

Complainant; Terry L Miles  
P.O. Box 759  
Ottumwa Iowa 52501

Respondents; **PRECISION PIPELINE**  
Richard Phelps  
Laborer Steward  
205 N Gear Ave.  
West Burlington Iowa 52655

**MUR # 7137**

**PRECISION PIPELINE**  
Jillian Preller  
205 N Gear Ave  
West Burlington Iowa 52655

Dan Tuthill  
Laborers 538  
118 W Main ST.  
E. Galesburg IL 61430

**Others;**

Skyler Hout (also refused to sign the political donations forms)

Kevin Krone (foreman)

Brad Moser (spread boss of spread 2 where all named here work)

Additional, my permanent residence is Neillsville WI, 54456, the P. O. Box 759  
Ottumwa Iowa 52501 is a temporary address I am using until approximately early November  
when our crw has finished it's work here.

All those named in "others" can also receive mail at 205 N Gear Ave. West Burlington Iowa  
52655

## FORMAL COMPLAINT

I WOULD LIKE TO FILE A FORMAL COMPLAINT AGAINST LABORERS UNION LOCAL 538, BUSINESS AGENT DAN TUTHILL, DAKOTA ACCESS PIPELINE STEWARD (SPREAD 2) RICHARD PHELPS, AND PRECISION PIPELINE PAYROLL MANAGER JILLIAN PRELLER FOR TAKING POLITICAL DONATION DEDUCTIONS FROM MY PAYROLL CHECKS WITHOUT MY CONSENT OR AUTHORIZATION.

RECEIVED  
FEDERAL ELECTION  
COMMISSION

2016 SEP 20 AM 11:18

OFFICE OF GENERAL  
COUNSEL

## STATEMENT OF FACTS

I work as a laborer on the Dakota Access Pipeline Spread 2, I was hired and signed on in West Burlington Iowa and have since been moved to Ottumwa Iowa. Illegal political contribution deductions were taken from my check while working in Illinois.

On June 7, 2016 I hired on with Precision Pipeline as a laborer on the coating crew. The standard pipeline orientation, drug testing and sign in were expected. (I've been working pipelines about 10 years and it's basically the same) This was at West Burlington Iowa 205 N Gear Ave approximately 6:45 AM

As usual the group of new hires was met by the laborer steward (Richard Phelps). This is where it became different. The steward introduced himself as Rich only (no last name or giving us his phone number) immediately held up the familiar PAC yellow papers and told us these are "voluntary but not really you have to sign these.". Also I was never told what local I was working in, with so many company hires I still don't know.

We (about 12 to 15 laborers, teamsters, and operators mostly laborers) entered the safety trailer, Rich the only steward I saw there handed out the yellow PAC papers to the laborers, again telling us we had to sign. I read the papers, noting the \$ amount per hour was left blank, also knowing PAC was voluntary I circled the word voluntary and DID NOT SIGN. Reading on I saw that this union local had 3 more political donation papers to sign and one was tagged on to the working dues paper, I signed the working dues and circled the word voluntary on all but one of the forms. I did not do anything with the last because the steward came around the tables collecting the papers before I could read them all.

When Rich (steward) took my papers he looked at them and told me I had to sign them, I told him I didn't. We argued, and he said "you can talk to my BA (business administrator) he then pulled out a cell phone and shortly handed it to me. The BA did not give a name and just began to talk angrily that the political donations were mandatory and I had to sign. I refused and the BA "We'll take the next step then"

Friday June 17, 2016 I received my first check and all Illinois political deductions were taken out without my authorization. Another person on my crew Skyler Hout also refused to sign political donation forms and had money deducted from his pay.

Saturday, June 18, 2016 about 6:30 AM I went I went to see Richard Phelps, he said it was in the PLAC (pipeline agreement contract) I knew this wasn't right and went to the payroll trailer to see Jillian Preller office manager/payroll. She looked at my documents on her computer and there was nothing in the political donations. She told me that was because the steward did not turn them in. But yet they were taking money out of my check. She said she would check with corporate on Monday.

Monday, June 20, 2016 about 6:30 AM I went to the payroll trailer to talk to Jillian Preller again about the political deductions. She stated that there had been 30 new hires and she didn't have time to contact corporate.

Tuesday June 21, 2016 I again went to the payroll trailer to find out what information Jillian Preller had gotten from Precision Pipeline corporate. She had a not believable explanation about how it was in the PLAC and that since there was not an asterisk where the forms should be in my documents that they were not voluntary, ending with "okayyyy"

Wednesday, June 22, 2016, I received my first emailed pay statement. The political deductions were again taken from my check.

Thursday June 23, 2016, I went back to the payroll office again to explain that the PLAC cannot make political decisions for me regardless of who signed it. Jillian had some line about how the pipeline has their own contract.

I left the office and called my BA Jeff Denhoff later that day, he told me political, PAC has to be voluntary they can't just take money.

Friday June 24, 2016, about 6:30 AM I found Richard Phelps in his truck in front of the payroll trailer and told him we needed to go see Jillian. I told them I ha talked to my BA and it was illegal to take political donations from my check without written authorization signed by me. Both stated that it was not a choice because it was in the PLAC. Jillian added that another BA had already been involved and it was legal, adding that "If you don't like it here go home" Richard was angry saying that if I came into his local to work I had to pay and support politicians of his locals choice.

Saturday, June 25, 2006, I spoke to my foreman about the issue and he told me that Jillian had told him she did not want me in the office asking questions anymore.

From that point I called the Department of Labor at my earliest convenience, they advised me to contact the Federal Elections Commission.

This is straight up theft. There are hundreds of laborers on this job. A pipeline is set up on a minimum of a 60 hour week. My first check was only 52 hours but had \$6.76 taken out in 3 political deductions which would \$27.04 a month per person with a rain day every week. With 200 laborers they're stealing thousands of dollars every month. These deductions are per hour and many of us work more then 60 hours a week. No laborer on this job was given a choice to donate.

Also Spread 1 of the DAPL is working in the same local with Precision Pipeline. If they're stealing there too then easily there's over \$10,000 a month being stolen as political contributions.

I am requesting an investigation into the political deductions in Illinois and that criminal charges be filed against all those involved.

Terry Miles  
P. O. Box 759  
Ottumwa Iowa, 52501

## ADDITIONAL INFORMATION TO FORMAL COMPLAINT

My complaint is money was being stolen from my payroll check and the payroll checks of hundreds of others by the use of unauthorized payroll deductions for political donations. The money is being taken by Laborers local 538 and given to politicians of their choice. There are at least 3 separate political donation deductions that require a signature of the donator, only one is actually titled as PAC. The money is being taken from those that refused to sign the donation agreements. Also it was not explained that the donations are voluntary, but instead laborers were told signing was mandatory. Laborers local 538 with the help of Precision Pipeline payroll manager Jillian Preller embezzled money from laborers payroll checks.

In the second paragraph of the August 24, 2016 letter from Ruth Heilizer the question of jurisdiction is raised. There are 3 separate political donation deductions on the check stub. PAC, LPL, and Federal LPL. The PAC is the only one I have ever encountered before in 15 years in the laborers union and working in at least 17 different locals throughout the United States. One says "Federal" If any or all of these are registered or simply flying under the radar is anyone's guess. Also in the question of jurisdiction this pipeline is regulated by the DOT and PHMSA both federal agencies.

(To clarify I am a member of Laborer's International Union of North America (LIUNA), local 268 which is officed in Eau Claire WI. I travel around the country working on pipelines and have worked in several different LIUNA locals in different states. The local taking the deductions is LIUNA local 538 officed in E Galesburg IL)

Laborer local 538 representatives Richard Phelps and Dan Tuthill along with Precision Pipeline payroll manager Jillian Preller state that because the donations were in the Pipeline Agreement Contract (PLAC) that they are mandatory and authorization from the employees are not required. A PLAC cannot change the laws. It's like saying when we get rained out we have to rob liquor stores. Illegal sections in the PLAC would only void part or all of the laborers contract, LIUNA International may want to stop work in Illinois until a proper PLAC is in place.

This is denying laborers the basic freedom of political choice, which seems to me to be a civil rights violation. This could fall under the jurisdiction of the FBI.

On Friday, June 17, 2016 I talked to my foreman Kevin Krone about the deductions. I told him that since they were going to steal from me for donations I should be compensated, and that if I was given 2 extra hours a week that would work. (Extra or free hours a quite common on pipelines) The next day he told me he had talked to the spread boss Brad Moser and was told no to the extra hours. It was after that I went to payroll and the laborers steward to get the deductions stopped and my money refunded.

When I worked in Nevada the laborers steward pushed the PAC and I refused to sign. Deductions were taken out anyway. I confronted the steward and told him that it took a signature to take PAC money from a check and told him I'd contact the sheriff's Dept. The following week if the deductions did not stop and money had to be refunded. The following week, all money was



refunded and deductions stopped.

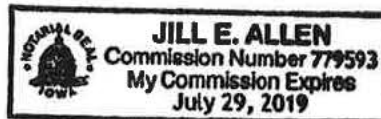
In Arizona the laborers steward told me I could not work if I didn't sign. I informed him that was extortion and then he changed his mind and I worked without PAC deductions. At the time the payroll manager spoke up and said they were voluntary. I have no doubt that Jillian knows as a payroll manger what is legal as far as deductions go, she lied to me when I first came to her office, and each time after that, then telling my foreman I wasn't to go back asking questions anymore. BA's, most laborers and all payroll managers (except Jillian Preller allegedly ) know that PAC are NOT mandatory, it's common knowledge in this union.

I swear under oath and penalty of perjury that all statements are true.

Terry L. Miles



Signed and sworn before me  
Jill E. Allen on September 8th, 2016



EARNINGS				DEDUCTIONS/BENEFITS		
DESCRIPTION	HOURS	RATE	AMOUNT	DESCRIPTION	AMOUNT	Y.T.D. AMOUNT
REGULAR HOURS				WI WHOLD	92.10	92.10
OVERTIME HOURS				ILL LEG — ?	5.20	5.20
				PAC	2.60	2.60
				MROC — ?	13.00	13.00
				RE MAINT	7.80	7.80
				LPL	1.56	1.56
				FEDERAL/LPL	2.60	2.60
				LL231 RETIREE	2.60	2.60
				UNION DUES	7.80	7.80
				UNION DUES %	86.14	86.14

POLITICAL

Precision Pipeline, LLC 3314 56<sup>th</sup> Street Eau Claire, WI 54704 (715) 874-4510