



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1554

Date Filmed 8/16/03 Camera No. --- 3

Cameraman JRL

8-3-04-1-1-0-2-5

12 DAY Report and Comment Sheets
Routing Cards

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):

____ (1) Classified Information

____ (6) Personal privacy

____ (2) Internal rules and practices

____ (7) Investigatory files

____ (3) Exempted by other statute

____ (8) Banking Information

____ (4) Trade secrets and commercial or financial information

____ (9) Well Information (geographic or geophysical)

X (5) Internal Documents

Signed

A. A. Finch

Date

2 August 1983



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tim Edwards, Esquire
Gerber, Gerber & Agee
Thirty-first Floor
100 North Main Building
Memphis, Tennessee 38103

Re: MUR 1554

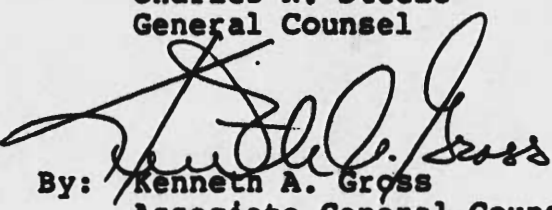
Dear Mr. Edwards:

On June 14, 1983, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on July 26, 1983, determined that on the basis of the information in the complaint and information provided by you, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

83040415027



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles E. Helton
Box 92
Pierce Drive
Route 5
Ringgold, Georgia 30736

Re: MUR 1554

Dear Mr. Helton:

The Federal Election Commission has reviewed the allegations of your complaint dated June 8, 1983 and determined that on the basis of the information provided in your complaint and information provided by the respondents, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

83040415028



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael D. Cullins, Esquire
Roadway Express, Inc.
P.O. Box 471
1077 Gorge Boulevard
Akron, Ohio 44309-0471

Re: MUR 1554

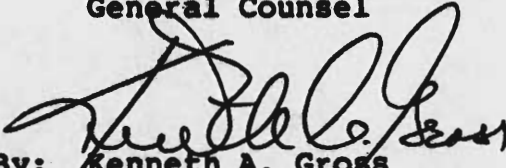
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Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

83040415029

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Teamsters Local 515
Roadway Express, Inc.

MUR 1554

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 26, 1983, the Commission decided by a vote of 5-0 to take the following actions in MUR 1554:

1. Find no reason to believe that either Roadway Express, Inc. or Teamsters Local 515 violated 2 U.S.C. § 441b(b)(3).
2. Close the file.
3. Approve the letters as attached to the First General Counsel's Report dated July 21, 1983.

Commissioners Aikens, Elliott, Harris, McDonald and McGarry voted affirmatively in this matter; Commissioner Reiche did not cast a vote.

Attest:

7/26/83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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

7-21-83, 4:54
7-22-83, 2:00

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SENSITIVE

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

83 JUL 21 P4: 54

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 7/21/83 - 4:56

MUR # 1554
DATE COMPLAINT RECEIVED
BY OGC June 10, 1983
DATE OF NOTIFICATION TO
RESPONDENT June 14, 1983
STAFF MEMBER G.A. Finch

COMPLAINANT'S NAME: Charles Helton
RESPONDENTS' NAMES: Teamsters Local 515,
and Roadway Express, Inc.
RELEVANT STATUTES: 2 U.S.C. § 441b(b) (3)
INTERNAL REPORTS CHECKED: Committee, State and Treasurer Indexes
FEDERAL AGENCIES CHECKED: None
STATE AGENCIES CHECKED: Tennessee Department of State and
Tennessee State Election Commission

SUMMARY OF ALLEGATIONS

Pursuant to 2 U.S.C. § 437g(a) (1), Charles Helton, filed his May 29, 1983, complaint with the Office of the General Counsel. Helton's verified complaint alleges that Teamsters' Local 515 (Chattanooga, Tenn.), in concert with Helton's employer, Roadway Express, Inc., caused an unauthorized deduction to be made from his paycheck and to be contributed to Democrat Republican Independent Voter Education ("DRIVE"), the Teamsters' political action committee, in violation of 2 U.S.C. § 441b(b) (3). Helton also stated that it was his understanding that the same unauthorized deduction was made from other Local 515 members checks by Roadway Express, but did not specify which employees.

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FACTUAL AND LEGAL ANALYSIS

Charles Helton, a member of the International Brotherhood of Teamsters Local 515, states that his employer, Roadway Express, Inc., made an unauthorized deduction of \$5 from his paycheck for the pay period ending February 27, 1983, and from other employees' paychecks and remitted the money to DRIVE, the Teamsters political action committee.

If such allegation were true, such unauthorized payroll deductions for political contributions to a separate segregated fund would constitute a violation of 2 U.S.C. § 441b(b)(3).

Roadway Express, Inc. responded that it makes annual DRIVE payroll deductions based on lists supplied by the Teamsters Union through the DRIVE organization. A copy of a page of one of these lists containing Helton's name was attached to the response. (See attachment 2 p. 5). Roadway Express also indicated that the records of payroll deduction cards are maintained by the union, consequently, if Mr. Helton wishes to rescind his authorization he must contact the union.

Counsel for Teamsters Local 515 responded that Helton signed a card authorizing payroll deductions of \$5 to be remitted to DRIVE in 1976 and has never rescinded that authorization. A copy of the signed authorization card was attached to the response. (See Attachment 1 p. 3)

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Although the union has not received a formal rescission from Mr. Helton, it has concluded that the complaint expresses Mr. Helton's wish to rescind his authorization. Accordingly, the union is removing Mr. Helton from the payroll deduction list.

As the union had a signed authorization card from Mr. Helton and had never received a rescission of that authorization, the \$5 deduction from Mr. Helton's paycheck was not improper. While Mr. Helton alleged that other deductions were improperly made, nothing in the materials submitted by Roadway Express or Local 515 indicate any impropriety in the manner in which deductions are made. Therefore, the Office of General Counsel recommends a finding that there is no reason to believe that 2 U.S.C. § 441b(b) (3) was violated.

RECOMMENDATIONS

1. Find no reason to believe that either Roadway Express, Inc. or Teamsters Local 515 violated 2 U.S.C. § 441b(b) (3).
2. Close the file.
3. Approve attached letters.

Date

July 24, 1983

Charles N. Steele
General Counsel

By:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Response of Teamsters Local 515
2. Response of Roadway Express, Inc.
3. Proposed letters

83040415033

GERBER, GERBER & AGEE
THIRTY-FIRST FLOOR
100 NORTH MAIN BUILDING
MEMPHIS, TENNESSEE 38103
800 523-0010

33 JUN 27 P 1:53

HAL GERBER
MARSHALL L. GERBER
LYNN AGEE
RONALD D. KRELSTEIN
JOSEPH L. TAGE
TIM EDWARDS
B. J. WADE

*ALSO ADMITTED IN MO
WILLIAM GERBER 1998-1999

June 24, 1983

ASSOCIATES
MARY L. CHRISTIAN
MARY ALLEN
DEBORAH E. GOWIN
DREW J. CANALE, JR.

3 JUN 27
10:53

Mr. G. A. Finch
Staff Attorney
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1554
Teamsters Local 515
Chattanooga, TN

Dear Mr. Finch:

Please be advised that I represent Teamsters Local 515. I enclose the Statement of Designation of Counsel which has been completed by Mr. N. Robert C. Logan, Jr., President and Business Manager of Local 515.

Please consider the following the position of my client regarding Mr. Helton's charge.

On April 10, 1976, Mr. Helton signed a DRIVE check-off authorization. A copy of that authorization is enclosed. As I am sure you are aware, DRIVE is the Political Action arm of the International Brotherhood of Teamsters. The authorization was submitted to Mr. Helton's employer, Roadway Express. Mr. Helton continues to be an employee of Roadway. As far as we know, deductions commenced pursuant to the authorization. At no time since April of 1976 has Mr. Helton requested of the local union that the authorization be rescinded. Nor does the Washington, D. C. office of DRIVE have any record of a rescission. The first knowledge that Local 515 had of Mr. Helton's dissatisfaction with the checkoff was when we

Mr. G. A. Finch

June 24, 1983

-2-

were notified of charges filed with the Department of Labor and the National Labor Relations Board, Region 10. Both of these charges were dismissed.

I think it a reasonable conclusion that by the filing of this charge Mr. Helton wishes to rescind his authorization for political checkoff. I am advising Mr. Logan to remove Mr. Helton from the deduction.

If you require any further information, please do not hesitate to contact me. Should a decision as to disposition of this charge be made, I would appreciate your notifying me.

Yours very truly,

GERBER, GERBER & AGEE



Tim Edwards

TE:mb

Encls.

cc: Mr. N. Robert C. Logan, Jr.
President and Business Manager
IBT, Local 515
4431 Bonny Oaks Drive
Chattanooga, TN 37416

83040415035

83040415036

Democratic Republic of the Congo **Volunteer Education**

NAME: _____ DATE: _____

ADDRESS: _____

CITY: _____ STATE: _____

NAME OF COMPANY - PLEASE PRINT: _____

NAME - PLEASE PRINT: _____

White Copy to Employer Green Copy to DRIVE Chapter Blue Copy to National DRIVE

A copy of this report filed with the appropriate supervisory office is to be available for purchase from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20540.

JUN 20 1983

ROADWAY
EXPRESS, INC.

P.O. BOX 471
1077 GORGE BOULEVARD
AKRON, OH 44308-0471
216-384-1717

June 24, 1983

Mr. G. A. Finch
Staff Attorney
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1554

Dear Attorney Finch:

I have received a copy of the above-referenced complaint. Please be advised that I will be handling the matter for Respondent and that consequently all further communication with the Company regarding same should be directed to my attention at this office. D.R.I.V.E. deductions are made annually on the basis of lists supplied by the Teamsters Union through the D.R.I.V.E. organization. I am enclosing for your review, documentation showing that the employee deduction list from Local 515 in Chattanooga, Tennessee was supplied to the Company on March 3, 1983. I am also enclosing page six(6) of the list on which the name of Charles E. Helton appears. Although the letter states that the original application cards authorizing this deduction were mailed to the Company previously, in fact, such records are maintained by the Union and any cards mailed to the Company are returned to the Union. If Mr. Helton wishes to discontinue the \$5 annual deduction for D.R.I.V.E., it should be a simple matter for him to go to his local union and revoke his authorization card. In the meantime, it is the view of the Company (as well as the view of the National Labor Relations Act) that a duly certified union speaks for the members of a represented bargaining unit.

I trust that this letter answers any questions which may have been raised by Mr. Helton's complaint.

Very truly yours,

Michael D. Cullins

Michael D. Cullins
Attorney - Industrial Relations

11j
Enclosure



DEDICATED TO BETTER SERVICE

ATTACHMENT II, p. 4

51220000 ROADWAY EXPRESS INC
1077 GEORGE BLVD

ANNON OH 43307

LOCAL UNION 515
CHECK-OFF BILLING
FOR FEB 83

PAGE
02-24-83 5

ATTACHMENT II, p. 5

HARDEN FRANK D 411-64-6400 433

RT. 1, BOX 8821 SNOW HL

5.00
DRIVE

DOLEMAN TENN 37363 ACTIVE 00 100

HARDEN JOHN I 402-58-2544 433

5.00
DRIVE

5499 VINDISSPAN

CHATTANOOGA TENN 37416 ACTIVE 00 100

HARP WALTER T 257-50-9844 433

5.00
DRIVE

ST. 9

KINGCOLE GA. 30736 ACTIVE 00 100

NELTON CHARLE E 412-56-3777 433

5.00
DRIVE

BOX 91 PIERCE DR. RT. 2

KINGCOLE GA. 30736 ACTIVE 00 100

NELTON ROBERT L 417-44-0770 433

5.00
DRIVE

1324 KOREAN DR.

HIXSON TENN 37363 ACTIVE 00 100

NICKERSON MARGIE E 402-77-8075 433

5.00
DRIVE

3563 ANGELA LANE

CHATTANOOGA TENN 37419 ACTIVE 00 100

NICKERSON JAMES V 412-90-1015 433

5.00
DRIVE

361 TENNESSEE AVENUE

HOUSTONVILLE GA. 30761 ACTIVE 00 100

NICKS JOHNNY 253-40-5003 433

5.00
DRIVE

532 TALLEY RD.

CHATTANOOGA TENN 37411 ACTIVE 00 100

NICH MYRON 253-75-7126 433

5.00
DRIVE

3325 APT. B PINECOLOAVE

CHATTANOOGA TENN 37411 ACTIVE 00 100

NICH MYRON 411-64-6400 433

5.00
DRIVE

RT. 1, BOX 8821

DOLEMAN TENN 37363 ACTIVE 00 100

NICH MYRON 253-40-5003 433

5.00
DRIVE

532 TALLEY RD.

CHATTANOOGA TENN 37411 ACTIVE 00 100

NICKERSON JAMES V 412-90-1015 433

5.00
DRIVE

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5.00
DRIVE

532 TALLEY RD.

CHATTANOOGA TENN 37411 ACTIVE 00 100

NICH MYRON 411-64-6400 433

5.00
DRIVE

RT. 1, BOX 8821

DOLEMAN TENN 37363 ACTIVE 00 100

830404150308

DRIVE

DEMOCRATIC REPUBLICAN INDEPENDENT VOTER EDUCATION

25 Louisiana Avenue, N.W.
Washington, D.C. 20001

February 25, 1983

Roadway Express, Inc.
1077 George Blvd.
Akron, Ohio 44309

MAR 3 1983

GEN. ACCTG.

Attn: Payroll Department

Gentlemen:

Please find enclosed a list of your employees from Teamsters Local Union 515, Chattanooga, Tenn. who have signed an authorization card for D.R.I.V.E. The original application cards were mailed to you previously for your files and records. However, if there are any new signatures, the original copy will be enclosed in this letter.

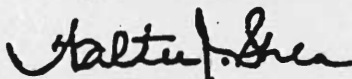
We are enclosing two copies of the list and ask that you return one copy with your check deleting and indicating on the copy why they were deleted, such as deceased, retired, terminated, on layoff, sick, leave of absence, no earnings, etc.

Please make this deduction in March on a week when union dues are not deducted.

MAKE CHECKS PAYABLE TO NATIONAL D.R.I.V.E. AND REMIT CHECK TO NATIONAL D.R.I.V.E., C/O INTERNATIONAL BROTHERHOOD OF TEAMSTERS, 25 LOUISIANA AVENUE, N.W., WASHINGTON, D.C. 20001.

If there are any questions pertaining to the above please call me.

Fraternally,



Walter J. Shea
Treasurer
D.R.I.V.E.

Enclosures
WJS:tb

ATTACHMENT II, p. 6



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tim Edwards, Esquire
Gerber, Gerber & Agee
Thirty-first Floor
100 North Main Building
Memphis, Tennessee 38103

Re: MUR 1554

Dear Mr. Edwards:

On June 14, 1983, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

83040415040



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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RETURN RECEIPT REQUESTED

Michael D. Cullins, Esquire
Roadway Express, Inc.
P.O. Box 471
1077 Gorge Boulevard
Akron, Ohio 44309-0471

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

83040415041



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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RETURN RECEIPT REQUESTED

Charles E. Helton
Box 92
Pierce Drive
Route 5
Ringgold, Georgia 30736

Re: MUR 1554

Dear Mr. Helton:

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

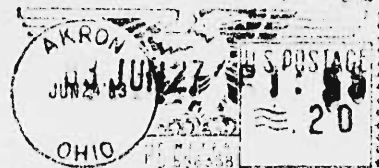
83040415042

83040410013

**ROADWAY
EXPRESS, INC.**

P.O. BOX 471
1077 GORGE BLVD.
AKRON, OH 44309-0471

Mr. G. A. Finch
Staff Attorney
Federal Election Commission
Washington, D.C. 20463



RECEIVED
ROADWAY
EXPRESS, INC.

P.O. BOX 477
1077 GORGE BOULEVARD
AKRON, OH 44308-0477
216-384-1717

June 24, 1983

Mr. G. A. Finch
Staff Attorney
Federal Election Commission
Washington, D.C. 20463

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Very truly yours,

Michael D. Cullins

Michael D. Cullins
Attorney - Industrial Relations

11j
Enclosure



DEDICATED TO BETTER SERVICE

83040415044

8 JUN 28 A 8:51

GENERAL COUNSEL

DRIVE

DEMOCRATIC REPUBLICAN INDEPENDENT VOTER EDUCATION

25 Louisiana Avenue, N.W.
Washington, D.C. 20001

February 25, 1983

Roadway Express, Inc.
1077 George Blvd.
Akron, Ohio 44309

MAR 3 1983
GEN. ACCTG.

Attn: Payroll Department

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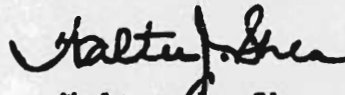
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Please make this deduction in March on a week when union dues are not deducted.

MAKE CHECKS PAYABLE TO NATIONAL D.R.I.V.E. AND REMIT CHECK TO NATIONAL D.R.I.V.E., C/O INTERNATIONAL BROTHERHOOD OF TEAMSTERS, 25 LOUISIANA AVENUE, N.W., WASHINGTON, D.C. 20001.

If there are any questions pertaining to the above please call me.

Fraternally,


Walter J. Shea
Treasurer
D.R.I.V.E.

Enclosures
WJS:tb

83040415046

018285000 ROADWAY EXPRESS INC
1077 GEORGE BLVD
AKRON OH 44307LOCAL UNION 515
CHECK-OFF BILLING
FOR FEB 83PAGE 6
02-24-83MARDEN FRANK D 411-64-6400 433
RT. 1, BOX 8821 SNOW HL
DOLESVAN TENN 37363 ACTIVE 00 1005.00
DRIVEMARDEN JOHN L 489-58-9544 433
5608 WINNIESPAN
CHATTANOOGA TENN 37416 ACTIVE 00 1005.00
DRIVEHARP WALTER T 257-58-9844 433
RT. 9
RINGGOLD GA. 30736 ACTIVE 00 1005.00
DRIVENELTON CHARLE E 432-54-5444 433
BOX 92 PIERCE DR. RT. 8
RINGGOLD GA. 30736 ACTIVE 00 1005.00
DRIVENELTON ROBERT L 417-44-0998 433
1324 KOBAN DR
HIXSON TENN 37343 ACTIVE 00 1005.00
DRIVEHICKMAN HAROLD R 408-72-8875 433
3502 ANGELA LANE
CHATTANOOGA TENN 37419 ACTIVE 00 1005.00
DRIVEHICKMAN JAMES W 412-90-1015 433
301 TENNESSEE AVENUE
ROSSVILLE GA. 30741 ACTIVE 00 1005.00
DRIVEHICKE JONNY 253-48-5003 433
532 TALLEY RD.
CHATTANOOGA TENN 37411 ACTIVE 00 1005.00
DRIVEHICH MURON 253-75-7174 433
3809 APT B PINELAVUE
CHATTANOOGA TENN 37411 ACTIVE 00 1005.00
DRIVEHILBERT EDGAR A 411-64-6400 433
RT. 1, BOX 8821
CLEVELAND TENN 37311 ACTIVE 00 1005.00
DRIVEHIXSON HENRY C 254-61-6117 433
HIXSON TENN 37343 ACTIVE 00 1005.00
DRIVEHOPKINS KENNIE E 408-82-8741 433
RT. 47 HIVE DR
DOLESVAN TN 37363 ACTIVE 00 1005.00
DRIVEHOVES BILLY R 252-48-2685 433
ROUTE #4
RINGGOLD GA. 30736 ACTIVE 00 1005.00
DRIVE

83040415847

LAW OFFICES
GERBER, GERBER & AGEE
THIRTY-FIRST FLOOR
100 NORTH MAIN BUILDING
MEMPHIS, TENNESSEE 38103



Mr. G. A. Finch
Staff Attorney
Federal Election Commission
Washington, D. C. 20463

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60-7302
83 JUN 27 P 1: 53
LAW OFFICES
GERBER, GERBER & AGEE
THIRTY-FIRST FLOOR
100 NORTH MAIN BUILDING
MEMPHIS, TENNESSEE 38103
(901) 523-0018

HAL GERBER
MARSHALL L. GERBER
LYNN AGEE
RONALD D. KRELSTEIN
JOSEPH L. TAGGIE
TIM EDWARDS
B. J. WADE
* ALSO ADMITTED IN MS
WILLIAM GERBER 1998-1999

13 JUN 83 8:53
ASSOCIATES
MARK J. CHRISTIAN
MARIA ALLEN
DEBORAH S. GOODWIN
DREW J. CANALE, JR.

June 24, 1983

Mr. G. A. Finch
Staff Attorney
Federal Election Commission
Washington, D. C. 20463

Re: MUR 1554
Teamsters Local 515
Chattanooga, TN

Dear Mr. Finch:

Please be advised that I represent Teamsters Local 515. I enclose the Statement of Designation of Counsel which has been completed by Mr. N. Robert C. Logan, Jr., President and Business Manager of Local 515.

Please consider the following the position of my client regarding Mr. Helton's charge.

On April 10, 1976, Mr. Helton signed a DRIVE check-off authorization. A copy of that authorization is enclosed. As I am sure you are aware, DRIVE is the Political Action arm of the International Brotherhood of Teamsters. The authorization was submitted to Mr. Helton's employer, Roadway Express. Mr. Helton continues to be an employee of Roadway. As far as we know, deductions commenced pursuant to the authorization. At no time since April of 1976 has Mr. Helton requested of the local union that the authorization be rescinded. Nor does the Washington, D. C. office of DRIVE have any record of a rescission. The first knowledge that Local 515 had of Mr. Helton's dissatisfaction with the checkoff was when we

Mr. G. A. Finch

June 24, 1983

-2-

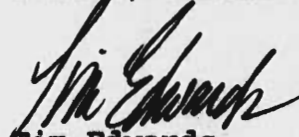
were notified of charges filed with the Department of Labor and the National Labor Relations Board, Region 10. Both of these charges were dismissed.

I think it a reasonable conclusion that by the filing of this charge Mr. Helton wishes to rescind his authorization for political checkoff. I am advising Mr. Logan to remove Mr. Helton from the deduction.

If you require any further information, please do not hesitate to contact me. Should a decision as to disposition of this charge be made, I would appreciate your notifying me.

Yours very truly,

GERBER, GERBER & AGEE


Tim Edwards

TE:mb
Encls.

cc: Mr. N. Robert C. Logan, Jr.
President and Business Manager
IBT, Local 515
4431 Bonny Oaks Drive
Chattanooga, TN 37416

83040415049



DRIVE Democrat, Republican Independent Voter Education

DRIVE

DATE

I authorize the sum of \$1.00 each year to DRIVE with the understanding that this voluntary contribution may be used for public relations in accordance with the guidelines of DRIVE.
I understand that this sum is not to be used for any other purpose.
I understand that this sum is not to be used for any other purpose.
I understand that this sum is not to be used for any other purpose.

NAME OF COMPANY—PLEASE PRINT

SIGNATURE

ADDRESS

NAME—PLEASE PRINT

CITY

STATE

White Copy to Employer

Green Copy to DRIVE Chapter

Blue Copy to National DRIVE

83040415050



STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1554

NAME OF COUNSEL:

TIM EDWARDS

ADDRESS:

GERBER, GERBER & AGEE
3121 100 N. Main Bldg.
Memphis, TN 38103

TELEPHONE:

901 523-0019

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.

6-17-83
Date

N. Robert C. Logan Jr
Signature

NAME:

N. ROBERT C. LOGAN, JR.
Pres. & Bus. Mgr.

ADDRESS:

IBT 515 4431 Bonny Oaks Drive
Chattanooga, TN 37416

HOME PHONE

BUSINESS PHONE:

615 894-3630

83040415051



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Office of Legal Affairs
Teamsters Local #515
4431 Bonny Oaks Drive
Chattanooga, TN 37416

Re: MUR 1554

Dear Sir/Madam:

This letter is to notify you that on June 10, 1983, the Federal Election Commission received a complaint which alleges that your organization 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 1554. 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 your organization 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.

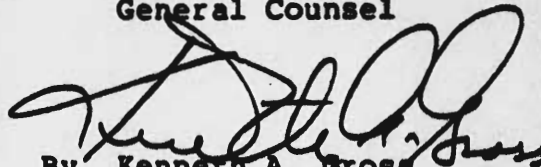
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040415052

If you have any questions, please contact G.A. Finch, the staff attorney assigned to this matter at (202) 523-4060. 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

83040415053



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Office of Legal Affairs
Roadway Express, Inc.
2217 Polymer Drive
Chattanooga, TN 37412

Re: MUR 1554

Dear Sir/Madam:

This letter is to notify you that on June 10, 1983, the Federal Election Commission received a complaint which alleges that your company 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 1554. 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 your company 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.

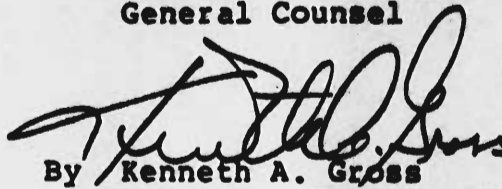
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040415054

If you have any questions, please contact G.A. Finch, the staff attorney assigned to this matter at (202) 523-4060. 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

83040415055



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1983

C. Joseph Keffer, Esquire
Professional Drivers Council
Suite 612
2000 P Street, NW
Washington, D.C. 20036

Dear Mr. Keffer:

This letter is to acknowledge receipt of Mr. Charles Helton's complaint which we received on June 10, 1983, against Roadway Express and Teamsters Local #515 which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

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

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure

cc: Charles Helton

83040415056



Professional Drivers Council

*Dedicated to the safety, health, and working conditions
of professional drivers and all Teamster members.*

Teamsters for a Democratic Union

C. Joseph Keffer, Counsel

Suite 612

2000 P St. N.W.

Washington, D.C. 20036

(202) 785-3707



May 29, 1983

**Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20036**

Re: Charles Helton

Dear Sir/Madam:

Attached please find the Complaint of Charles Helton against Teamsters Local 515 and Roadway Express for deducting money from the paychecks of Roadway workers to be used for DRIVE, the Teamsters Political Action Committee (PAC). The deductions were made without authorization.

In behalf of Mr. Helton it is requested that you investigate this matter and take appropriate action.

Please keep us advised of any proceedings. If you have any questions or need additional statements, do not hesitate to contact us.

Sincerely,

Jeff Sharpe
Jeff Sharpe, Law Clerk

C. Joseph Keffer
C. Joseph Keffer
Attorney for Charles Helton

83040415057

JUN 10 P 3: 41

GENERAL COUNSEL



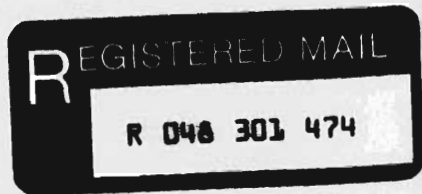
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Professional Drivers Council

Teamsters for a Democratic Union

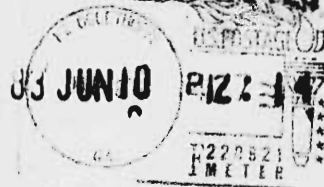
2000 P St. N.W., Suite 612

Washington, D.C. 20036



RETURN RECEIPT REQUESTED

Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



POSTAGE
PAID
BY
METER
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

83040415059

Dear Sirs/Madam:

I am enclosing affidavits filed
with the National Labor Relations Board
in Atlanta Georgia, as well as one
filed with the Dept of Labor in
Nashville Tennessee, for your
convenience.

Sincerely,
Charles E. Helton

AFFIDAVIT OF CHARLES HELTON

I, Charles Helton, being first duly sworn depose and say:

1. My address is Route 5, Box 92, Pierce ^{C.H. Drive} Road, Ringgold, Georgia 30736.

2. My phone number is (404) 861-1467.

3. I am an employee of Roadway Express, Inc., located at 2217 Polymer Drive, Chattanooga, Tennessee 37421. The terminal representative of Roadway Express is Tony Richmond. Their phone number is (615) 892-3350.

4. I am a member of Teamsters Local 515, located at 4431 Bonny Oaks Drive, Chattanooga, Tennessee 37416. Mr Robert Logan is President and Business Manager of Teamsters Local 515. Their phone number is (615) 894-3630.

5. Roadway Express, Inc. deducted the amount of five (\$5.00) dollars from my paycheck for the pay period ending February 27, 1983 which was to be used for DRIVE, the Teamsters Political Action Committee.

6. I did not authorize the deduction of this amount from my check and object to it.

7. It is my understanding that this amount was deducted from ^{(CH) other} ~~all~~ members of Local 515 employed by Roadway Express and that it was done without their authorization,

8. I believe that these deductions are a violation of the federal election laws and other laws. I am filing this complaint not only on my behalf but for other members similarly situated

9. This Complaint is filed pursuant to 11 CFR §111.2.

Charles E. Helton
Charles Helton

Subscribed and Sworn to before me this

8 day of June, 1983

Elaine Sullivan
NOTARY PUBLIC

Comm. Expires 10-18-85

STATE OF TENNESSEE
DEPARTMENT OF LABOR
501 Union Building, 2nd Floor, Nashville, Tennessee 37219

STATEMENT OF CLAIM FOR WAGES

Complete all questions and give explanation where necessary. If additional space is required, please attach separate sheet. TYPE OR PRINT CLEARLY.

COMPLAINANT:

NAME Charles Edward Helton
STREET ADDRESS Box 92 Pierce Dr. Rt 5 CITY Ringgold STATE Georgia
PHONE: Home 404-861 1467 Business NONE ZIP CODE 30736
OCCUPATION Switcher - Truck Driver

EMPLOYER:

Name of Company Roadway Express Inc.
Address where work done 2217 Polymer Dr. CITY Chattanooga STATE Tenn. ZIP 37412
Your job title Switcher Supervisor John Mizzell Phone Number 892 3350
Kind of business TRUCKING COMPANY
Main office of employer if different from above AKRON Ohio
Phone Number ?

EMPLOYMENT INFORMATION:

(Check one) Still employed ☒ Quit ☐ Discharged ☐
Reason for quitting or being discharged: _____

Dates of employment: From Sept 9 19 69 to Present 19 83

Pay Rate: \$ 13.00 per Hour

Pay Claimed: (Give specific days, time period, or accounts and amounts of time and wages unpaid on each day, time period or account.)

See ATTACHED AFFIDAVIT Filed with NLRB.
Also Affidavit Filed with Federal Election Commission

Less deductions _____ TOTAL \$ _____

Net wages claimed _____ TOTAL \$ _____

STATEMENT OF FACTS: (Be as specific as possible) _____

See ATTACHED AFFIDAVIT's

I am filing this for myself and all other similarly
situated members of Teamsters Local 515

I hereby certify that the above is a true statement of the wages due me from the above named employer, and I hereby assign the same to the Commissioner of the Department of Labor to prosecute under Tennessee Code Annotated 50-301 et sequence.

DATE June 6 1983

SIGNED Charles E. Helton

County of Hamilton)
 State of Tennessee) SS

AFFIDAVIT

I Charles Helton, being first duly sworn upon my oath, hereby state as follows:

I have been given assurances by an agent of the National Labor Relations Board that this affidavit will be considered confidential by the United States Government and will not be disclosed as long as the case remains open unless it becomes necessary for the government to produce the affidavit in a formal proceeding. Upon the closing of this case, the affidavit may be subject to disclosure only in accordance with Agency policy.

I reside at Route 5, Box 92 Pierce Dr. Ringgold, Ga. 30736

My telephone number is 404-861-1467

I (am) (was) employed by Roadway Express. I have been employed since September 9, 1969. The Company is located at Chattanooga, Tennessee.

I am currently employed as a switcher. I am responsible for moving trailers around the yard. My hours are 2 a.m. to 10:30 a.m. My immediate supervisor is John Thigell. I have worked as a switcher for approximately three years. I am also a member of Teamsters Local 515 I have been a member of the Union since 1968. I am a member in good standing. At least prior to 1977 the

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Company has deducted \$5 a year from my paycheck for an organization of the Union referred to as D.R.I.V.E or Democrat Republican Independent Voter Education. Drive is a political lobbying body of the Teamsters. The five dollars was deducted in one lump sum usually around the beginning of each year.

On March 17, 1983 I received my paycheck and noticed that the company had deducted from it \$5 for Drive. I immediately went to General Manager Jonly Richmond and complained. I told Richmond that I had rescinded the authorization for the deduction years ago and wanted my money back. Richmond said it was out of his control and that I would have to check with the Union. I told him I tried to talk to the Union and I only got the run around. I told him I'd have to go to N.L.R.B. Richmond then told me to give him my pay stub so that he could

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make a copy and check into it.
I also told Richmond that since
the Company had reimbursed
me once before I thought it
was their responsibility. The
Company never got back to me
so I filed the current charge.
I have not attempted to talk
to the Union regarding the matter
since 1977. In 1977, when the
Company deducted \$3, I complained
to both the Company and the
Union. The Union said they would
check on it but never did
anything. The Company, however,
refunded the money. I cannot
recall if the money was deducted
each year between 1977 and 1983.
I do recall the \$3 being deducted
at least one other time perhaps
around 1981 or 1982. On that
occasion I complained to the Company
only, who said they would check
into it but never did.

2
Prior to the first deduction, sometime
prior to 1977, I signed a form authorizing
the deduction of the \$3. However, I also
signed a form resending mine

authorization. This was done prior to 1977.

~~The~~ The authorization form was provided by the Union. A letter ~~was~~ was typed by the company, permitting me to rescind my authorization. I do not have a copy of the letter I signed rescinding authorization. However, I am submitting a copy of a payroll stub showing a refund by the the Company on July 30, 1977. At no time have I reauthorized the Company to deduct the \$5 from my check for the drive fund. At the time I rescinded authorization, Assistant Terminal Manager Don Campbell was employed at the Chattanooga facility and assisted me in ~~the~~ rescinding authorization.

According to Richmond's Secretary Paul Lawrence, the Union submits a list to Roadway each year of members whose checks the \$5 should be deducted from. According to Lawrence my name keeps appearing on the list submitted by the Union. I am not aware of any release being made.

83040415065



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1554

Date Filmed 8/16/83 Camera No. --- 3

Cameraman JRL

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