00
TOTAL This Period (last page this line number only)			

SCHEDULE B

ITEMIZED DISBURSEMENTS

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

85040522020

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Friends of Albert Gore, Jr. P. O. Box 2517 Nashville, TN 37219	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	\$5,000.00
B. Full Name, Mailing Address and ZIP Code Citizens for Harkin 3213 S. West, 9th Street Des Moines, IA 50315	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	1,300.00
C. Full Name, Mailing Address and ZIP Code Citizens for Harkin 3213 S. West, 9th Street Des Moines, IA 50315	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
D. Full Name, Mailing Address and ZIP Code D'Amours for Senate Committee 1087 Elm Street, #408 Manchester, NH 03101	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	3,400.00
E. Full Name, Mailing Address and ZIP Code D'Amours for Senate Committee 1087 Elm Street, #408 Manchester, NH 03101	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
F. Full Name, Mailing Address and ZIP Code Jim Hunt Committee 215 Hillboroughs Street P. O. Box 25937 Raleigh, NC 27611	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	4,000.00
G. Full Name, Mailing Address and ZIP Code Jim Hunt Committee 215 Hillboroughs Street P. O. Box 25937 Raleigh, NC 27611	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
H. Full Name, Mailing Address and ZIP Code Winter for Senate Committee P. O. Box 23148 Jackson, MS 39225	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
I. Full Name, Mailing Address and ZIP Code Winter for Senate Committee P. O. Box 23148 Jackson, MS 39225	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	5,000.00
SUBTOTAL of Disbursements This Page (optional)			\$38,700.00
TOTAL This Period (last page this line number only)

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kenneth D. Spalding for Congress P. O. Box 25175 Durham, NC 27701	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/12/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Fitzgerald for Congress P. O. Box 584 Fort Dodge, IA 50501	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	250.00
C. Full Name, Mailing Address and ZIP Code Friends of Senator Carl Levin 420 C Street, N. E. Washington D. C. 20002	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Gus Savage for Congress 1984 P. O. Box 757 Chicago, IL 60690	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/13/84	500.00
E. Full Name, Mailing Address and ZIP Code AFL-CIO COPE-PCC 815 - 16th Street, N. W. Washington D. C. 20006	Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Joint-Fund	4/16/84	1,500.00
F. Full Name, Mailing Address and ZIP Code Lloyd Doggett Campaign Fund 406 W13th Street Austin, TX 78701	Purpose of Disbursement raising Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/19/84	450.00
G. Full Name, Mailing Address and ZIP Code Bustamante for Congress Committee P. O. Box 15077 San Antonio, TX 78212	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/19/84	250.00
H. Full Name, Mailing Address and ZIP Code Greater Washington Americans for Democratic action 1411 K Street, N. W., #850 Washington D. C. 20005	Contribution Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): Fund-raising	4/23/84	100.00
I. Full Name, Mailing Address and ZIP Code Dan McGrath for Congress Committee P. O. Box 711 Ottawa, IL 61350	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
SUBTOTAL of Disbursements This Page (optional)			\$4,800.00
TOTAL This Period (last page this line number only)			

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kenneth D. Spaulding for Congress P. O. Box 25175 Durham, N.C. 27701	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Norm Dicks for Congress Committee P. O. Box 1663 Tacoma, WA 98401	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
C. Full Name, Mailing Address and ZIP Code Flannery for Congress Committee 8847 N. Tazewell Street Arlington, VA 22207	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
D. Full Name, Mailing Address and ZIP Code McGlennon in 1984 Committee P. O. Box 1492 Williamsburg, VA 23187	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
E. Full Name, Mailing Address and ZIP Code Friends of Max Baucus P. O. Box 216 Helena, MT 59624	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
F. Full Name, Mailing Address and ZIP Code Dowdy for Congress Committee P. O. Box 713 McComb, MS 39648	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
G. Full Name, Mailing Address and ZIP Code Bruce A. Morrison for Congress Committee P. O. Box 303 New Haven, CT 06502-0303	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
H. Full Name, Mailing Address and ZIP Code Soash for Congress P. O. Box 2854, Mystic Route Steamboat Springs, CO 80477	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
I. Full Name, Mailing Address and ZIP Code Wachob for Congress Committee P. O. Box 53 Johnsonburg, PA 15845	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
SUBTOTAL of Disbursements This Page (optional)			\$5,250.00
TOTAL This Period (last page this line number only)			

(CONTRIBUTIONS FOR FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
McCloskey for Congress P. O. Box 70 Bloomington, IN 47402	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code Committee for Congressman C. Rose P. O. Box 1891 Fayetteville, N. C. 28302	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
C. Full Name, Mailing Address and ZIP Code Alan Mollohan for Congress Committee 304 Devemy Bldg. Fairmont, WV 26554	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	500.00
D. Full Name, Mailing Address and ZIP Code Committee to re-elect Senator Huddleston P. O. Box 76404 Washington D. C. 20013	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	1,000.00
E. Full Name, Mailing Address and ZIP Code Oakar for Congress Committee P. O. Box 2884 Washington D. C. 20013	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/25/84	250.00
F. Full Name, Mailing Address and ZIP Code Friends of George Miller 350 38th Street Richmond, CA 94805	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	200.00
G. Full Name, Mailing Address and ZIP Code Simon for Senate Committee 30 W. Washington, Room 615 Chicago, IL 60602	Contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	1,000.00
H. Full Name, Mailing Address and ZIP Code Barry Hobbins for Congress P. O. Box 4118, Station A Portland, ME 04101	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	250.00
I. Full Name, Mailing Address and ZIP Code Bustamante for Congress Committee P. O. Box 15077 San Antonio, TX 78212	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): 1984	4/30/84	2,000.00
SUBTOTAL of Disbursements This Page (optional)			\$5,950.00
TOTAL This Period (last page this line number only)			

(CONTRIBUTIONS TO FEDERAL CANDIDATES)

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Name of Committee (in Full)

International Brotherhood of Electrical Workers Committee on Political Education

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Dorgan for Congress P. O. Box 871 Bismarck, ND 58502	Contribution Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	4/30/84	\$ 500.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			\$ 500.00
TOTAL This Period (last page this line number only)			\$65,900.00

NEW JERSEY

3-13-84	- Howard for Congress Committee (P)	1,000.00
3-20-84	- James J. Florio Campaign Fund, Inc.	250.00
5-1-84	- Bill Bradley for U. S. Senate	1,000.00
6-4-84	- Hedden for Congress (P)	500.00
6-4-84	- Citizens for Rodino	1,000.00
6-8-84	- Citizens for Minish (G)	500.00
7-3-84	- Torricelli Congress Committee (G)	1,000.00
8-7-84	- James J. Florio Campaign Fund, Inc. (G)	500.00
8-7-84	- Guarini for Congress Committee (G)	500.00
8-7-84	- Rinaldo for Congress Committee (G)	500.00
8-21-84	- Hedden for Congress (G)	2,000.00
8-21-84	- Howard for Congress Committee (G)	2,000.00

NEW MEXICO (N.J. cont'd. on page 6a)

5-31-84	- Asbury for Congress (P)	500.00
6-7-84	- New Mexicans for Bill Richardson	500.00
7-3-84	- Asbury for Congress (G)	500.00
8-7-84	- Asbury for Congress (G)	500.00
8-7-84	- ...Judy Pratt for U.S. Senate (G)	500.00
8-7-84	- New Mexicans for Bill Richardson (G)	500.00
9-12-84	- Asbury for Congress (G)	2,000.00
9-12-84	- ...Judy Pratt for U.S. Senate (G)	2,000.00
9-12-84	- New Mexicans for Bill Richardson (G)	2,000.00
S 10-11-84	- New Mexico Democratic Party	1,000.00
10-24-84	- Asbury for Congress (G)	1,000.00

NEW YORK

9-84	- Comm. to Elect George K. Arthur	1,000.00	E
2-28-84	- Ferraro for Congress 1984	1,000.00	
3-9-84	- Peyser for Congress (P)	250.00	
3-22-84	- Friends of Peyser (P)	500.00	
4-30-84	- Concord Printing Co., INC.	1,703.86	E
5-4-84	- Citizens for Downey	1,000.00	
5-4-84	- People for Mrazek (P)	1,000.00	
5-16-84	- Towns '84 (P)	500.00	
5-21-84	- Friends of Peyser (P)	400.00	
6-4-84	Ackerman for Congress stop Payment 1-23-85	1,000.00	
6-8-84	- Stan Lundine for Congress Committee (P)	500.00	

(cont'd. next line)

(New York cont'd.)

7-3-84	- ...Cong. Joseph P. Addabbo (P)	2,500.00	
8-7-84	- Friends of Ham Fish, Jr. (P)	100.00	
8-7-84	- Citizens for Gilman (P)	1,000.00	
8-7-84	- Friends of Matt McHugh (P)	1,000.00	
8-7-84	- Peyser for Congress (P)	500.00	
8-21-84	- ...Cong. Joseph P. Addabbo (P)	1,900.00	
S 8-30-84	- People to Elect Bob Dandrea	250.00	E
8-30-84	- Stan Lundine for Congress (P)	1,500.00	
9-10-84	- People for Mrazek (P)	2,500.00	
9-12-84	- Rangle for Cong. Comm. (G)	1,000.00	
9-21-84	- ...Cong. Joseph P. Addabbo (G)	2,000.00	
9-21-84	- ...Re-Elect Robert Garcia (G)	2,000.00	

NORTH CAROLINA (N.Y. cont'd. on page 6a)

2-28-84	- Britt for Congress (P)	250.00
3-19-84	- Susan Green for Congress	1,000.00
4-12-84	- Jim Hunt Committee (Primary)	4,000.00
4-12-84	- Jim Hunt Committee (General)	5,000.00
4-12-84	- Kenneth D. Spaulding for Cong.	500.00
4-25-84	- Comm. for Cong. Charles Rose	250.00
4-25-84	- Kenneth D. Spaulding for Cong.	500.00
5-2-84	- Kenneth D. Spaulding for Cong.	500.00
5-21-84	- ...James McClue Clarke to Cong. (G)	500.00
5-21-84	- Susan Green for Congress	1,000.00
6-27-84	- Comm. for Cong. Charles Rose (G)	500.00
9-21-84	- Britt for Congress (G)	2,000.00

NORTH DAKOTA (N.C. cont'd. on page 6a)

4-30-84	- Dorgan for Congress	500.00	
S 8-23-84	- Jerry Mattern Campaign Fund	100.00	E
9-19-84	- Dorgan for Congress (G)	1,000.00	
S 11-2-84	- Sinner Campaign Committee (G)	2,000.00	

3,600.00

5 2 0 7 7 9 0 4 0 5 8

KIRBY, WALLACE, CREECH,

SARDA & ZAYTOUN

ATTORNEYS AT LAW

WASHINGTON SQUARE

1080 WASHINGTON STREET

RALEIGH, NORTH CAROLINA 27605

DAVID F. KIRBY
JOHN N. WALLACE
PAUL P. CREECH
PETER J. SARDA
ROBERT E. ZAYTOUN

P. O. BOX 12065
(919) 881-4410

January 3, 1986

Patty Reilly, Esquire
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 2110

Dear Ms. Reilly:

The Jim Hunt Committee has received notification of the institution of MUR 1838 from the Commission. Our law firm will be responding on behalf of James B. Hunt, Jr., the Jim Hunt Committee, the Hunt Exploratory Committee, and Maylon Little, Treasurer of the Jim Hunt Committee.

The foregoing parties received notification of the institution of this action just following Christmas day and, in view of the holiday season, request additional time in which to respond to the complaint to and including the 13th day of January, 1986. Should this schedule be approved by the Commission, please contact me at your earliest convenience.

Sincerely,

KIRBY, WALLACE, CREECH
SARDA & ZAYTOUN



John R. Wallace

JRW/efc

86040522026

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
86 JAN 6 10:22

Communications
Workers of America
AFL-CIO

Legal Department
Suite 1101
202/728-2453

1925 K Street, N.W.
Washington, D.C. 20006

RECEIVED AT THE FEC

PCC#9344

86 JAN 6 10:18

January 2, 1986

Ms. Patty Reilly
Attorney
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2110

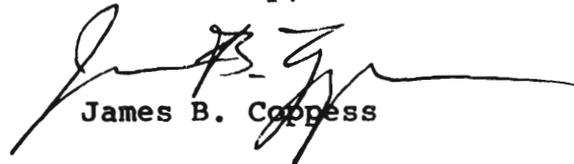
Dear Ms. Reilly:

I represent the Communications Workers of America Committee on Political Education Political Contributions Committee and the other CWA respondents in the above matter. A designation of counsel form for CWA COPE PCC is enclosed and other designation of counsel forms will be forwarded to you.

Copies of the complaint in this matter were received by the respondents I represent on different days, the earliest date being December 23, 1985 and the latest being December 26, 1985. The letters received by the CWA respondents state that the complaint was against the Jim Hunt Committee and do not mention that CWA COPE PCC was named. However, after speaking with you today, I understand that CWA COPE PCC is to respond to the complaint.

By my calculation a response is due on January 10, 1986, that being 15 days after receipt of the complaint on December 26, 1985. I request an extension of one week in which to file a response to and including January 17, 1986. This extension is necessary because the holidays have delayed my receipt of the complaint from the union and have interfered with my ability to attend immediately to drafting a response. The union's offices have been closed for part of the holiday season and members of the union's staff have been away on vacations, making it difficult to gather the information necessary for a response.

Yours truly,



James B. Coppess

JBC/pbh
Enclosure

36 JAN 5 10:22
RECEIVED
GENERAL COUNSEL

3604022027

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2110

NAME OF COUNSEL: Jim Coppess

ADDRESS: 1925 K Street, N.W., Suite 411
Washington, D.C. 20006

TELEPHONE: (202) 728-2453

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.

December 31, 1985
Date


Signature Treasurer
James B. Booe

RESPONDENT'S NAME: Communication Workers of America Committee on

ADDRESS: Political Education Contributions Committee

1925 K Street, NW

Washington, DC 20006

HOME PHONE: 573-2385

BUSINESS PHONE: 728-2465

86040522028

**Communications
Workers of America**

AFL-CIO

Legal Department
Suite 411

1925 K Street, N.W.
Washington, D.C. 20006



Ms. Patty Reilly
Attorney
Federal Election Commission
Washington, D.C. 20463

U.S. DEPT. OF JUSTICE
FEB 1986

3 5 7 1 0 5 2 1 0 3 0

PS Form 3811, Dec. 1989
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
Engle Andersen

● **SEND** 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:**
 RON KROUSE, TREAS.
 1925 K ST. N.W.
 WASHINGTON, D.C. 20006

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**
 REGISTERED INSURED
 CERTIFIED COD
 EXPRESS MAIL
 948354

(Always obtain signature of addressee or agent)
 I have received the article described above.
SIGNATURE Addressee Authorized agent
 Wendell Jackson

5. **DATE OF DELIVERY** **POSTMARK**
 12 24 85

6. **ADDRESSEE'S ADDRESS (Only if requested)**
 12 24 85

7. **UNABLE TO DELIVER BECAUSE:** 7a. **EMPLOYEE'S INITIALS**

MAIL 110 PR

PS Form 3811, Dec. 1989
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
Engle Andersen

● **SEND** 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 \$

4. **ARTICLE ADDRESSED TO:**
 LOIS B. KNECHT
 COMM. WORKERS OF AMERICA COMM.
 1925 K ST. N.W.
 WASHINGTON, D.C. 20006

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**
 REGISTERED INSURED
 CERTIFIED COD
 EXPRESS MAIL
 948359

(Always obtain signature of addressee or agent)
 I have received the article described above.
SIGNATURE Addressee Authorized agent
 Wendell Jackson

5. **DATE OF DELIVERY** **POSTMARK**
 12 24 85

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:** 7a. **EMPLOYEE'S INITIALS**

MAIL 2110 PR

PS Form 3811, July 1982

• **SEND**: 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:**
 Maylon E. Little
 215 Hillsborough St. P.O. Box 25937
 Raleigh, NC 27611

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**
 REGISTERED INSURED
 CERTIFIED COD 943339
 EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent
J. Parker

5. **DATE OF DELIVERY** **POSTMARK**
 (may be on reverse side)

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:** 7a. **EMPLOYEE'S INITIALS**

RETURN RECEIPT

M 2110 PR Reilly *GPO: 1982-375-588

1 3 0 2 2 0 3 1

• **SEND**: 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:**
 FRED G. HASEN
 1925 K ST. N.W.
 WASHINGTON, D.C. 20006

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**
 REGISTERED INSURED
 CERTIFIED COD 943353
 EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent
Hendel

5. **DATE OF DELIVERY** **POSTMARK**
 12 24 AK

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:** 7a. **EMPLOYEE'S INITIALS**

Engel, Anderson

M 2110 PR

PS Form 3811, Dec. 1980

● **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:**
JAMES B. HUNT, JR.
215 HILLSBOROUGH ST.
P.O. BOX 25937
Raleigh, NC 27611

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**

REGISTERED INSURED **943361**

CERTIFIED COD

EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. **DATE OF DELIVERY**

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**



7A. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

9 5 0 7 2 0 2 7

M 2110 PR Reilly

PS Form 3811, July 1980

● **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:**
JIM HUNT EXPLORATORY COMM.
215 HILLSBOROUGH ST.
P.O. BOX 25937
Raleigh, NC 27611

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**

REGISTERED INSURED **943351**

CERTIFIED COD

EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. **DATE OF DELIVERY**

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**



7A. EMPLOYEE'S INITIALS

RETURN RECEIPT

M 2110 PR Reilly

PS Form 3811, July 1980

PS Form 3811, July 1982

Engle / Anderson

● 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:
*Inter. Union of Operating Engineers
Local 69 Political Action Comm.
11 FAIRFIELD PLACE
WEST CALDWELL, NJ 07006*

4. TYPE OF SERVICE: ARTICLE NUMBER

<input type="checkbox"/> REGISTERED	<input type="checkbox"/> INSURED	<i>943340</i>
<input checked="" type="checkbox"/> CERTIFIED	<input type="checkbox"/> COD	
<input type="checkbox"/> EXPRESS MAIL		

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY

12/24

6. ADDRESSEE'S ADDRESS (Only if registered)

7. UNABLE TO DELIVER BECAUSE: 7c. EMPLOYEE'S INITIALS

RB

RETURN RECEIPT

M 2110 PR

★ GPO: 1982-378-000

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● 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 \$ _____

2. ARTICLE ADDRESSED TO:
*JIM HUNT COMM.
715 HILLSBOROUGH ST.
P.O. BOX 25937
RALEIGH, NC 27611*

4. TYPE OF SERVICE: ARTICLE NUMBER

<input type="checkbox"/> REGISTERED	<input type="checkbox"/> INSURED	<i>943352</i>
<input checked="" type="checkbox"/> CERTIFIED	<input type="checkbox"/> COD	
<input type="checkbox"/> EXPRESS MAIL		

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY

J. Parlench
DEC 30 1985
USPO

6. ADDRESSEE'S ADDRESS (Only if registered)

7. UNABLE TO DELIVER BECAUSE: 7c. EMPLOYEE'S INITIALS

REGISTERED, REGISTERED, REGISTERED AND CERTIFIED MAIL

M 2110 PR Reilly

PS Form 3811, Dec. 1980

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "TURN 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:
EDWIN J. MAHER
 CWA/AFL-CIO
 1410 Chestnut Street.
 Philadelphia, PA 19102

4. TYPE OF SERVICE: ARTICLE NUMBER

<input type="checkbox"/> REGISTERED	<input type="checkbox"/> INSURED	943360
<input checked="" type="checkbox"/> CERTIFIED	<input type="checkbox"/> COD	
<input type="checkbox"/> EXPRESS MAIL		

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY POSTMARK

Susan Redding

12-24-85

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE: 7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

M 2110 PR

334

PS Form 3811, July 1982

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "TURN 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:
 Local 13000 CWA
 AFL-CIO
 1410 Chestnut St.
 Philadelphia, PA 19102

4. TYPE OF SERVICE: ARTICLE NUMBER

<input type="checkbox"/> REGISTERED	<input type="checkbox"/> INSURED	943345
<input checked="" type="checkbox"/> CERTIFIED	<input type="checkbox"/> COD	
<input type="checkbox"/> EXPRESS MAIL		

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY POSTMARK
(may be left reverse side)

Susan Redding

12-24-85

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE: 7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

M 2110 PR

Engle/Andersen

PS Form 3811, Dec. 1980

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "TURN 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:
VINCENT J. BIBLIN
11 FAIRFIELD PLACE
WEST CALDWELL, NJ 07006

4. TYPE OF SERVICE: ARTICLE NUMBER

REGISTERED INSURED 943356

CERTIFIED COD

EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY
12/24



6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE: 7c. EMPLOYEE'S INITIALS
RB

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

6302701058

M 2110 PR

PS Form 3811, July 1980

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "TURN 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:
Inter. Brotherhood of Electrical
Workers Comm. on Political Education
1125 15th St. N.W.
Washington, D.C. 20005

4. TYPE OF SERVICE: ARTICLE NUMBER

REGISTERED INSURED 943342

CERTIFIED COD

EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY
12/23/85



6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE: 7c. EMPLOYEE'S INITIALS

M 2110 PR

GPO: 1985-378-593

PS Form 3811, July 1982

● SENDER: Complete items 1, 2, 3, and 4
Add your address in the "TURN 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:
Inter. Brotherhood of Elec.
Workers Local Union 584 Electro
584 South Lewis
Tulsa, OK 74104

4. TYPE OF SERVICE:	ARTICLE NUMBER
<input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED	943343
<input checked="" type="checkbox"/> CERTIFIED <input type="checkbox"/> COD	
<input type="checkbox"/> EXPRESS MAIL	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY
M.G. Kill

12-26-85

6. ADDRESSEE'S ADDRESS (Only if registered)

7. UNABLE TO DELIVER BECAUSE:



• GPO: 1982-470-003

RETURN RECEIPT

m 2110 PR

PS Form 3811, Dec. 1980

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "TURN 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:
RALPH A. Leigon
1125 15th St. N.W.
WASHINGTON, DC 20005

4. TYPE OF SERVICE:	ARTICLE NUMBER
<input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED	943355
<input checked="" type="checkbox"/> CERTIFIED <input type="checkbox"/> COD	
<input type="checkbox"/> EXPRESS MAIL	

(Always obtain signature of addressee or agent)

I have received the article described above.

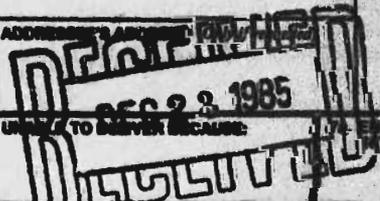
SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY
B. Yaumole

6. ADDRESS ADDRESSEE'S ADDRESS

7. UNABLE TO DELIVER BECAUSE:

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



m 2110 PR

PS Form 3811, July 1982

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "FROM" 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:

CWAC/DEPCC
1925 K St. N.W.
Washington, D.C. 20006

4. TYPE OF SERVICE:

- REGISTERED
- CERTIFIED
- EXPRESS MAIL
- INSURED
- COD

ARTICLE NUMBER

943344

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY

12-23-85

POSTMARK (may be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if requested)

1925 K Street NW
WASH. DC 20006

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

* GPO: 1982-370-693

73025

RETURN RECEIPT

M 210 PR

PS Form 3811, Dec. 1980

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "FROM" 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 \$

2. ARTICLE ADDRESSED TO:

GERALD H. EDWARDS
584 SOUTH LEWIS
TULSA, OK 74104

4. TYPE OF SERVICE:

- REGISTERED
- CERTIFIED
- EXPRESS MAIL
- INSURED
- COD

ARTICLE NUMBER

943358

(Always obtain signature of addressee or agent)

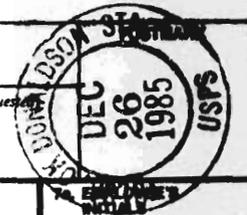
I have received the article described above.

SIGNATURE Addressee Authorized agent

5. DATE OF DELIVERY

12-26-85

6. ADDRESSEE'S ADDRESS (Only if requested)



7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

M 210 PR

PS Form 3811, July 1982

● **SEND** 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:**
EPEC 1110E
 1125 17th Street, N.W.
 Washington, D.C. 20036

4. TYPE OF SERVICE:	ARTICLE NUMBER
<input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED	943341
<input checked="" type="checkbox"/> CERTIFIED <input type="checkbox"/> COD	
<input type="checkbox"/> 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	POSTMARK <small>(May be on reverse side)</small>
12/23/85	

6. **ADDRESSER'S ADDRESS (Only if requested)**
 1125 17th St NW.

7. UNABLE TO DELIVER BECAUSE:	7a. EMPLOYEE'S INITIALS

• GPC: 1982-578-503

M 2110 PR

RETURN RECEIPT

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Engle/Adassa

PS Form 3811, Dec. 1980

● **SEND** 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:**
FRANK HANLEY
 1125 17th St. N.W.
 WASHINGTON, D.C. 20036

4. TYPE OF SERVICE:	ARTICLE NUMBER
<input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED	943357
<input checked="" type="checkbox"/> CERTIFIED <input type="checkbox"/> COD	
<input type="checkbox"/> 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	POSTMARK
12/23/85	

6. **ADDRESSEE'S ADDRESS (Only if requested)**
 1125 17th St NW
 DC 20036

7. UNABLE TO DELIVER BECAUSE:	7a. EMPLOYEE'S INITIALS

M 2110 PR

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL.

GCC#9121

RECEIVED
OFFICE OF THE FEC
COMMISSIONER'S OFFICE

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

SENSITIVE

65 DEC 12 P4: 12:31
P4: 29

RECEIVED
GENERAL COUNSEL

Jeffrey W. Ryan)
4757 Parkman Court)
Annandale, Virginia 22003,)
Complainant,)

v.)

Complaint
MUR No. 2110

James B. Hunt, Jr., Jim Hunt)
Committee, Jim Hunt Exploratory)
Committee; Engineers Political)
Education Committee/International)
Union of Operating Engineers)
and its separate segregated fund,)
International Union of Operating)
Engineers, Local 68 PAC;)
International Brotherhood of)
Electrical Workers Committee on)
Political Education and its)
separate segregated fund, IBEW)
Local Union 584 Electro PAC;)
Communication Workers of America)
Committee on Political Education)
Political Contributions Committee)
and its separate segregated fund,)
Local 13000 CWA AFL-CIO and all)
the committees' treasurers,)
Respondents.)

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INTRODUCTION

1. Pursuant to 2 U.S.C. § 437g(a)(1) Jeffrey W. Ryan brings this complaint against former candidate for federal public office, James B. Hunt, Jr., Jim Hunt Committee,¹ James B. Hunt, Jr., Jim Hunt Committee, Jim Hunt Exploratory Committee, Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE) and its affiliated separate segregated fund (SSF), International Union of Operating Engineers, Local 68 PAC (IUOE, Local 68 PAC), International Brotherhood of Electrical Workers Committee on Political Education (IBEW-COPE) and its affiliated separate segregated fund, IBEW Local Union 584 Electro PAC; Communication Workers of America Committee on Political Education Political Contributions Committee (CWA-COPE PCC) and its affiliated separate segregated fund, Local 13000 CWA AFL-CIO² and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. § 441a(f) and 2 U.S.C. § 441a(a)(2)(A) during either the 1984 general or the 1984 primary election cycles.

¹Also known as Jim Hunt Exploratory Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-169-193.

²Local 13000 CWA AFL-CIO was formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-109-595.

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II. PARTIES

2. Complainant is Jeffrey W. Ryan who resides at 4757 Parkman Court, Annandale, Virginia 22003. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Virginia.

Respondents are:

- a. James B. Hunt, Jr.,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- b. Maylon E. Little, C.P.A., individually and in his capacity as treasurer of Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- c. Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- d. Jim Hunt Exploratory Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- e. Frank Hanley, individually and in his capacity as treasurer of Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- f. Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- g. Vincent J. Giblin, individually and in his capacity as treasurer of International Union of Operating Engineers, Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006.

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- h. International Union of Operating Engineers,
Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006
- i. Ralph A. Leigon, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- j. International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- k. Gerald H. Edwards, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Local Union 584 ELECTRO PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- l. International Brotherhood of Electrical
Workers Local Union 584 Electro PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- m. Louis B. Knecht, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- n. Fred G. Hassen, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- o. Ron Krouse, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.

- 86040622043
- p. Communication Workers of America Committee on Political Education Political Contributions Committee, 1925 K Street, N.W. Washington, D.C. 20006.
 - q. Edwin J. Maher, individually and in his capacity as treasurer of Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee), 1410 Chestnut Street Second Floor Philadelphia, PA 19102.
 - r. Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee), 1410 Chestnut Street Second Floor Philadelphia, PA 19102.

III. LIABILITY

3. Liability may be imposed upon the candidate, James B. Hunt, Jr., Jim Hunt Committee, EPEC/IUOE; IUOE, Local 68 PAC; IBEW-COPE; IBEW Local Union 584 Electro PAC; CWA-COPE PCC and Local 13000 CWA AFL-CIO, pursuant to 2 U.S.C. § 441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum contribution ceiling and 2 U.S.C. § 441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. § 104.14(d).

5. For purposes of this complaint, contributions made by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5), as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B).

IV. OVERVIEW

6. Based on Complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal primary election or an excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal general election in which James B. Hunt, Jr. was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC; and IBEW-COPE and its affiliated SSF, IBEW

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Local Union 584 Electro PAC filed for the 1984 federal primary election; and which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; and CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO filed for the 1984 federal general election.

7. For the 1984 federal primary election, excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by EPEC/IUOE and its treasurer; IUOE, Local 68 PAC and its treasurer; IBEW-COPE and its treasurer and IBEW Local Union 584 Electro PAC and its treasurer. For the 1984 federal general election excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by the CWA-COPE PCC and its treasurer; and Local 13000 CWA AFL-CIO, and its treasurer.

8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. § 441a(a)(2)(A), which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate and his authorized political committee with respect to any election for federal office, § 441a(f) which prohibits a candidate from receiving illegal contributions, and 11 C.F.R. § 103.3(b) which requires that excessive contributions be refunded.

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V. VIOLATIONS OF THE F.E.C.A.
BY
JIM HUNT COMMITTEE
IN THE
1984 FEDERAL PRIMARY AND GENERAL ELECTIONS

9. Based on a review of the periodic report, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from EPEC/IUOE and its affiliated SSP, IUOE, Local 68 PAC in the amount of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

10. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from EPEC/IUOE and its affiliated SSP, IUOE, Local 68 PAC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
5/8/84	\$ 250.00	IUOE, Local 68 PAC	#84020140805
5/31/84	<u>\$5,000.00</u>	EPEC/IUOE	#84020140807

Total = \$5,250.00

11. A running total of the amount of contributions received from EPEC/IUOE and IUOE, Local 68 PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that

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they had received \$250.00 (TWO HUNDRED FIFTY DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$4,750.00 (FOUR THOUSAND SEVEN HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted an additional contribution and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the amount of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

13. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the following amounts:

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
11/3/83	\$1,000.00	IBEW-COPE	#84020032695
4/18/84	\$4,000.00	IBEW-COPE	#84020101244
5/31/84	\$5,000.00	IBEW-COPE	#84020140797
unreported	\$ 100.00	IBEW-Local Union 584 Electro PAC	

Total = \$10,100.00

14. A running total of the amount of contributions received from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) on April 18, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer could no longer lawfully accept any contributions from IBEW-COPE. In violation of 2 U.S.C. § 441a(f), James B. Hunt, Jr., Jim Hunt Committee and its treasurer accepted contributions from IBEW-COPE and IBEW Local Union 584 Electro PAC in the amount of \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS). This amount exceed the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

15. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of April 12, 1984 designated by IBEW-COPE as a contribution for the primary election. (See F.E.C. Microfilm #84033141419.) In violation of 11 C.F.R. § 104.14(d), James B.

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Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the general election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation 11 C.F.R. § 104.14(d) provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer knowingly misreported the contribution in order to accept contributions in excess of the statutory limit.

16. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to report the \$100.00 (ONE HUNDRED DOLLARS) contribution made on February 29, 1984 by IBEW Local Union 584 Electro PAC for the primary election. (See F.E.C. Microfilm #84033243406.) F.E.C. regulation, 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

17. Based on a review of periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal general election from CWA-

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COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the amount of \$10,000 (TEN THOUSAND DOLLARS).

18. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal general election, accepted contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
3/27/84	\$ 500.00	CWA-COPE PCC	#84020102177
5/8/84	\$ 600.00	CWA-COPE PCC	#84020140797
7/25/84	\$5,000.00	Federation of Telephone Workers of Pennsylvania Political Action Committee	#84020221950
9/20/84	<u>\$3,900.00</u>	CWA-COPE PCC	#84020221938

Total = \$10,000.00

19. A running total of the amount of contributions received from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND

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DOLLARS) the statute permits them to accept.

20. In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer designated the \$500.00 (FIVE HUNDRED DOLLARS) contribution of March 27, 1984 for both the primary and general election. (See F.E.C. Microfilm #84020102177.) The \$500.00 (FIVE HUNDRED DOLLARS) contribution was made by CWA-COPE PCC on February 24, 1984 and designated for the general election. (See F.E.C. Microfilm #84033063535.) F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer by the action described above, knowingly misreported the CWA-COPE PCC contribution in order to accept contributions from CWA-COPE PCC in excess of the statutory limit.

21. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$600.00 (SIX HUNDRED DOLLARS) contribution of April 30, 1984 which was designated by CWA-COPE PCC as a contribution for the general election. (See F.E.C. Microfilm #84033153858.) In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation, 11 C.F.R. §

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104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

22. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to designate whether the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution received from Federation of Telephone Workers of Pennsylvania Political Action Committee on July 25, 1984 and the \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) received from CWA-COPE PCC on September 20, 1984 were for the primary or general election. See F.E.C. Microfilm #s 84020221950 and 84020221938. However, the contributions, respectively designated on July 18, 1984 and July 27, 1984 for the general election, were made more than one month after the North Carolina Senatorial primary election which was held on May 8, 1984. F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer misreported the contribution in order to accept contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in excess of the statutory limit.

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**VI. VIOLATIONS OF THE F.E.C.A.
BY
EPEC/IUOE AND
IUOE, LOCAL 68 PAC
IN THE
1984 FEDERAL PRIMARY ELECTION**

23. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

24. EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, contributed the following amounts:

a. On April 23, 1984, IUOE, Local 68 PAC contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #84033150899.)

b. On May 18, 1984, EPEC/IUOE contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033173533.)

25. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, would have put them on notice that as of April 23, 1984, they had contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(a)(2)(A), EPEC/IUOE made a \$5,000.00 (FIVE THOUSAND DOLLARS)

contribution on May 18, 1984 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$250.00 (TWO HUNDRED FIFTY DOLLARS).

VII. VIOLATIONS OF THE F.E.C.A.
BY
IBEW-COPE AND
IBEW LOCAL UNION 584 ELECTRO PAC
IN THE
1984 FEDERAL PRIMARY ELECTION

26. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that IBEW-COPE and its affiliated SSF, IBEW Local 584 Electro PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

27. IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC contributed the following amounts:

a. On October 12, 1983, IBEW-COPE contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #83032863448.)

b. On February 29, 1984, IBEW Local Union 584 Electro PAC, contributed \$100.00 (ONE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033243406.)

c. On April 12, 1984, IBEW-COPE contributed \$4,000.00 (FOUR THOUSAND DOLLARS). (See F.E.C. Microfilm #84032863448.)

d. On April 12, 1984, IBEW-COPE contributed \$5,000.00

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(FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033141419.)

28. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC that as of February 29, 1984, it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could only contribute \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441a(a)(2)(A), contributions of \$4,000.00 (FOUR THOUSAND DOLLARS) and \$5,000.00 (FIVE THOUSAND DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by IBEW-COPE. The amount exceeded the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

VIII. VIOLATIONS OF THE F.E.C.A.
BY
CWA-COPE PCC AND LOCAL 13000 CWA AFL-CIO
IN THE
1984 FEDERAL PRIMARY ELECTION

29. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, for the 1984 federal general election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,000.00 (TEN THOUSAND DOLLARS).

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30. CWA-COPE PCC and Local 13000 CWA AFL-CIO are organizations within the meaning of 2 U.S.C. § 431(b) and are considered affiliated under 2 U.S.C. § 441a(5) as of February 1984 when the Federation of Telephone Workers of Pennsylvania (FTWP), now Local 13000 CWA AFL-CIO voted to merge with the CWA . Thereupon, the FTWP was transformed into a CWA affiliate subject only to formal ratification by the CWA convention later that year. See attached news copy.

31. CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO contributed the following amounts:

a. On February 24, 1984, CWA-COPE PCC contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033063535.)

b. On April 30, 1984, CWA-COPE PCC contributed \$600.00 (SIX HUNDRED DOLLARS). (See F.E.C. Microfilm #84033153858.)

c. On July 18, 1984, Federation of Telephone Workers of Pennsylvania Political Action Committee contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033364113.)

d. On July 27, 1984, CWA-COPE PCC contributed \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033271465.)

32. A running total of contributions made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice CWA-COPE PCC that as of April 30, 1984 it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could

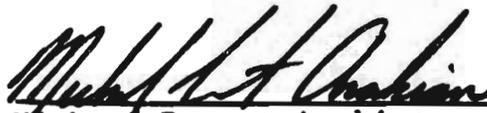
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only contribute an additional \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441A(A)(2)(A), contributions of \$5,000.00 (FIVE THOUSAND DOLLARS), and \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO. This amount exceeded the statutory monetary ceiling by \$5,000.00 (FIVE THOUSAND DOLLARS).

X. CONCLUSION

33. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

34. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions pursuant to 11 C.F.R. § 103.3(b) and that civil sanctions be imposed on the Respondents.


Michael Ernest Avakian
Center on National Labor Policy
5211 Port Royal Road, Suite 400
North Springfield, VA 22151
(703) 321-9180

Attorney for Complainant

December 3, 1985

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BNA's Daily Reporter System

DAILY LABOR REPORT

CURRENT DEVELOPMENTS SECTION

INDEPENDENT TELEPHONE UNION IN PENNSYLVANIA SETS VOTE ON MERGER WITH COMMUNICATIONS WORKERS

Members of the Federation of Telephone Workers of Pennsylvania will vote early next year on affiliation with the Communications Workers of America. At the FTWP convention in Atlantic City last week, delegates representing the union's 12,500 members voted 103 to 27 to recommend the change.

Ballots will be sent to members on Feb. 1, and the vote will take about two weeks. Because there is "a lot of anti-CWA feelings within our jurisdiction," the three-month delay in the election is needed to conduct an "education process" to convince members that affiliation with CWA is essential, according to FTWP Vice President Vincent J. Maisano.

The leadership of the independent union unanimously supports affiliation, according to Maisano, because of the changes divestiture of the American Telephone & Telegraph Company will bring. All but about 700 of the union's members work for Bell of Pennsylvania. FTWP members "will be scattered" by changes in Bell's operations, and the union could face extinction through unit clarification elections, he commented.

FTWP members have been hostile to merger proposals throughout the union's 40-year history. Plans to merge with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers all were rejected in referendum votes. In 1976 members agreed to join the Telecommunications International Union, an alliance of several independent unions, but FTWP pulled out in 1981 because of dissatisfaction with TIU.

Under the affiliation proposal, CWA would create a new geographic district for Pennsylvania and Delaware, and FTWP would comprise about 75 to 80 percent of its membership, according to Maisano. Former FTWP members would become members of CWA Local 13000, which would be second in size only to a CWA local in New York City. The local would retain representation rights for all present FTWP members and those it might organize in the future. Under current plans, FTWP President William E. Wallace would seek election as a CWA vice president and director of the new region, while Maisano would run for president of the local.

Union dues also would rise under the merger, from the current 0.8 percent of base pay to 1.3 percent of pay, according to Maisano, who added that a dues increase was needed regardless of the merger proposal.

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SINGLE FORUM AND STANDARD URGED IN FAIR REPRESENTATION COMPLAINTS

NEW YORK (By a BNA Special Correspondent) — The confusion in the courts on what constitutes a breach of a union's duty of fair representation prompts a call for labor law changes to establish a single forum in which to bring complaints and to set a standard for violation of the duty.

Speaking at the second conference last week of Cornell University's New York State School of Industrial and Labor Relations on the duty of fair representation, Professor James E. Jones of the University of Wisconsin said there is a "multiplicity" of forums for complaints, and there has been a proliferation of standards of what is a violation of the fair representation duty. "Congress needs to provide statutory guidance," he said.

Fair representation questions most often arises in connection with administration of a contract and representation of an employee who has a grievance that was not satisfied. In some

PENNSYLVANIA UNION DECIDES TO JOIN CWA; BELL SYSTEM CHANGES CITED AS KEY REASON

An independent telephone union in Pennsylvania votes overwhelmingly to join the Communications Workers of America. A vote among members of the Federation of Telephone Workers of Pennsylvania produced 7,624 ballots in favor of the merger and only 951 opposed.

The merger, which will be completed officially at the CWA annual convention in August, will add 12,250 members to CWA's current membership of about 650,000.

CWA President Glenn E. Watts called it "a great day for both unions," recalling that the two had been united in the old National Federation of Telephone Workers prior to 1947.

Under the merger agreement, the former FTWP members will become members of a new CWA local, Local 13000, which will be one of the largest in the union. CWA also will create a new district, District 13, consisting of members in Pennsylvania and Delaware. Former FTWP members will make up about 75 to 80 percent of this district.

FTWP Secretary Frank S. Wentzel told BNA that FTWP will hold a special convention in June to make necessary changes in bylaws and dues arrangements to prepare for transformation into a CWA local. Elections for local officers and delegates to the CWA convention then will be held.

FTWP President William E. Wallace plans to run for director of District 13, which would make him a CWA vice president, and FTWP Vice President Vincent J. Maisano plans to run for president of Local 13000.

The decision to affiliate with CWA was approved at the FTWP convention in Atlantic City last fall (1983 DLR 206: A-1). Convinced that the merger was a necessity, the union leadership campaigned for three months for approval among the rank and file. FTWP members had been hostile to merger suggestions in the past, spurning proposed ties with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers.

Affiliation with the Telecommunications International Union, an alliance of several independent unions with about 50,000 members, was approved in 1976, but FTWP members withdrew in 1981 because of dissatisfaction with TIU. TIU currently is embroiled in a dispute over possible merger with the American Federation of State, County and Municipal Employees (1984 DLR 32: A-1).

FTWP leaders told their members that merger was necessary because the Bell System divestiture threatened the union's survival. Writing in the current issue of *FTWP News*, union president Wallace noted that Bell of Pennsylvania is now part of Bell Atlantic and that half of the new company's employees are in CWA.

While successorship agreements protect FTWP through its first contract with Bell Atlantic, "the company says that if multiple unions and multiple contracts become burdensome, they will ask the unions to straighten that out," Wallace wrote. "If the unions do not, the company promised to petition the NLRB for a unit clarification."

Furthermore, Wallace continued, FTWP would face an even greater danger from competing unions which might have gone to NLRB for a unit clarification or with an election petition. Because FTWP is an independent, it would not be protected by AFL-CIO no-raiding policies. The situation would be especially critical in AT&T Information Systems where FTWP's 3,000 members would be "a small minority in a nationwide company," he said.

Wallace defended the merger agreement, pointing out that FTWP would have one of the 13 vice president seats on the CWA executive board and that it would wield considerable influence as a large local. Wallace also commented that he had been part of the CWA bargaining team last summer and was satisfied with the results.

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Attachment - Page Two

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**COMMUNICATIONS WORKERS DELEGATES
WEIGH PROPOSED REORGANIZATION PLAN**

PHILADELPHIA (By a BNA Staff Correspondent) — Confronted with the break-up of the industry's largest employer and a projected decline in union membership, delegates to the Communications Workers of America annual convention consider plans for restructuring the union and for persuading consumers to use only unionized long-distance telephone service.

The leadership plan for restructuring the executive board encountered immediate opposition from delegates, however, necessitating a roll-call vote for the first time in the last six conventions. After brief debate among the 1,030 delegates, the entire first afternoon of the three-day convention was consumed by a roll-call vote over whether to create two new vice presidential positions.

A new vice president for AT&T Communications would replace the national director for AT&T Long Lines, while a new vice president for AT&T Technologies would assume duties formerly performed by three national directors for various segments of Western Electric Co.

The proposal is part of a two-year plan formulated by the CWA leadership. Next year national directors for public workers and independent telephone companies would become union vice presidents, and the union's 13 geographic districts would be merged into eight.

The union opened its forty-sixth annual convention on the first anniversary of its three-week national strike against the Bell System. Since that time, American Telephone and Telegraph Co. divested itself of the Bell operating companies. The CWA restructuring plan is an attempt to tailor the union to the structure of the new AT&T and the seven regional operating companies. Opponents argued that the changes were hastily planned and would enlarge an "overstaffed bureaucracy."

Seven of the proposed eight geographic regions would conform to the boundaries of the seven Bell operating companies; the eighth region would cover Pennsylvania. Some 12,000 new members from Pennsylvania joined CWA last week when the Federal Telephone Workers of Pennsylvania officially completed its merger into CWA. Former FTWP President William E. Wallace was sworn in as a new CWA vice president.

Despite the FTWP affiliation and the affiliation of several smaller independents in recent months, the union's membership has been declining steadily in recent months. A budget report from the union's finance committee projects for 1984 a membership of 507,000, down 23,000 from the previous year.

Union officials are convinced that the decline is a temporary one, attributable to divestiture, and that losses will be made up over the short-term by organizing successes in on-going campaigns among new AT&T subsidiaries and among public employees.

The leadership's immediate answer to the threats posed by nonunion long distance firms is a massive \$2 million public relations campaign to persuade consumers that union-represented AT&T, with its emphasis on operator assistance, offers better service than new, heavily computerized nonunion companies. A campaign in the Philadelphia area, which follows Charleston, W. Va., as the next community where "equal access" to long distance service will be introduced, is to be unveiled during the second day of the convention.

CWA President Glenn E. Watts in his keynote address quoted an estimate that for every one percent of market share lost by AT&T, approximately 1,000 union jobs could be lost. He called upon each CWA member to pledge a \$2 contribution to the campaign. That \$1 million would be matched by another \$1 million from the national treasury, he said.

The quest for new members finds CWA embroiled in disputes with other unions. The 45,000-member Telecommunications International Union has been seeking to merge with the American Federation of State, County and Municipal Employees, but CWA has been successful in legally blocking a vote all year and hopes eventually to persuade TIU members to reject

their leaders' preference for AFSCME. CWA and AFSCME also are rivals in Ohio where a new public employee bargaining law was enacted last year.

A highlight of the convention for many delegates will be an appearance by Democratic presidential candidate Walter F. Mondale. Mondale, who appeared at the two previous CWA conventions, has been strongly supported by the union.

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DISTRICT 1199 OVERWHELMINGLY REJECTS LATEST OFFER BY NEW YORK HOSPITALS

Members of District 1199 of the Retail, Wholesale and Department Store Union overwhelmingly reject the latest two-year contract offer by the League of Voluntary Hospitals and Homes of New York by a vote of 21,769 to 1,242, according to union president Doris Turner. The vote was taken at a series of four meetings over the course of two days last week (1984 DLR 150: A-1).

"There is a very simple reason why our members turned down this proposal," Turner said. "It was almost a carbon copy of the first proposal that was rejected on July 13, the day this strike began."

The size of the rejection vote "means that they're determined to continue" the strike, Turner said of her members.

Meanwhile, District 1199 members ratified contracts over the weekend with four non-League hospitals after the institutions agreed to grant the workers every other weekend off — a major issue in the dispute — and the best terms of the settlement eventually negotiated with the League, Turner said. Almost 2,000 employees are covered by the agreements. The employees will be back at work by August 7, she added.

Three of the four hospitals are municipal institutions that use 1199 workers from certain League institutions, Turner said. The three are Bird S. Coler Memorial Hospital, Lincoln Medical and Mental Health Center, and Metropolitan Hospital Center. The fourth, Hempstead General Hospital, is a proprietary hospital.

In another development, although it had appeared that the union had "purged itself" of a civil contempt citation, the parties are scheduled to go back to court Aug. 7 on a motion by NLRB Regional Director Samuel M. Kaynard to renew his order to show cause why the union should not be held in contempt.

On Aug. 1 Judge Israel Leo Glasser found the union in civil contempt because nurse members, engaged in a sympathy strike, have continually refused to follow a court order to return to work. Judge Glasser set out a number of ways that the union could purge itself of the contempt including sending letters, calling the strikers, and holding a meeting of all involved nurses telling them that the union insisted that they return to work and if they don't it will begin internal proceedings. On Aug. 3 Judge Glasser found that although the nurses had not returned to work the union was complying with his order. The union was ordered to meet with Judge Glasser again Aug. 6 to ascertain what developments, if any, had occurred over the weekend. At that time Kaynard renewed his order.

Union spokesman Bob Carroll told reporters 1199 is complying with the court order, adding that "We have complied with everything" in the order. However, Carroll said, the nurses have not gone back to work despite the union's attempts to get them back. The firing of eight coworkers has contributed to the nurses' resistance, he said.

Union leaders also met with clergy to ask their help in the strike. At the close of the meeting, Rev. Wendell Foster, who is also a city councilman, said the assembled clergy had agreed to discourage members of their parishes or synagogues from filling in for the 1199 workers.

VERIFICATION OF CITIZEN COMPLAINANT

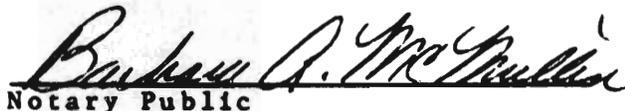
County of Fairfax)
Commonwealth of Virginia)

ss.

Pursuant to 2 U.S.C. § 437g(a)(1), I, Jeffrey W. Ryan, being first duly sworn, say that I have read the foregoing complaint and know the contents thereof, and that the same is true on information and belief. This complaint was not filed at the request or suggestion of any candidate. I am a citizen of the United States, over the age of 18 years and a registered voter of the State of Virginia.



Subscribed and sworn to before me this 2nd day of December 1985.



Notary Public

My Commission expires:

My Commission Expires November 18, 1988

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DESIGNATION OF COUNSEL

I, Jeffrey W. Ryan, a complainant to the attached complaint designate the attorney identified below as complainant's attorney of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

December 2, 1985
Date

Jeffrey W. Ryan
Complainant

DESIGNATED COUNSEL

Michael Ernest Avakian
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

Jeffrey W. Ryan
4757 Parkman Court
Annandale, Virginia 22003

Dear Mr. Ryan:

This letter is to acknowledge receipt of your complaint which we received on December 3, 1985, which alleges possible violations of the Federal Election Campaign laws by James B. Hunt, Jr., Jim Hunt Committee, Jim Hunt Exploratory Committee; Engineers Political Education Committee/International Union of Operating Engineers and its separate segregated fund, ISEW Local Union 584 Electro PAC, Communication Workers of American Committee on Political Education, Political Contributions Committee and its separate segregated fund, Local 13000 CWA AFL-CIO and all the committees' treasurers. 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. We have numbered this matter under review MUR 2110. Please refer to this number in all future correspondence. If you have any questions, please contact Lorraine F. Ramos at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ralph A. Leigon, Treasurer
International Brotherhood of Electrical
Workers Committee on Political Education
1125 - 15th Street, N.W.
Washington, D.C. 20005

Re: MUR 2110

Dear Mr. Leigon:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. 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 the Jim Hunt Committee and you as treasurer, 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.

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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.

85040522065

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

86040522066



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Vincent J. Giblin, Treasurer
International Union of Operating
Engineers, Local 68 Political Action Committee
11 Fairfield Place
West Caldwell, New Jersey 07006

Re: MUR 2110

Dear Mr. Giblin:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. 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 the Jim Hunt Committee and you as treasurer, 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.

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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.

85040522067

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

86040522068

Enclosures

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Hanley, Treasurer
Engineers Political Education Committee/
International Union of Operating Engineers
1125 - 17th Street, N.W.
Washington, D.C. 20036

Re: MUR 2110

Dear Mr. Hanley:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. Please refer to this number in all future correspondence.

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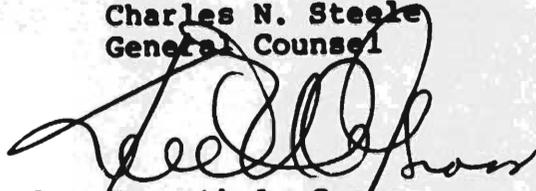
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

95040522069

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gerald H. Edwards, Treasurer
International Brotherhood of Electrical
Workers Local Union 584 ELECTRO PAC,
584 South Lewis
Tulsa, Oklahoma 74104

Re: MUR 2110

Dear Mr. Edwards:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. Please refer to this number in all future correspondence.

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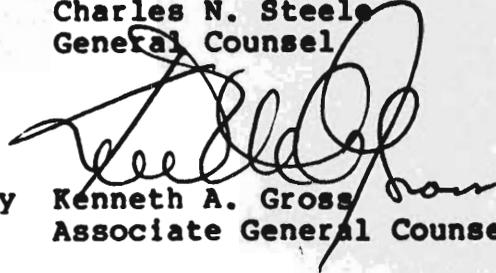
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040322071

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

85040522072



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fred G. Hassen, Treasurer
Communication Workers of America Committee on
Political Education Political Contributions Committee
1925 K Street, N.W.
Washington, D.C. 20006

Re: MUR 2110

Dear Mr. Hassen:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. Please refer to this number in all future correspondence.

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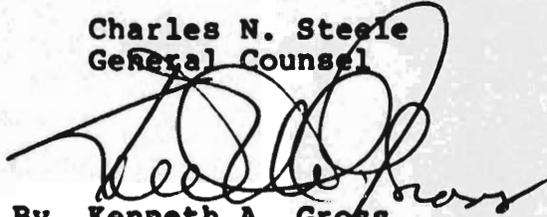
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

95040522073

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

86040522074



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ron Krouse, Treasurer
Communication Workers of America Committee on
Political Education Political Contributions
Committee
1925 K Street, N.W.
Washington, D.C. 20006

Re: MUR 2110

Dear Mr. Krouse:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. Please refer to this number in all future correspondence.

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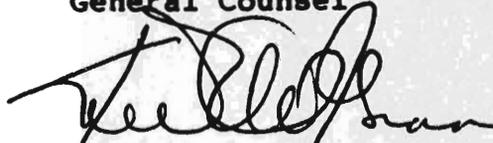
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

35040522075

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

8 6 0 4 0 6 2 2 0 7 6

Enclosures

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Louis B. Knecht, Treasurer
Communication Workers of America Committee on
Political Education Political Contributions
Committee
1925 K Street, N.W.
Washington, D.C. 20006

Re: MUR 2110

Dear Mr. Knecht:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. Please refer to this number in all future correspondence.

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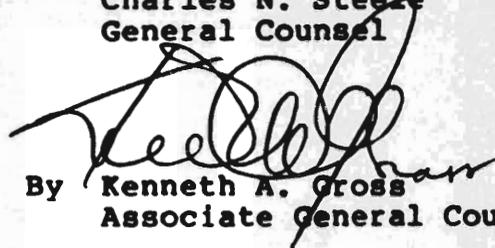
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

8504052077

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

86040522078

Enclosures

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edwin J. Maher, Treasurer
Local 13000 Communication Workers of America,
AFL-CIO
1410 Chestnut Street
Second Floor
Philadelphia, Pennsylvania 19102
Re: MUR 2110

Dear Mr. Maher:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. Please refer to this number in all future correspondence.

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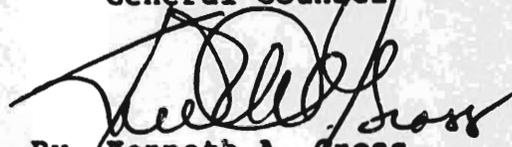
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

95040622079

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

8 6 0 4 0 5 2 2 0 8 0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James B. Hunt, Jr.
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611

Re: MUR 2110

Dear Mr. Hunt:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. Please refer to this number in all future correspondence.

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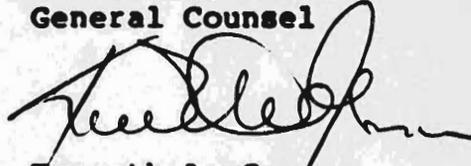
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Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

8 5 0 4 0 5 2 2 0 8 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jim Hunt Committee
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611

Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. Please refer to this number in all future correspondence.

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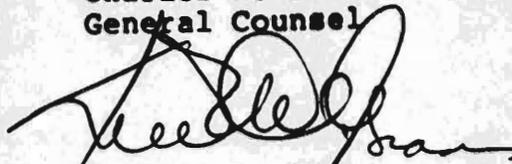
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

86040522083

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

8 6 0 4 0 5 2 2 0 8 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jim Hunt Exploratory Committee
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611

Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. Please refer to this number in all future correspondence.

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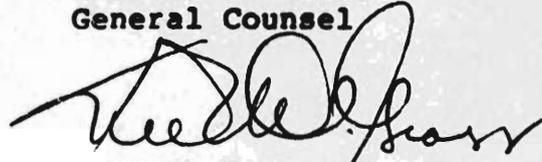
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

86040622085

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

86040522086



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Engineers Political Education Committee/
International Union of Operating Engineers
1125 - 17th Street, N.W.
Washington, D.C. 20036

Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. Please refer to this number in all future correspondence.

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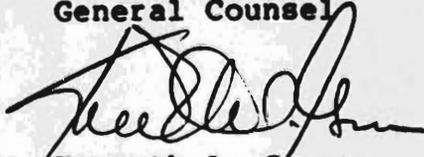
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

8 5 0 4 0 6 2 2 0 8 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

International Union of Operating Engineers
Local 68 Political Action Committee
11 Fairfield Place
West Caldwell, New Jersey 07006
Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. Please refer to this number in all future correspondence.

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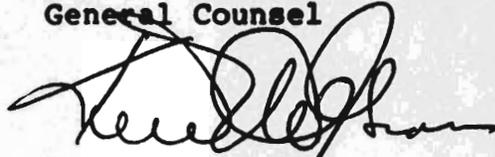
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040322089

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

85040622090

Enclosures

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

International Brotherhood of Electrical
Workers Committee on Political Education
1125 - 15th Street, N.W.
Washington, D.C. 20005

Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. Please refer to this number in all future correspondence.

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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.

85040522091



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

International Brotherhood of Electrical
Workers Local Union 584 Electro PAC
584 South Lewis
Tulsa, Oklahoma 74104

Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. Please refer to this number in all future correspondence.

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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.

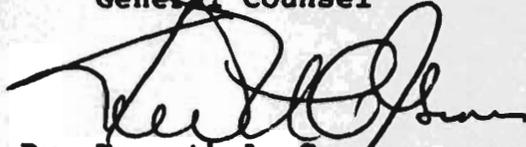
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

85040522092

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

86040522093



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Communication Workers of America Committee on
Political Education Political Contributions Committee
1925 K Street, N.W.
Washington, D.C. 20006

Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. 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 the Jim Hunt Committee, 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.

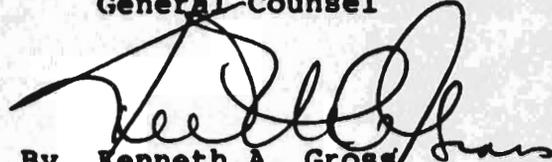
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Local 13000 Communication Workers of America
AFL-CIO
1410 Chestnut Street
Second Street
Philadelphia, Pennsylvania 19102
Re: MUR 2110

Dear Sir:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee may 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 2110. 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 the Jim Hunt Committee, 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.

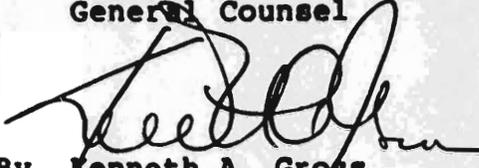
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Decemner 19, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Maylon E. Little, C.P.A., Treasurer
Jim Hunt Committee
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611

Re: MUR 2110

Dear Mr. Little:

This letter is to notify you that on December 3, 1985, the Federal Election Commission received a complaint which alleges that the Jim Hunt Committee and you, as treasurer 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 2110. 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 the Jim Hunt Committee and you as treasurer, 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.

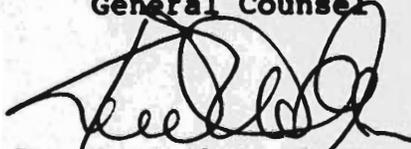
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Patty Reilly, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

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Enclosures

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

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

DEC 3 1979
4:29

GENERAL COUNSEL
FED

Jeffrey W. Ryan)
4757 Parkman Court)
Annandale, Virginia 22003,)
Complainant,)

Complaint
MUR No. _____

v.)

James B. Hunt, Jr., Jim Hunt)
Committee, Jim Hunt Exploratory)
Committee; Engineers Political)
Education Committee/International)
Union of Operating Engineers)
and its separate segregated fund,)
International Union of Operating)
Engineers, Local 68 PAC;)
International Brotherhood of)
Electrical Workers Committee on)
Political Education and its)
separate segregated fund, ISEW)
Local Union 584 Electro PAC;)
Communication Workers of America)
Committee on Political Education)
Political Contributions Committee)
and its separate segregated fund,)
Local 13000 CWA AFL-CIO and all)
the committees' treasurers,)
Respondents.)

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INTRODUCTION

1. Pursuant to 2 U.S.C. § 437g(a)(1) Jeffrey W. Ryan brings this complaint against former candidate for federal public office, James B. Hunt, Jr., Jim Hunt Committee,¹ James B. Hunt, Jr., Jim Hunt Committee, Jim Hunt Exploratory Committee, Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE) and its affiliated separate segregated fund (SSF), International Union of Operating Engineers, Local 68 PAC (IUOE, Local 68 PAC), International Brotherhood of Electrical Workers Committee on Political Education (IBEW-COPE) and its affiliated separate segregated fund, IBEW Local Union 584 Electro PAC; Communication Workers of America Committee on Political Education Political Contributions Committee (CWA-COPE PCC) and its affiliated separate segregated fund, Local 13000 CWA AFL-CIO² and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. § 441a(f) and 2 U.S.C. § 441a(a)(2)(A) during either the 1984 general or the 1984 primary election cycles.

¹Also known as Jim Hunt Exploratory Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-169-193.

²Local 13000 CWA AFL-CIO was formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-109-595.

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II. PARTIES

2. Complainant is Jeffrey W. Ryan who resides at 4757 Parkman Court, Annandale, Virginia 22003. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Virginia.

Respondents are:

- a. James B. Hunt, Jr.,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- b. Maylon E. Little, C.P.A., individually and in his capacity as treasurer of Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- c. Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- d. Jim Hunt Exploratory Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- e. Frank Hanley, individually and in his capacity as treasurer of Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- f. Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- g. Vincent J. Giblin, individually and in his capacity as treasurer of International Union of Operating Engineers, Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006.

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- h. International Union of Operating Engineers,
Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006
- i. Ralph A. Leigon, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- j. International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- k. Gerald H. Edwards, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Local Union 584 ELECTRO PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- l. International Brotherhood of Electrical
Workers Local Union 584 Electro PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- m. Louis B. Knecht, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- n. Fred G. Hassen, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- o. Ron Krouse, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.

- p. Communication Workers of America Committee on Political Education Political Contributions Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- q. Edwin J. Maher, individually and in his capacity as treasurer of Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee),
1410 Chestnut Street
Second Floor
Philadelphia, PA 19102.
- r. Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee),
1410 Chestnut Street
Second Floor
Philadelphia, PA 19102.

III. LIABILITY

3. Liability may be imposed upon the candidate, James B. Hunt, Jr., Jim Hunt Committee, EPEC/IUOE; IUOE, Local 68 PAC; IBEW-COPE; IBEW Local Union 584 Electro PAC; CWA-COPE PCC and Local 13000 CWA AFL-CIO, pursuant to 2 U.S.C. § 441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum contribution ceiling and 2 U.S.C. § 441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. § 104.14(d).

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5. For purposes of this complaint, contributions made by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5), as implemented through 11 C.F.R. § 100.5(g)(2)(i)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(i)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(i)(B).

IV. OVERVIEW

6. Based on Complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal primary election or an excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal general election in which James B. Hunt, Jr. was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC; and IBEW-COPE and its affiliated SSF, IBEW

Local Union 584 Electro PAC filed for the 1984 federal primary election; and which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; and CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO filed for the 1984 federal general election.

7. For the 1984 federal primary election, excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by EPEC/IUOE and its treasurer; IUOE, Local 68 PAC and its treasurer; IBEW-COPE and its treasurer and IBEW Local Union 584 Electro PAC and its treasurer. For the 1984 federal general election excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by the CWA-COPE PCC and its treasurer; and Local 13000 CWA AFL-CIO, and its treasurer.

8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. § 441a(a)(2)(A), which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate and his authorized political committee with respect to any election for federal office, § 441a(f) which prohibits a candidate from receiving illegal contributions, and 11 C.F.R. § 103.3(b) which requires that excessive contributions be refunded.

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**V. VIOLATIONS OF THE F.E.C.A.
BY
JIM HUNT COMMITTEE
IN THE
1984 FEDERAL PRIMARY AND GENERAL ELECTIONS**

9. Based on a review of the periodic report, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC in the amount of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

10. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
5/8/84	\$ 250.00	IUOE, Local 68 PAC	#84020140805
5/31/84	<u>\$5,000.00</u>	EPEC/IUOE	#84020140817

Total = \$5,250.00

11. A running total of the amount of contributions received from EPEC/IUOE and IUOE, Local 68 PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that

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they had received \$250.00 (TWO HUNDRED FIFTY DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$4,750.00 (FOUR THOUSAND SEVEN HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted an additional contribution and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the amount of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

13. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the following amounts:

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
11/3/83	\$1,000.00	IBEW-COPE	#84020032695
4/18/84	\$4,000.00	IBEW-COPE	#84020101244
5/31/84	\$5,000.00	IBEW-COPE	#84020140797
unreported	\$ 100.00	IBEW-Local Union 584 Electro PAC	

Total = \$10,100.00

14. A running total of the amount of contributions received from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) on April 18, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer could no longer lawfully accept any contributions from IBEW-COPE. In violation of 2 U.S.C. § 441a(f), James B. Hunt, Jr., Jim Hunt Committee and its treasurer accepted contributions from IBEW-COPE and IBEW Local Union 584 Electro PAC in the amount of \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS). This amount exceed the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

15. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of April 12, 1984 designated by IBEW-COPE as a contribution for the primary election. (See F.E.C. Microfilm #84033141419.) In violation of 11 C.F.R. § 104.14(d), James B.

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Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the general election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation 11 C.F.R. § 104.14(d) provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer knowingly misreported the contribution in order to accept contributions in excess of the statutory limit.

16. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to report the \$100.00 (ONE HUNDRED DOLLARS) contribution made on February 29, 1984 by IBEW Local Union 584 Electro PAC for the primary election. (See F.E.C. Microfilm #84033243406.) F.E.C. regulation, 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

17. Based on a review of periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal general election from CWA-

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COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the amount of \$10,000 (TEN THOUSAND DOLLARS).

10. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal general election, accepted contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
3/27/84	\$ 500.00	CWA-COPE PCC	#84020102177
5/8/84	\$ 600.00	CWA-COPE PCC	#84020140797
7/25/84	\$5,000.00	Federation of Telephone Workers of Pennsylvania Political Action Committee	#84020221950
9/20/84	<u>\$3,900.00</u>	CWA-COPE PCC	#84020221938

Total = \$10,000.00

19. A running total of the amount of contributions received from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND

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DOLLARS) the statute permits them to accept.

20. In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer designated the \$500.00 (FIVE HUNDRED DOLLARS) contribution of March 27, 1984 for both the primary and general election. (See F.E.C. Microfilm #84020102177.) The \$500.00 (FIVE HUNDRED DOLLARS) contribution was made by CWA-COPE PCC on February 24, 1984 and designated for the general election. (See F.E.C. Microfilm #84033063535.) F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer by the action described above, knowingly misreported the CWA-COPE PCC contribution in order to accept contributions from CWA-COPE PCC in excess of the statutory limit.

21. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$600.00 (SIX HUNDRED DOLLARS) contribution of April 30, 1984 which was designated by CWA-COPE PCC as a contribution for the general election. (See F.E.C. Microfilm #84033153858.) In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation, 11 C.F.R. §

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104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

22. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to designate whether the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution received from Federation of Telephone Workers of Pennsylvania Political Action Committee on July 25, 1984 and the \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) received from CWA-COPE PCC on September 20, 1984 were for the primary or general election. See F.E.C. Microfilm #s 84020221950 and 84020221938. However, the contributions, respectively designated on July 18, 1984 and July 27, 1984 for the general election, were made more than one month after the North Carolina Senatorial primary election which was held on May 8, 1984. F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer misreported the contribution in order to accept contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in excess of the statutory limit.

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**VI. VIOLATIONS OF THE F.E.C.A.
BY
EPEC/IUOE AND
IUOE, LOCAL 68 PAC
IN THE
1984 FEDERAL PRIMARY ELECTION**

23. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

24. EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, contributed the following amounts:

a. On April 23, 1984, IUOE, Local 68 PAC contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #84033150899.)

b. On May 16, 1984, EPEC/IUOE contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033173533.)

25. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, would have put them on notice that as of April 23, 1984, they had contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(a)(2)(A), EPEC/IUOE made a \$5,000.00 (FIVE THOUSAND DOLLARS)

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contribution on May 18, 1984 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$250.00 (TWO HUNDRED FIFTY DOLLARS).

**VII. VIOLATIONS OF THE F.E.C.A.
BY
IBEW-COPE AND
IBEW LOCAL UNION 584 ELECTRO PAC
IN THE
1984 FEDERAL PRIMARY ELECTION**

26. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that IBEW-COPE and its affiliated SSF, IBEW Local 584 Electro PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

27. IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC contributed the following amounts:

a. On October 12, 1983, IBEW-COPE contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #83032863448.)

b. On February 29, 1984, IBEW Local Union 584 Electro PAC, contributed \$100.00 (ONE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033243406.)

c. On April 12, 1984, IBEW-COPE contributed \$4,000.00 (FOUR THOUSAND DOLLARS). (See F.E.C. Microfilm #84032863448.)

d. On April 12, 1984, IBEW-COPE contributed \$5,000.00

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(FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #34033141419.)

28. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice IBEW-COPE and its affiliated SSF, IBEW Local Union 554 Electro PAC that as of February 29, 1984, it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could only contribute \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441a(a)(2)(A), contributions of \$4,000.00 (FOUR THOUSAND DOLLARS) and \$5,000.00 (FIVE THOUSAND DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by IBEW-COPE. The amount exceeded the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

**VIII. VIOLATIONS OF THE F.E.C.A.
BY
CWA-COPE PCC AND LOCAL 13000 CWA AFL-CIO
IN THE
1984 FEDERAL PRIMARY ELECTION**

29. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, for the 1984 federal general election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,000.00 (TEN THOUSAND DOLLARS).

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30. CWA-COPE PCC and Local 13000 CWA AFL-CIO are organizations within the meaning of 2 U.S.C. § 431(b) and are considered affiliated under 2 U.S.C. § 441a(5) as of February 1984 when the Federation of Telephone Workers of Pennsylvania (FTWP), now Local 13000 CWA AFL-CIO voted to merge with the CWA . Thereupon, the FTWP was transformed into a CWA affiliate subject only to formal ratification by the CWA convention later that year. See attached news copy.

31. CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO contributed the following amounts:

a. On February 24, 1984, CWA-COPE PCC contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033063535.)

b. On April 30, 1984, CWA-COPE PCC contributed \$600.00 (SIX HUNDRED DOLLARS). (See F.E.C. Microfilm #84033153858.)

c. On July 18, 1984, Federation of Telephone Workers of Pennsylvania Political Action Committee contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033364113.)

d. On July 27, 1984, CWA-COPE PCC contributed \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033271465.)

32. A running total of contributions made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice CWA-COPE PCC that as of April 30, 1984 it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could

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only contribute an additional \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441A(A)(2)(A), contributions of \$5,000.00 (FIVE THOUSAND DOLLARS), and \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO. This amount exceeded the statutory monetary ceiling by \$5,000.00 (FIVE THOUSAND DOLLARS).

X. CONCLUSION

33. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

34. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions pursuant to 11 C.F.R. § 103.3(b) and that civil sanctions be imposed on the Respondents.



Michael Ernest Avakian
Center on National Labor Policy
5211 Port Royal Road, Suite 400
North Springfield, VA 22151
(703) 321-9180

Attorney for Complainant

December 3, 1985

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CURRENT DEVELOPMENTS SECTION

INDEPENDENT TELEPHONE UNION IN PENNSYLVANIA SETS VOTE ON MERGER WITH COMMUNICATIONS WORKERS

Members of the Federation of Telephone Workers of Pennsylvania will vote early next year on affiliation with the Communications Workers of America. At the FTWP convention in Atlantic City last week, delegates representing the union's 12,500 members voted 103 to 27 to recommend the change.

Ballots will be sent to members on Feb. 1, and the vote will take about two weeks. Because there is "a lot of anti-CWA feelings within our jurisdiction," the three-month delay in the election is needed to conduct an "education process" to convince members that affiliation with CWA is essential, according to FTWP Vice President Vincent J. Maisano.

The leadership of the independent union unanimously supports affiliation, according to Maisano, because of the changes divestiture of the American Telephone & Telegraph Company will bring. All but about 700 of the union's members work for Bell of Pennsylvania. FTWP members "will be scattered" by changes in Bell's operations, and the union could face extinction through unit clarification elections, he commented.

FTWP members have been hostile to merger proposals throughout the union's 40-year history. Plans to merge with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers all were rejected in referendum votes. In 1976 members agreed to join the Telecommunications International Union, an alliance of several independent unions, but FTWP pulled out in 1981 because of dissatisfaction with TIU.

Under the affiliation proposal, CWA would create a new geographic district for Pennsylvania and Delaware, and FTWP would comprise about 75 to 80 percent of its membership, according to Maisano. Former FTWP members would become members of CWA Local 13000, which would be second in size only to a CWA local in New York City. The local would retain representation rights for all present FTWP members and those it might organize in the future. Under current plans, FTWP President William E. Wallace would seek election as a CWA vice president and director of the new region, while Maisano would run for president of the local.

Union dues also would rise under the merger, from the current 0.8 percent of base pay to 1.3 percent of pay, according to Maisano, who added that a dues increase was needed regardless of the merger proposal.

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SINGLE FORUM AND STANDARD URGED IN FAIR REPRESENTATION COMPLAINTS

NEW YORK (By a BNA Special Correspondent) — The confusion in the courts on what constitutes a breach of a union's duty of fair representation prompts a call for labor law changes to establish a single forum in which to bring complaints and to set a standard for violation of the duty.

Speaking at the second conference last week of Cornell University's New York State School of Industrial and Labor Relations on the duty of fair representation, Professor James E. Jones of the University of Wisconsin said there is a "multiplicity" of forums for complaints, and there has been a proliferation of standards of what is a violation of the fair representation duty. "Congress needs to provide statutory guidance," he said.

Fair representation questions most often arises in connection with administration of a contract and representation of an employee who has a grievance that was not satisfied. In some

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PENNSYLVANIA UNION DECIDES TO JOIN CWA; BELL SYSTEM CHANGES CITED AS KEY REASON

An independent telephone union in Pennsylvania votes overwhelmingly to join the Communications Workers of America. A vote among members of the Federation of Telephone Workers of Pennsylvania produced 7,624 ballots in favor of the merger and only 951 opposed.

The merger, which will be completed officially at the CWA annual convention in August, will add 12,250 members to CWA's current membership of about 650,000.

CWA President Glenn E. Watts called it "a great day for both unions," recalling that the two had been united in the old National Federation of Telephone Workers prior to 1947.

Under the merger agreement, the former FTWP members will become members of a new CWA local, Local 13000, which will be one of the largest in the union. CWA also will create a new district, District 13, consisting of members in Pennsylvania and Delaware. Former FTWP members will make up about 75 to 80 percent of this district.

FTWP Secretary Frank S. Wentzel told BNA that FTWP will hold a special convention in June to make necessary changes in bylaws and dues arrangements to prepare for transformation into a CWA local. Elections for local officers and delegates to the CWA convention then will be held.

FTWP President William E. Wallace plans to run for director of District 13, which would make him a CWA vice president, and FTWP Vice President Vincent J. Maisano plans to run for president of Local 13000.

The decision to affiliate with CWA was approved at the FTWP convention in Atlantic City last fall (1983 DLR 206: A-1). Convinced that the merger was a necessity, the union leadership campaigned for three months for approval among the rank and file. FTWP members had been hostile to merger suggestions in the past, spurning proposed ties with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers.

Affiliation with the Telecommunications International Union, an alliance of several independent unions with about 50,000 members, was approved in 1976, but FTWP members withdrew in 1981 because of dissatisfaction with TIU. TIU currently is embroiled in a dispute over possible merger with the American Federation of State, County and Municipal Employees (1984 DLR 32: A-1).

FTWP leaders told their members that merger was necessary because the Bell System divestiture threatened the union's survival. Writing in the current issue of *FTWP News*, union president Wallace noted that Bell of Pennsylvania is now part of Bell Atlantic and that half of the new company's employees are in CWA.

While successorship agreements protect FTWP through its first contract with Bell Atlantic, "the company says that if multiple unions and multiple contracts become burdensome, they will ask the unions to straighten that out," Wallace wrote. "If the unions do not, the company promised to petition the NLRB for a unit clarification."

Furthermore, Wallace continued, FTWP would face an even greater danger from competing unions which might have gone to NLRB for a unit clarification or with an election petition. Because FTWP is an independent, it would not be protected by AFL-CIO no-raiding policies. The situation would be especially critical in AT&T Information Systems where FTWP's 3,000 members would be "a small minority in a nationwide company," he said.

Wallace defended the merger agreement, pointing out that FTWP would have one of the 13 vice president seats on the CWA executive board and that it would wield considerable influence as a large local. Wallace also commented that he had been part of the CWA bargaining team last summer and was satisfied with the results.

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Attachment - Page Two

**COMMUNICATIONS WORKERS DELEGATES
WEIGH PROPOSED REORGANIZATION PLAN**

PHILADELPHIA (By a BNA Staff Correspondent) — Confronted with the break-up of the industry's largest employer and a projected decline in union membership, delegates to the Communications Workers of America annual convention consider plans for restructuring the union and for persuading consumers to use only unionized long-distance telephone service.

The leadership plan for restructuring the executive board encountered immediate opposition from delegates, however, necessitating a roll-call vote for the first time in the last six conventions. After brief debate among the 1,030 delegates, the entire first afternoon of the three-day convention was consumed by a roll-call vote over whether to create two new vice presidential positions.

A new vice president for AT&T Communications would replace the national director for AT&T Long Lines, while a new vice president for AT&T Technologies would assume duties formerly performed by three national directors for various segments of Western Electric Co.

The proposal is part of a two-year plan formulated by the CWA leadership. Next year national directors for public workers and independent telephone companies would become union vice presidents, and the union's 13 geographic districts would be merged into eight.

The union opened its forty-sixth annual convention on the first anniversary of its three-week national strike against the Bell System. Since that time, American Telephone and Telegraph Co. divested itself of the Bell operating companies. The CWA restructuring plan is an attempt to tailor the union to the structure of the new AT&T and the seven regional operating companies. Opponents argued that the changes were hastily planned and would enlarge an "overstaffed bureaucracy."

Seven of the proposed eight geographic regions would conform to the boundaries of the seven Bell operating companies; the eighth region would cover Pennsylvania. Some 12,000 new members from Pennsylvania joined CWA last week when the Federal Telephone Workers of Pennsylvania officially completed its merger into CWA. Former FTWP President William E. Wallace was sworn in as a new CWA vice president.

Despite the FTWP affiliation and the affiliation of several smaller independents in recent months, the union's membership has been declining steadily in recent months. A budget report from the union's finance committee projects for 1984 a membership of 507,000, down 23,000 from the previous year.

Union officials are convinced that the decline is a temporary one, attributable to divestiture, and that losses will be made up over the short-term by organizing successes in on-going campaigns among new AT&T subsidiaries and among public employees.

The leadership's immediate answer to the threats posed by nonunion long distance firms is a massive \$2 million public relations campaign to persuade consumers that union-represented AT&T, with its emphasis on operator assistance, offers better service than new, heavily computerized nonunion companies. A campaign in the Philadelphia area, which follows Charleston, W. Va., as the next community where "equal access" to long distance service will be introduced, is to be unveiled during the second day of the convention.

CWA President Glenn E. Watts in his keynote address quoted an estimate that for every one percent of market share lost by AT&T, approximately 1,000 union jobs could be lost. He called upon each CWA member to pledge a \$2 contribution to the campaign. That \$1 million would be matched by another \$1 million from the national treasury, he said.

The quest for new members finds CWA embroiled in disputes with other unions. The 45,000-member Telecommunications International Union has been seeking to merge with the American Federation of State, County and Municipal Employees, but CWA has been successful in legally blocking a vote all year and hopes eventually to persuade TIU members to reject

their leaders' preference for AFSCME. CWA and AFSCME also are rivals in Ohio where a new public employee bargaining law was enacted last year.

A highlight of the convention for many delegates will be an appearance by Democratic presidential candidate Walter F. Mondale. Mondale, who appeared at the two previous CWA conventions, has been strongly supported by the union.

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DISTRICT 1199 OVERWHELMINGLY REJECTS LATEST OFFER BY NEW YORK HOSPITALS

Members of District 1199 of the Retail, Wholesale and Department Store Union overwhelmingly reject the latest two-year contract offer by the League of Voluntary Hospitals and Homes of New York by a vote of 21,769 to 1,242, according to union president Doris Turner. The vote was taken at a series of four meetings over the course of two days last week (1984 DLR 150: A-1).

"There is a very simple reason why our members turned down this proposal," Turner said. "It was almost a carbon copy of the first proposal that was rejected on July 13, the day this strike began."

The size of the rejection vote "means that they're determined to continue" the strike, Turner said of her members.

Meanwhile, District 1199 members ratified contracts over the weekend with four non-League hospitals after the institutions agreed to grant the workers every other weekend off — a major issue in the dispute — and the best terms of the settlement eventually negotiated with the League, Turner said. Almost 2,000 employees are covered by the agreements. The employees will be back at work by August 7, she added.

Three of the four hospitals are municipal institutions that use 1199 workers from certain League institutions, Turner said. The three are Bird S. Coler Memorial Hospital, Lincoln Medical and Mental Health Center, and Metropolitan Hospital Center. The fourth, Hempstead General Hospital, is a proprietary hospital.

In another development, although it had appeared that the union had "purged itself" of a civil contempt citation, the parties are scheduled to go back to court Aug. 7 on a motion by NLRB Regional Director Samuel M. Kaynard to renew his order to show cause why the union should not be held in contempt.

On Aug. 1 Judge Israel Leo Glasser found the union in civil contempt because nurse members, engaged in a sympathy strike, have continually refused to follow a court order to return to work. Judge Glasser set out a number of ways that the union could purge itself of the contempt including sending letters, calling the strikers, and holding a meeting of all involved nurses telling them that the union insisted that they return to work and if they don't it will begin internal proceedings. On Aug. 3 Judge Glasser found that although the nurses had not returned to work the union was complying with his order. The union was ordered to meet with Judge Glasser again Aug. 6 to ascertain what developments, if any, had occurred over the weekend. At that time Kaynard renewed his order.

Union spokesman Bob Carroll told reporters 1199 is complying with the court order, adding that "We have complied with everything" in the order. However, Carroll said, the nurses have not gone back to work despite the union's attempts to get them back. The firing of eight coworkers has contributed to the nurses' resistance, he said.

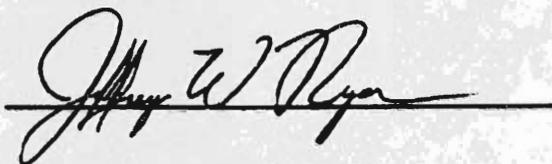
Union leaders also met with clergy to ask their help in the strike. At the close of the meeting, Rev. Wendell Foster, who is also a city councilman, said the assembled clergy had agreed to discourage members of their parishes or synagogues from filling in for the 1199 workers.

VERIFICATION OF CITIZEN COMPLAINANT

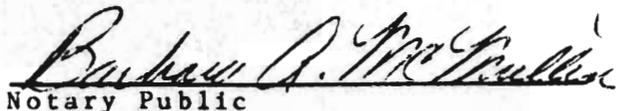
County of Fairfax)
Commonwealth of Virginia)

ss.

Pursuant to 2 U.S.C. § 437g(a)(1), I, Jeffrey W. Ryan, being first duly sworn, say that I have read the foregoing complaint and know the contents thereof, and that the same is true on information and belief. This complaint was not filed at the request or suggestion of any candidate. I am a citizen of the United States, over the age of 18 years and a registered voter of the State of Virginia.



Subscribed and sworn to before me this 2nd day of December 1985.


Notary Public

My Commission expires:

My Commission Expires November 18, 1988

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DESIGNATION OF COUNSEL

I, Jeffrey W. Ryan, a complainant to the attached complaint designate the attorney identified below as complainant's attorney of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

December 2, 1985
Date

Jeffrey W. Ryan
Complainant

DESIGNATED COUNSEL

Michael Ernest Avakian
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

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UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

RECEIVED
GENERAL COUNSEL
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Jeffrey W. Ryan)
4757 Parkman Court)
Annandale, Virginia 22003,)
Complainant,)

Complaint
MUR No. _____

v.)

James B. Hunt, Jr., Jim Hunt)
Committee, Jim Hunt Exploratory)
Committee; Engineers Political)
Education Committee/International)
Union of Operating Engineers)
and its separate segregated fund,)
International Union of Operating)
Engineers, Local 68 PAC;)
International Brotherhood of)
Electrical Workers Committee on)
Political Education and its)
separate segregated fund, IBEW)
Local Union 584 Electro PAC;)
Communication Workers of America)
Committee on Political Education)
Political Contributions Committee)
and its separate segregated fund,)
Local 13000 CWA AFL-CIO and all)
the committees' treasurers,)
Respondents.)

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INTRODUCTION

1. Pursuant to 2 U.S.C. § 437g(a)(1) Jeffrey W. Ryan brings this complaint against former candidate for federal public office, James B. Hunt, Jr., Jim Hunt Committee,¹ James B. Hunt, Jr., Jim Hunt Committee, Jim Hunt Exploratory Committee, Engineers Political Education Committee/International Union of Operating Engineers (EPEC/IUOE) and its affiliated separate segregated fund (SSF), International Union of Operating Engineers, Local 68 PAC (IUOE, Local 68 PAC), International Brotherhood of Electrical Workers Committee on Political Education (IBEW-COPE) and its affiliated separate segregated fund, IBEW Local Union 584 Electro PAC; Communication Workers of America Committee on Political Education Political Contributions Committee (CWA-COPE PCC) and its affiliated separate segregated fund, Local 13000 CWA AFL-CIO² and all the Committees' treasurers individually and in their capacities as treasurers for the making and receiving of excessive contributions in violation of 2 U.S.C. § 441a(f) and 2 U.S.C. § 441a(a)(2)(A) during either the 1984 general or the 1984 primary election cycles.

¹Also known as Jim Hunt Exploratory Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-169-193.

²Local 13000 CWA AFL-CIO was formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee. Both Committee reports contain the same F.E.C. Identification Number C-00-109-595.

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II. PARTIES

2. Complainant is Jeffrey W. Ryan who resides at 4757 Parkman Court, Annandale, Virginia 22003. He is a citizen of the United States, over the age of 18 years and a registered voter of the State of Virginia.

Respondents are:

- a. James B. Hunt, Jr.,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- b. Maylon E. Little, C.P.A., individually and in his capacity as treasurer of Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- c. Jim Hunt Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- d. Jim Hunt Exploratory Committee,
215 Hillsborough Street
P.O. Box 25937
Raleigh, North Carolina 27611.
- e. Frank Hanley, individually and in his capacity as treasurer of Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- f. Engineers Political Education Committee/
International Union of Operating Engineers,
1125 17th Street, N.W.
Washington, D.C. 20036.
- g. Vincent J. Sibley, individually and in his capacity as treasurer of International Union of Operating Engineers, Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006.

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- h. International Union of Operating Engineers,
Local 68 Political Action Committee,
11 Fairfield Place
West Caldwell, NJ 07006
- i. Ralph A. Leigon, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- j. International Brotherhood of Electrical
Workers Committee on Political Education,
1125 15th Street, N.W.
Washington, D.C. 20005.
- k. Gerald H. Edwards, individually and in his capacity as
treasurer of International Brotherhood of Electrical
Workers Local Union 584 ELECTRO PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- l. International Brotherhood of Electrical
Workers Local Union 584 Electro PAC,
584 South Lewis
Tulsa, Oklahoma 74104.
- m. Louis B. Knecht, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- n. Fred G. Hassen, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.
- o. Ron Krouse, individually and in his capacity as
treasurer of Communication Workers of America Committee
on Political Education Political Contributions
Committee,
1925 K Street, N.W.
Washington, D.C. 20006.

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- p. Communication Workers of America Committee on Political Education Political Contributions Committee, 1925 K Street, N.W. Washington, D.C. 20006.
 - q. Edwin J. Maher, individually and in his capacity as treasurer of Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee), 1410 Chestnut Street Second Floor Philadelphia, PA 19102.
 - r. Local 13000 Communication Workers of America, AFL-CIO (formerly known as Federation of Telephone Workers of Pennsylvania Political Action Committee), 1410 Chestnut Street Second Floor Philadelphia, PA 19102.

III. LIABILITY

3. Liability may be imposed upon the candidate, James B. Hunt, Jr., Jim Hunt Committee, EPEC/IUOE; IUOE, Local 68 PAC; IBEW-COPE; IBEW Local Union 584 Electro PAC; CWA-COPE PCC and Local 13000 CWA AFL-CIO, pursuant to 2 U.S.C. § 441a(a) which establishes the \$5,000.00 (FIVE THOUSAND DOLLARS) maximum contribution ceiling and 2 U.S.C. § 441a(f) which proscribes a candidate or political committee from accepting any contributions in excess of \$5,000.00 (FIVE THOUSAND DOLLARS).

4. Liability may be imposed on the treasurers, personally and in their capacities as treasurers pursuant to 11 C.F.R. § 104.14(d).

5. For purposes of this complaint, contributions made by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5), as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B). For purposes of this complaint, contributions made by CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, are treated as contributions made from a single committee in accordance with 2 U.S.C. § 441a(a)(5) as implemented through 11 C.F.R. § 100.5(g)(2)(1)(B).

IV. OVERVIEW

6. Based on Complainant's information and belief, Respondents have contributed or received an aggregate in excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal primary election or an excess of \$5,000.00 (FIVE THOUSAND DOLLARS) for the 1984 federal general election in which James B. Hunt, Jr. was a candidate for public office. Complainant bases his belief on review of the Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC; and IBEW-COPE and its affiliated SSF, IBEW

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Local Union 584 Electro PAC filed for the 1984 federal primary election; and which James B. Hunt, Jr., Jim Hunt Committee, and its treasurer; and CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO filed for the 1984 federal general election.

7. For the 1984 federal primary election, excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by EPEC/IUOE and its treasurer; IUOE, Local 68 PAC and its treasurer; IBEW-COPE and its treasurer and IBEW Local Union 584 Electro PAC and its treasurer. For the 1984 federal general election excessive funds were contributed to James B. Hunt, Jr., Jim Hunt Committee, and its treasurer by the CWA-COPE PCC and its treasurer; and Local 13000 CWA AFL-CIO, and its treasurer.

8. These unlawful contributions constitute a violation of the Federal Election Campaign Act, 2 U.S.C. § 441a(a)(2)(A), which provides that a multicandidate political committee may not contribute more than \$5,000.00 (FIVE THOUSAND DOLLARS) to any candidate and his authorized political committee with respect to any election for federal office, § 441a(f) which prohibits a candidate from receiving illegal contributions, and 11 C.F.R. § 103.3(b) which requires that excessive contributions be refunded.

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**V. VIOLATIONS OF THE F.E.C.A.
BY
JIM HUNT COMMITTEE
IN THE
1984 FEDERAL PRIMARY AND GENERAL ELECTIONS**

9. Based on a review of the periodic report, Federal Election Commission Forms J and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC in the amount of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

10. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
5/8/84	\$ 250.00	IUOE, Local 68 PAC	#84020140805
5/31/84	<u>\$5,000.00</u>	EPEC/IUOE	#84020140807

Total = \$5,250.00

11. A running total of the amount of contributions received from EPEC/IUOE and IUOE, Local 68 PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that

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they had received \$250.00 (TWO HUNDRED FIFTY DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$4,750.00 (FOUR THOUSAND SEVEN HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted an additional contribution and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND DOLLARS) the statute permits them to accept.

12. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal primary election from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the amount of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

13. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal primary election, accepted contributions from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC in the following amounts:

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<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location #</u>
11/3/83	\$1,000.00	IBEW-COPE	#84020032695
4/18/84	\$4,000.00	IBEW-COPE	#84020101244
5/31/84	\$5,000.00	IBEW-COPE	#84020140797
unreported	\$ 100.00	IBEW-Local Union 584 Electro PAC	

Total = \$10,100.00

14. A running total of the amount of contributions received from IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$5,000.00 (FIVE THOUSAND DOLLARS) on April 18, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer could no longer lawfully accept any contributions from IBEW-COPE. In violation of 2 U.S.C. § 441a(f), James B. Hunt, Jr., Jim Hunt Committee and its treasurer accepted contributions from IBEW-COPE and IBEW Local Union 584 Electro PAC in the amount of \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS). This amount exceed the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

15. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution of April 12, 1984 designated by IBEW-COPE as a contribution for the primary election. (See F.E.C. Microfilm #84033141419.) In violation of 11 C.F.R. § 104.14(d), James B.

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Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the general election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation 11 C.F.R. § 104.14(d) provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer knowingly misreported the contribution in order to accept contributions in excess of the statutory limit.

16. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to report the \$100.00 (ONE HUNDRED DOLLARS) contribution made on February 29, 1984 by IBEW Local Union 584 Electro PAC for the primary election. (See F.E.C. Microfilm #84033243406.) F.E.C. regulation, 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

17. Based on a review of periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, Complainant believes that candidate for public office, James B. Hunt, Jr., Jim Hunt Committee and its treasurer, in violation of 2 U.S.C. § 441a(f), knowingly accepted contributions for the 1984 federal general election from CWA-

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COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the amount of \$10,000 (TEN THOUSAND DOLLARS).

18. Candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer, for the 1984 federal general election, accepted contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in the following amounts:

<u>Date Received</u>	<u>Amount</u>	<u>Contributor</u>	<u>F.E.C. Microfilm Location</u>
3/27/84	\$ 500.00	CWA-COPE PCC	#84020102177
5/8/84	\$ 600.00	CWA-COPE PCC	#84020140797
7/25/84	\$5,000.00	Federation of Telephone Workers of Pennsylvania Political Action Committee	#84020221950
9/20/84	<u>\$3,900.00</u>	CWA-COPE PCC	#84020221938

Total = \$10,000.00

19. A running total of the amount of contributions received from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, would have put on notice James B. Hunt, Jr., Jim Hunt Committee and its treasurer that they had received \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) on May 8, 1984. On that date, James B. Hunt, Jr., Jim Hunt Committee and its treasurer were only permitted to accept an additional contribution of \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). In violation of 2 U.S.C. § 441a(f), they accepted additional contributions and thereby exceeded the maximum \$5,000.00 (FIVE THOUSAND

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DOLLARS) the statute permits them to accept.

20. In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer designated the \$500.00 (FIVE HUNDRED DOLLARS) contribution of March 27, 1984 for both the primary and general election. (See F.E.C. Microfilm #84020102177.) The \$500.00 (FIVE HUNDRED DOLLARS) contribution was made by CWA-COPE PCC on February 24, 1984 and designated for the general election. (See F.E.C. Microfilm #84033063535.) F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer by the action described above, knowingly misreported the CWA-COPE PCC contribution in order to accept contributions from CWA-COPE PCC in excess of the statutory limit.

21. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to accurately report the \$600.00 (SIX HUNDRED DOLLARS) contribution of April 30, 1984 which was designated by CWA-COPE PCC as a contribution for the general election. (See F.E.C. Microfilm #84033153358.) In violation of 11 C.F.R. § 104.14(d), James B. Hunt, Jr., Jim Hunt Committee and its treasurer reported it as a contribution for the primary election. (See F.E.C. Microfilm #84020140797.) F.E.C. regulation, 11 C.F.R. §

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104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein."

22. James B. Hunt, Jr., Jim Hunt Committee and its treasurer failed to designate whether the \$5,000.00 (FIVE THOUSAND DOLLARS) contribution received from Federation of Telephone Workers of Pennsylvania Political Action Committee on July 25, 1984 and the \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) received from CWA-COPE PCC on September 20, 1984 were for the primary or general election. See F.E.C. Microfilm #s 84020221950 and 84020221938. However, the contributions, respectively designated on July 18, 1984 and July 27, 1984 for the general election, were made more than one month after the North Carolina Senatorial primary election which was held on May 8, 1984. F.E.C. regulation 11 C.F.R. § 104.14(d), provides that a treasurer "shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information contained therein." James B. Hunt, Jr., Jim Hunt Committee and its treasurer misreported the contribution in order to accept contributions from CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, in excess of the statutory limit.

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**VI. VIOLATIONS OF THE F.E.C.A.
BY
EPEC/IUOE AND
IUOE, LOCAL 68 PAC
IN THE
1984 FEDERAL PRIMARY ELECTION**

23. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$5,250.00 (FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS).

24. EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, contributed the following amounts:

a. On April 23, 1984, IUOE, Local 68 PAC contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). (See F.E.C. Microfilm #84033150899.)

b. On May 18, 1984, EPEC/IUOE contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033173533.)

25. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by EPEC/IUOE and its affiliated SSF, IUOE, Local 68 PAC, would have put them on notice that as of April 23, 1984, they had contributed \$250.00 (TWO HUNDRED FIFTY DOLLARS). In violation of 2 U.S.C. § 441a(a)(2)(A), EPEC/IUOE made a \$5,000.00 (FIVE THOUSAND DOLLARS)

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contribution on May 18, 1984 which exceeded the \$5,000.00 (FIVE THOUSAND DOLLARS) ceiling by \$250.00 (TWO HUNDRED FIFTY DOLLARS).

**VII. VIOLATIONS OF THE F.E.C.A.
BY
IBEW-COPE AND
IBEW LOCAL UNION 584 ELECTRO PAC
IN THE
1984 FEDERAL PRIMARY ELECTION**

26. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that IBEW-COPE and its affiliated SSF, IBEW Local 584 Electro PAC, for the 1984 federal primary election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,100.00 (TEN THOUSAND ONE HUNDRED DOLLARS).

27. IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC contributed the following amounts:

a. On October 12, 1983, IBEW-COPE contributed \$1,000.00 (ONE THOUSAND DOLLARS). (See F.E.C. Microfilm #83032863448.)

b. On February 29, 1984, IBEW Local Union 584 Electro PAC, contributed \$100.00 (ONE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033243406.)

c. On April 12, 1984, IBEW-COPE contributed \$4,000.00 (FOUR THOUSAND DOLLARS). (See F.E.C. Microfilm #84032863448.)

d. On April 12, 1984, IBEW-COPE contributed \$5,000.00

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(FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033141419.)

28. A running total of the amount contributed to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice IBEW-COPE and its affiliated SSF, IBEW Local Union 584 Electro PAC that as of February 29, 1984, it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could only contribute \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441a(a)(2)(A), contributions of \$4,000.00 (FOUR THOUSAND DOLLARS) and \$5,000.00 (FIVE THOUSAND DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by IBEW-COPE. The amount exceeded the statutory monetary ceiling by \$5,100.00 (FIVE THOUSAND ONE HUNDRED DOLLARS).

**VIII. VIOLATIONS OF THE F.E.C.A.
BY
CWA-COPE PCC AND LOCAL 13000 CWA AFL-CIO
IN THE
1984 FEDERAL PRIMARY ELECTION**

29. Based on a review of the periodic reports, Federal Election Commission Forms 3 and 3X, Schedules "A" and "B" and applicable amendments, which Respondents filed with the Federal Election Commission, the Complainant believes that CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO, for the 1984 federal general election designated and therefore contributed to candidate James B. Hunt, Jr., Jim Hunt Committee and its treasurer a total of \$10,000.00 (TEN THOUSAND DOLLARS).

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30. CWA-COPE PCC and Local 13000 CWA AFL-CIO are organizations within the meaning of 2 U.S.C. § 431(b) and are considered affiliated under 2 U.S.C. § 441a(5) as of February 1984 when the Federation of Telephone Workers of Pennsylvania (FTWP), now Local 13000 CWA AFL-CIO voted to merge with the CWA. Thereupon, the FTWP was transformed into a CWA affiliate subject only to formal ratification by the CWA convention later that year. See attached news copy.

31. CWA-COPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO contributed the following amounts:

a. On February 24, 1984, CWA-COPE PCC contributed \$500.00 (FIVE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033063535.)

b. On April 30, 1984, CWA-COPE PCC contributed \$600.00 (SIX HUNDRED DOLLARS). (See F.E.C. Microfilm #84033153858.)

c. On July 18, 1984, Federation of Telephone Workers of Pennsylvania Political Action Committee contributed \$5,000.00 (FIVE THOUSAND DOLLARS). (See F.E.C. Microfilm #84033364113.)

d. On July 27, 1984, CWA-COPE PCC contributed \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS). (See F.E.C. Microfilm #84033271465.)

32. A running total of contributions made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer would have put on notice CWA-COPE PCC that as of April 30, 1984 it had contributed \$1,100.00 (ONE THOUSAND ONE HUNDRED DOLLARS) and that it could

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only contribute an additional \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) if it wished to meet the mandates of the law. In violation of 2 U.S.C. § 441A(A)(2)(A), contributions of \$5,000.00 (FIVE THOUSAND DOLLARS), and \$3,900.00 (THREE THOUSAND NINE HUNDRED DOLLARS) were made to James B. Hunt, Jr., Jim Hunt Committee and its treasurer by CWA-CCPE PCC and its affiliated SSF, Local 13000 CWA AFL-CIO. This amount exceeded the statutory monetary ceiling by \$5,000.00 (FIVE THOUSAND DOLLARS).

X. CONCLUSION

33. As documented above, Respondents have violated the spirit and letter of the Federal Election Campaign Act.

34. Complainant requests that an investigation into this complaint be undertaken, that Respondents be ordered to return the accepted excess contributions pursuant to 11 C.F.R. § 103.3(b) and that civil sanctions be imposed on the Respondents.


Michael Ernest Avakian
Center on National Labor Policy
5211 Port Royal Road, Suite 400
North Springfield, VA 22151
(703) 321-9180

Attorney for Complainant

December 3, 1985

CURRENT DEVELOPMENTS SECTION

INDEPENDENT TELEPHONE UNION IN PENNSYLVANIA SETS VOTE ON MERGER WITH COMMUNICATIONS WORKERS

Members of the Federation of Telephone Workers of Pennsylvania will vote early next year on affiliation with the Communications Workers of America. At the FTWP convention in Atlantic City last week, delegates representing the union's 12,500 members voted 103 to 27 to recommend the change.

Ballots will be sent to members on Feb. 1, and the vote will take about two weeks. Because there is "a lot of anti-CWA feelings within our jurisdiction," the three-month delay in the election is needed to conduct an "education process" to convince members that affiliation with CWA is essential, according to FTWP Vice President Vincent J. Maisano.

The leadership of the independent union unanimously supports affiliation, according to Maisano, because of the changes divestiture of the American Telephone & Telegraph Company will bring. All but about 700 of the union's members work for Bell of Pennsylvania. FTWP members "will be scattered" by changes in Bell's operations, and the union could face extinction through unit clarification elections, he commented.

FTWP members have been hostile to merger proposals throughout the union's 40-year history. Plans to merge with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers all were rejected in referendum votes. In 1976 members agreed to join the Telecommunications International Union, an alliance of several independent unions, but FTWP pulled out in 1981 because of dissatisfaction with TIU.

Under the affiliation proposal, CWA would create a new geographic district for Pennsylvania and Delaware, and FTWP would comprise about 75 to 80 percent of its membership, according to Maisano. Former FTWP members would become members of CWA Local 13000, which would be second in size only to a CWA local in New York City. The local would retain representation rights for all present FTWP members and those it might organize in the future. Under current plans, FTWP President William E. Wallace would seek election as a CWA vice president and director of the new region, while Maisano would run for president of the local.

Union dues also would rise under the merger, from the current 0.8 percent of base pay to 1.3 percent of pay, according to Maisano, who added that a dues increase was needed regardless of the merger proposal.

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SINGLE FORUM AND STANDARD URGED IN FAIR REPRESENTATION COMPLAINTS

NEW YORK (By a BNA Special Correspondent) — The confusion in the courts on what constitutes a breach of a union's duty of fair representation prompts a call for labor law changes to establish a single forum in which to bring complaints and to set a standard for violation of the duty.

Speaking at the second conference last week of Cornell University's New York State School of Industrial and Labor Relations on the duty of fair representation, Professor James E. Jones of the University of Wisconsin said there is a "multiplicity" of forums for complaints, and there has been a proliferation of standards of what is a violation of the fair representation duty. "Congress needs to provide statutory guidance," he said.

Fair representation questions most often arises in connection with administration of a contract and representation of an employee who has a grievance that was not satisfied. In some

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PENNSYLVANIA UNION DECIDES TO JOIN CWA; BELL SYSTEM CHANGES CITED AS KEY REASON

An independent telephone union in Pennsylvania votes overwhelmingly to join the Communications Workers of America. A vote among members of the Federation of Telephone Workers of Pennsylvania produced 7,624 ballots in favor of the merger and only 951 opposed.

The merger, which will be completed officially at the CWA annual convention in August, will add 12,250 members to CWA's current membership of about 650,000.

CWA President Glenn E. Watts called it "a great day for both unions," recalling that the two had been united in the old National Federation of Telephone Workers prior to 1947.

Under the merger agreement, the former FTWP members will become members of a new CWA local, Local 13000, which will be one of the largest in the union. CWA also will create a new district, District 13, consisting of members in Pennsylvania and Delaware. Former FTWP members will make up about 75 to 80 percent of this district.

FTWP Secretary Frank S. Wentzel told BNA that FTWP will hold a special convention in June to make necessary changes in bylaws and dues arrangements to prepare for transformation into a CWA local. Elections for local officers and delegates to the CWA convention then will be held.

FTWP President William E. Wallace plans to run for director of District 13, which would make him a CWA vice president, and FTWP Vice President Vincent J. Maisano plans to run for president of Local 13000.

The decision to affiliate with CWA was approved at the FTWP convention in Atlantic City last fall (1983 DLR 206: A-1). Convinced that the merger was a necessity, the union leadership campaigned for three months for approval among the rank and file. FTWP members had been hostile to merger suggestions in the past, spurning proposed ties with CWA, the Teamsters, the International Brotherhood of Electrical Workers, and the United Auto Workers.

Affiliation with the Telecommunications International Union, an alliance of several independent unions with about 50,000 members, was approved in 1976, but FTWP members withdrew in 1981 because of dissatisfaction with TIU. TIU currently is embroiled in a dispute over possible merger with the American Federation of State, County and Municipal Employees (1984 DLR 32: A-1).

FTWP leaders told their members that merger was necessary because the Bell System divestiture threatened the union's survival. Writing in the current issue of *FTWP News*, union president Wallace noted that Bell of Pennsylvania is now part of Bell Atlantic and that half of the new company's employees are in CWA.

While successorship agreements protect FTWP through its first contract with Bell Atlantic, "the company says that if multiple unions and multiple contracts become burdensome, they will ask the unions to straighten that out," Wallace wrote. "If the unions do not, the company promised to petition the NLRB for a unit clarification."

Furthermore, Wallace continued, FTWP would face an even greater danger from competing unions which might have gone to NLRB for a unit clarification or with an election petition. Because FTWP is an independent, it would not be protected by AFL-CIO no-raiding policies. The situation would be especially critical in AT&T Information Systems where FTWP's 3,000 members would be "a small minority in a nationwide company," he said.

Wallace defended the merger agreement, pointing out that FTWP would have one of the 13 vice president seats on the CWA executive board and that it would wield considerable influence as a large local. Wallace also commented that he had been part of the CWA bargaining team last summer and was satisfied with the results.

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Attachment - Page Two

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**COMMUNICATIONS WORKERS DELEGATES
WEIGH PROPOSED REORGANIZATION PLAN**

PHILADELPHIA (By a BNA Staff Correspondent) — Confronted with the break-up of the industry's largest employer and a projected decline in union membership, delegates to the Communications Workers of America annual convention consider plans for restructuring the union and for persuading consumers to use only unionized long-distance telephone service.

The leadership plan for restructuring the executive board encountered immediate opposition from delegates, however, necessitating a roll-call vote for the first time in the last six conventions. After brief debate among the 1,030 delegates, the entire first afternoon of the three-day convention was consumed by a roll-call vote over whether to create two new vice presidential positions.

A new vice president for AT&T Communications would replace the national director for AT&T Long Lines, while a new vice president for AT&T Technologies would assume duties formerly performed by three national directors for various segments of Western Electric Co.

The proposal is part of a two-year plan formulated by the CWA leadership. Next year national directors for public workers and independent telephone companies would become union vice presidents, and the union's 13 geographic districts would be merged into eight.

The union opened its forty-sixth annual convention on the first anniversary of its three-week national strike against the Bell System. Since that time, American Telephone and Telegraph Co. divested itself of the Bell operating companies. The CWA restructuring plan is an attempt to tailor the union to the structure of the new AT&T and the seven regional operating companies. Opponents argued that the changes were hastily planned and would enlarge an "overstaffed bureaucracy."

Seven of the proposed eight geographic regions would conform to the boundaries of the seven Bell operating companies; the eighth region would cover Pennsylvania. Some 12,000 new members from Pennsylvania joined CWA last week when the Federal Telephone Workers of Pennsylvania officially completed its merger into CWA. Former FTWP President William E. Wallace was sworn in as a new CWA vice president.

Despite the FTWP affiliation and the affiliation of several smaller independents in recent months, the union's membership has been declining steadily in recent months. A budget report from the union's finance committee projects for 1984 a membership of 507,000, down 23,000 from the previous year.

Union officials are convinced that the decline is a temporary one, attributable to divestiture, and that losses will be made up over the short-term by organizing successes in on-going campaigns among new AT&T subsidiaries and among public employees.

The leadership's immediate answer to the threats posed by nonunion long distance firms is a massive \$2 million public relations campaign to persuade consumers that union-represented AT&T, with its emphasis on operator assistance, offers better service than new, heavily computerized nonunion companies. A campaign in the Philadelphia area, which follows Charleston, W. Va., as the next community where "equal access" to long distance service will be introduced, is to be unveiled during the second day of the convention.

CWA President Glenn E. Watts in his keynote address quoted an estimate that for every one percent of market share lost by AT&T, approximately 1,000 union jobs could be lost. He called upon each CWA member to pledge a \$2 contribution to the campaign. That \$1 million would be matched by another \$1 million from the national treasury, he said.

The quest for new members finds CWA embroiled in disputes with other unions. The 45,000-member Telecommunications International Union has been seeking to merge with the American Federation of State, County and Municipal Employees, but CWA has been successful in legally blocking a vote all year and hopes eventually to persuade TIU members to reject

their leaders' preference for AFSCME. CWA and AFSCME also are rivals in Ohio where a new public employee bargaining law was enacted last year.

A highlight of the convention for many delegates will be an appearance by Democratic presidential candidate Walter F. Mondale. Mondale, who appeared at the two previous CWA conventions, has been strongly supported by the union.

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DISTRICT 1199 OVERWHELMINGLY REJECTS LATEST OFFER BY NEW YORK HOSPITALS

Members of District 1199 of the Retail, Wholesale and Department Store Union overwhelmingly reject the latest two-year contract offer by the League of Voluntary Hospitals and Homes of New York by a vote of 21,769 to 1,242, according to union president Doris Turner. The vote was taken at a series of four meetings over the course of two days last week (1984 DLR 150: A-1).

"There is a very simple reason why our members turned down this proposal," Turner said. "It was almost a carbon copy of the first proposal that was rejected on July 13, the day this strike began."

The size of the rejection vote "means that they're determined to continue" the strike, Turner said of her members.

Meanwhile, District 1199 members ratified contracts over the weekend with four non-League hospitals after the institutions agreed to grant the workers every other weekend off — a major issue in the dispute — and the best terms of the settlement eventually negotiated with the League, Turner said. Almost 2,000 employees are covered by the agreements. The employees will be back at work by August 7, she added.

Three of the four hospitals are municipal institutions that use 1199 workers from certain League institutions, Turner said. The three are Bird S. Coler Memorial Hospital, Lincoln Medical and Mental Health Center, and Metropolitan Hospital Center. The fourth, Hempstead General Hospital, is a proprietary hospital.

In another development, although it had appeared that the union had "purged itself" of a civil contempt citation, the parties are scheduled to go back to court Aug. 7 on a motion by NLRB Regional Director Samuel M. Kaynard to renew his order to show cause why the union should not be held in contempt.

On Aug. 1 Judge Israel Leo Glasser found the union in civil contempt because nurse members, engaged in a sympathy strike, have continually refused to follow a court order to return to work. Judge Glasser set out a number of ways that the union could purge itself of the contempt including sending letters, calling the strikers, and holding a meeting of all involved nurses telling them that the union insisted that they return to work and if they don't it will begin internal proceedings. On Aug. 3 Judge Glasser found that although the nurses had not returned to work the union was complying with his order. The union was ordered to meet with Judge Glasser again Aug. 6 to ascertain what developments, if any, had occurred over the weekend. At that time Kaynard renewed his order.

Union spokesman Bob Carroll told reporters 1199 is complying with the court order, adding that "We have complied with everything" in the order. However, Carroll said, the nurses have not gone back to work despite the union's attempts to get them back. The firing of eight coworkers has contributed to the nurses' resistance, he said.

Union leaders also met with clergy to ask their help in the strike. At the close of the meeting, Rev. Wendell Foster, who is also a city councilman, said the assembled clergy had agreed to discourage members of their parishes or synagogues from filling in for the 1199 workers.

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VERIFICATION OF CITIZEN COMPLAINANT

County of Fairfax)
Commonwealth of Virginia)

ss.

Pursuant to 2 U.S.C. § 437g(a)(1), I, Jeffrey W. Ryan, being first duly sworn, say that I have read the foregoing complaint and know the contents thereof, and that the same is true on information and belief. This complaint was not filed at the request or suggestion of any candidate. I am a citizen of the United States, over the age of 18 years and a registered voter of the State of Virginia.

Jeffrey W. Ryan

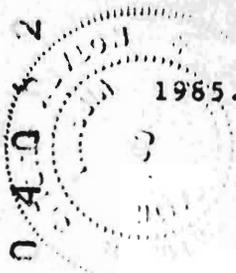
Subscribed and sworn to before me this 2nd day of December 1965.

Burhan A. McNeill
Notary Public

My Commission expires:

My Commission Expires November 18, 1968

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DESIGNATION OF COUNSEL

I, Jeffrey W. Ryan, a complainant to the attached complaint designate the attorney identified below as complainant's attorney of record. The Federal Election Commission shall direct all written and oral communications in connection with this matter to my designated counsel.

December 2, 1985
Date

Jeffrey W. Ryan
Complainant

DESIGNATED COUNSEL

Michael Ernest Avakian
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2110

Date Filmed 12/17/86 Camera No. --- 2

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

9-21-87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MR. 2110

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 24, 1987

Michael Ernest Avakian, Esquire
Center on National Labor Policy
Suite 400
5211 Port Royal Road
Springfield, Virginia 22151

RE: MUR 2110

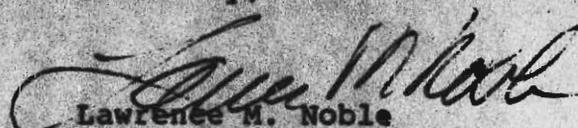
Dear Mr. Avakian:

By letter dated December 3, 1986, the Office of the General Counsel informed you of determinations made with respect to the complaint filed by you against the Jim Hunt Committee and six other political action committees. Enclosed with that letter was a copy of the General Counsel's Report dated May 21, 1986 and a certification dated June 4, 1986.

Enclosed please find a Statement of Reasons adopted by the Commission explaining its decision to close the file as to four of the named respondents. This document will be placed on the public record as part of the file of MUR 2110.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
Acting General Counsel

Enclosure
Statement of Reasons

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