

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

SEAN M. O'BRIEN

General President

25 Louisiana Avenue, NW
Washington, DC 20001



FRED E. ZUCKERMAN

General Secretary-Treasurer

202-624-6800
www.teamster.org

August 4, 2025

VIA EMAIL AND US MAIL: darlene@local896.com

Ms. Darlene Bradley
Recording Secretary
Teamsters Local Union No. 896
2050 Lincoln Ave.
Pasadena, CA 91103

Re: Hearing Decision of Charges Against Secretary-Treasurer, Phil Cooper, and Recording Secretary, Darlene Bradley, of Teamsters Local Union No. 896

Dear Sister:

As you will recall, a hearing was held on June 5, 2025, with respect to the disciplinary charges filed against you, as Recording Secretary of Teamsters Local Union No. 896 ("Local 896"), and those filed against Brother Phil Cooper, Secretary-Treasurer of Local 896. Enclosed herein is a copy of the Decision for your records.

Thank you for your attention.

Fraternally yours,


Sean M. O'Brien
General President

SMO/kva

Enclosure

cc: Fred Zuckerman, General Secretary-Treasurer
(via Email: fzuckerman@teamster.org)
David O'Brien Suetholz, General Counsel
(via Email: dsuetholz@teamster.org)
John J. Rice, Higgs Fletcher & Mack, LLP
(via Email: ricej@higgslaw.com)
Robert D. Luskin, Independent Investigations Officer
(via Email: robertluskin@paulhastings.com)
Hon. Barbara S. Jones, Independent Review Officer
(via Email: barbara.jones@bracewell.com)

Ms. Darlene Bradley
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Chris Griswold, President, Teamsters Joint Council No. 42
(via email to cgriswold@teamster.org)
Executive Board, Teamsters Local Union No. 896
(via email to: info@local896.com)
Hearing Panel

To: Teamsters Local Union No. 896

From: Sean M. O'Brien, General President

Date: August 4, 2025

Decision of the General President Regarding Charges Referred by the IIO
Against Phil Cooper and Darlene Bradley

On June 24, 2024, the Independent Investigations Officer ("IIO") referred charges against Brother Phil Cooper ("Brother Cooper"), Secretary-Treasurer of Teamsters Local Union No. 896 ("Local 896"), and Sister Darlene Bradley ("Sister Bradley"), then-Recording Secretary of Local 896, in accordance with Article XIX, Section 14 of the International Constitution. The charges consist of five counts: (1) lack of internal accounting controls (Brother Cooper); (2) lack of internal accounting controls (Sister Bradley); (3) unauthorized disbursements (Brother Cooper); (4) unauthorized disbursements (Sister Bradley); and (5) failure to cooperate with the IIO (Sister Bradley).

On March 18, 2025, I adopted the IIO's charges in full and appointed a panel (hereinafter, the "Hearing Panel"), pursuant to Article XIX, Section 6 of the International Constitution, to hold a hearing and issue a report, including findings and recommendations, regarding the charges. The Hearing Panel was comprised of Brothers Marcus Williams ("Brother Williams"), Dustin Roach ("Brother Roach"), and Robert Mele ("Brother Mele"). Brother Williams served as chairman. I also appointed Mr. John J. Rice to present the charges on my behalf.

Following proper notice to all interested parties, the Hearing Panel duly conducted a hearing in Los Angeles, California, on June 5, 2025. Both Brother Cooper and Sister Bradley were present at the hearing, as were their attorneys, consistent with Article XIX, Section 14 of the International Constitution, along with Mr. Rice. All parties were afforded full opportunity to present arguments and introduce evidence, including witness testimony, in support of their respective positions. In addition, upon their mutual request, the parties were permitted to submit written briefs in lieu of closing statements. The briefs were duly received on June 26, 2025.

After reviewing the evidence presented at the hearing, the Hearing Panel issued its report, attached in full as **Appendix A**, on July 24, 2025. The report included extensive findings of fact along with conclusions and recommendations. For reasons set forth at length, including voluminous citations to the record, the Hearing Panel found that neither Brother Cooper nor Sister Bradley had engaged in any intentional wrongdoing or misconduct, as the charges alleged. Therefore, the Hearing Panel concluded that the charges lacked merit and recommended they be dismissed, provided that Sister Bradley be ordered to reimburse Local 896 for the balance of funds that had been improperly, if inadvertently, disbursed, a total sum of \$175.00.

Upon careful review of the Hearing Panel's report and the record evidence, including the evidence submitted at the hearing and the parties' written briefs, I hereby adopt the Hearing Panel's findings and recommendations in full. The Hearing Panel had the opportunity to weigh and evaluate the presented evidence firsthand, including witness testimony, and it comprehensively

and meticulously did so. The Hearing Panel's findings of fact were strongly supported by the record evidence, and its conclusions and recommendations were well-reasoned and thorough. Brothers Williams, Roach, and Mele capably discharged their duties, and I find no reason to disturb their findings or conclusions.

Accordingly, for the reasons provided by the Hearing Panel, the charges are hereby DISMISSED in full. Sister Cooper, however, is hereby ordered to reimburse Local 896 for the balance of funds improperly disbursed, as set forth in the Hearing Panel's report, in the amount totaling \$175.00.

SO DECIDED ON THIS 4th OF AUGUST 2025.

Fraternally,

A handwritten signature in black ink, appearing to read "Sean M. O'Brien", written over a horizontal line.

Sean M. O'Brien
General President

Enclosure

Appendix A

To: Sean M. O'Brien, General President

From: Marcus William, Chair
Dustin Roach, Panel Member
Robert Mele, Panel Member

Date: July 24, 2025

Re: **Report and Recommendation Regarding Charges Brought by the General President Against Officers of Teamsters Local Union No. 896**

Introduction

The undersigned Hearing Panel was appointed by General President O'Brien pursuant to Article XIX, Section 6 of the International Constitution to conduct a hearing and issue a report and recommendation on charges brought by the General President, upon the referral of the Independent Investigations Officer ("IIO"), against two officers of Teamsters Local Union No. 896 ("Local 896"), namely, the Secretary-Treasurer and former Recording Secretary. The hearing was conducted on June 5, 2025, at the offices of the law firm Nixon Peabody at 300 South Grand Avenue, Suite 4100 in Los Angeles, California.

For the reasons set forth below, we find that the charges are without merit and should be dismissed.

Background

a. Facts Relating to the Instant Charges

Local 896 is located in Pasadena, California. On June 24, 2024, the IIO referred five charges to the International Brotherhood of Teamsters ("IBT") against Brother Phil Cooper, then and current Secretary-Treasurer of Local 896, and Sister Darlene Bradley, then Recording Secretary of Local 896 (collectively, the "Charged Parties"). Exh. D.¹ Brother Cooper was first elected as Secretary-Treasurer in 2012 and subsequently reelected four times, most recently to a term beginning in 2024. Tr. 160:4-25; 161:9-10.² Sister Bradley, a member of Local 896, began working at the Local as office manager and bookkeeper in 2014. Tr. 18:16-17; 72:20-25; 73:23-25; Exh. 5. She was appointed Recording Secretary by Brother Cooper in 2019 upon her predecessor's retirement. Tr. 18:16-18; 75:16-19. She was

¹ Hereinafter, citations to the record will be as follows: "Exh. [A-D]" refers to the corresponding exhibit introduced by the Charged Parties, while "Exh. [1-17]" refers to the corresponding exhibit introduced by the Charging Party.

² Hereinafter, citations to the transcript will be as follows: "Tr. [page]:[line number(s)]" refers to the corresponding line number(s) of the corresponding page.

subsequently elected to the position for a term beginning in 2024 but resigned later that year due to health issues. Tr. 76:14. Both Brother Cooper and Sister Bradley were most recently elected after the allegations in the present charges were disclosed to Local 896's membership. Tr. 162:1-163:2.

The charges, discussed in greater detail below, allege serious financial improprieties on the part of the Charged Parties, including embezzlement of Local 896's assets. The IIO referred the charges following a yearslong investigation into the Local, which began in 2020. Tr. 172:15-23. Although the investigation largely concerned other matters—predominantly, Local 896's purchase of a building to serve as a union hall using one of its strike funds in early 2018, which will be explored in greater depth below—the IIO referred the present charges to the IBT on June 24, 2024, based on findings uncovered in the 2020 investigation. Tr. 184:12-14; 199:15-20.

The charges consist of five separate counts. Exh. D.³ The fulcrum of the charges, however, is the IIO's allegations that Brother Cooper and Sister Bradley, in their capacities as Secretary-Treasurer and Recording Secretary, respectively, did not comply with proper procedures regarding the use of electronic funds transfers ("EFTs") in that they failed to obtain the required signature of two authorized individuals prior to disbursement of the funds, as required by the International Constitution and Local 896's Bylaws. *Id.* The charges allege that Sister Bradley created an EFT form for use in Local 896's disbursement of funds via EFT that, while including a space for Brother Cooper's signature as well as those of two of the Local's Trustees, was not always properly signed by two of the requisite individuals (and sometimes not signed at all). *Id.* The charges further allege that Sister Bradley, with the tacit or overt approval of Brother Cooper, used Local 896's deficient EFT procedures to improperly disburse to herself a \$100.00 increase in her monthly MetroLink allowance—used to reimburse her for expenditures on public transit—without approval from Local 896's Executive Board. *Id.*⁴ Lastly, the charges allege that Sister Bradley failed to cooperate with the IIO investigators by lying to them regarding the MetroLink allowance increase during her deposition on April 19, 2022. *Id.* All this conduct, the charges conclude, violated the Charged Parties' fiduciary duties, brought reproach upon the IBT, and otherwise ran afoul of Article XIX of the International Constitution. *Id.* As a remedy, the IIO requested that the Charged Parties be suspended from office, employment, and membership in Local 896 and the IBT. *Id.*

b. Facts Relating to the Present Hearing

³ Specifically, these five counts are: (1) lack of internal accounting controls (Cooper); (2) lack of internal accounting controls (Bradley); (3) unauthorized disbursements (Cooper); (4) unauthorized disbursements (Bradley); and (5) failure to cooperate with the IIO (Bradley).

⁴ Sister Bradley's allegedly unauthorized \$100.00 monthly increase was in addition to her existing \$100.00 per month MetroLink allowance that had been duly authorized by Local 896's Executive Board on August 18, 2014. *See* Exh. 9.

Following his receipt of the IIO's report, the General President determined that the matter merited more extensive investigation. Tr. 44:15-45:3; *see* Exh. D. Therefore, he dispatched a team of IBT investigators, including Mr. Frank Hughes, Chief Investigator for the Office of Compliance, Standards, and Investigation, to conduct an independent investigation. Tr. 15:20-25; 44:8-25; *see also* Exh. D. The team of investigators concluded that the IIO's investigation was incomplete and the charges unfounded. Tr. 49:1-9; 63:1-25. In their view, the charged conduct did not amount to malfeasance but mere inadvertence resulting from reasonable misunderstanding and oversight on the part of Brother Cooper and Sister Bradley. Exh. D. Accordingly, the IBT sent a letter to the Independent Review Officer, ("IRO"), the Honorable Judge Barbara Jones, dated November 25, 2024, requesting that she approve proposed settlement agreements that would not have suspended either of the Charged Parties from office, employment, or membership in Local 896 or the IBT. *See* Exh. D. The IIO contested the IBT's conclusions, however, and requested that the IRO reject the proposed settlements by letter dated December 23, 2024. *See* Exh. D-1. The IRO ultimately did so and ordered that a hearing on the charges instead be conducted. *See* Exh. D-2.

Accordingly, on April 24, 2025, the General President adopted the referred charges against Brother Cooper and Sister Bradley, assumed personal jurisdiction over them pursuant to Article XIX, Section 11(a) of the International Constitution, and appointed the undersigned Hearing Panel to hold a hearing and issue a report and recommendation pursuant to Article XIX, Section 6. The General President appointed Mr. John J. Rice to present the charges on his behalf. Following proper notice to all parties, the hearing was duly held on June 5, 2025, in Los Angeles, California. Both Charged Parties were represented by counsel in accordance with Article XIX, Section 14 of the International Constitution.

c. The Hearing Proceedings

i. The Charging Party's Position

At the hearing, Mr. Rice contended that in failing to ensure that EFTs received two authorized signatures prior to the disbursement of funds the Charged Parties had violated Article XXIII, Section 3 and Section 4 of the International Constitution, *see* Exh. 1; Section 7(c) and Section 8(h) of Local 896's Bylaws, *see* Exh. 4; and the General Secretary-Treasurer's Manual for Secretary-Treasurers issued in 2012, *see* Exh. 2. Tr. 11:1-7. Furthermore, Mr. Rice alleged that beginning in July 2017 and continuing until May 2018—a total duration of eleven months—Sister Bradley took advantage of Local 896's improper EFT procedures to award herself an additional \$100.00 per month in MetroLink allowance payments without authorization from Local 896's Executive Board (on top of the \$100.00 monthly MetroLink allowance that had been duly authorized by the Executive Board). Tr. 11:22-12:21, Exhs. 9, 11, 12.⁵ Since these improper disbursements were enabled by Local 896's deficient internal

⁵ The IIO's charge report, in addition to Mr. Rice's presentation, suggested that Sister Bradley increased her MetroLink allowance because she was jealous of the salary increase

accounting procedures, according to Mr. Rice, Brother Cooper, as Secretary-Treasurer of Local 896, also bore responsibility for them, regardless of his actual knowledge thereof. Tr. 13:2-8. Finally, Mr. Rice argued that Sister Bradley deliberately made a false statement in her sworn testimony during a deposition conducted by the IIO on April 19, 2022, in claiming to have received Executive Board approval for her \$100.00 monthly MetroLink allowance increase when this had not in fact occurred. Tr. 13:9-14:9.

As evidence, Mr. Rice introduced the exhibits from the IIO investigation. Tr. 14:11-13. These included, among other documents, minutes from Local 896's Executive Board meetings; portions of the Charged Parties' respective deposition transcripts; several of the aforementioned EFT forms, including those pertaining to the increased MetroLink allowance payments; and Local 896's bank statement. See Exhs. 1-17. Mr. Rice also called Mr. Hughes as a summary witness, who testified based on his prior review of the IIO exhibits as part of the internal IBT investigation. Tr. 16:17-19; 18:2-5. Thus, on direct examination, Mr. Hughes testified only as to what was contained in the IIO documents; he did not offer his own personal views regarding the charges, the IIO documents, or the subsequent investigation he conducted, *id.*, although he did so on cross-examination, Tr. 49:1-9, and when again called as a witness by the Charged Parties, Tr. 63:1-4.

ii. The Charged Parties' Positions

In response, the Charged Parties, both of whom testified in their own and one another's defense, did not contest that the EFT payments were improperly processed or that

that one of her colleagues, Sister Aida Taboada, had received in May 2017. Exh. C. This argument was underdeveloped, however; neither the charge report nor Mr. Rice presented any evidence, beyond their own bare assertions, indicating such jealousy. Tr. 144:23-25; 145:1-2. Indeed, Sister Bradley testified that the IIO investigators never questioned her at all regarding Sister Taboada's compensation. Tr. 144:14-21. Nor did they ask Brother Cooper any such questions. Tr. 184:3-11. For her part, Sister Bradley flatly denied the existence of any such jealousy. Tr. 143:8-9. Furthermore, Brother Cooper testified that Sister Bradley not only never indicated jealousy of Sister Taboada's raise but consistently championed and supported Sister Taboada in several respects. Tr. 183:22-184:2; 180:4-6. At any rate, undisputed record evidence established that the salaries of Local 896's employees who came from a Local 896 bargaining unit—i.e., a “barn”—such as Sister Bradley, was tethered to the barn from whence they came—in Sister Bradley's case, Miller Brewing Company. Tr. 142:13-16; 178:21-179:20. Thus, when members of the Miller unit received a raise, Sister Bradley received a corresponding raise, Tr. 143:10-12, whereas, by contrast, Local 896 employees who did not come from a union shop, such as Sister Taboada, only received salary increases by vote of the Executive Board, Tr. 142:17-23; 180:4-8. Therefore, as Sister Bradley testified, Sister Taboada's raise had no bearing on Sister Bradley's compensation. Tr. 143:10-15. The Hearing Panel thus finds the allegation that Sister Bradley increased her MetroLink allowance in response to Sister Ibarra's salary increase to be unsupported by the evidence and does not address it further.

the increased MetroLink allowance had not been approved by the Executive Board. On the contrary, Brother Cooper acknowledged that Local 896's EFT procedures were inconsistent with the International Constitution and Local 896's Bylaws. Tr. 166:7-9. He also admitted that, despite having discussed the MetroLink allowance increase with Sister Bradley, he never submitted the matter to an Executive Board vote. Tr. 195:6-20. Sister Bradley agreed that the EFT procedures were deficient. Tr. 88:13-15. She also conceded that she failed to confirm Local 896's Executive Board had actually approved the contested MetroLink allowance increase. Tr. 132:15-16. In fact, she stated that she now knows the Executive Board did not do so. Tr. 101:9-12. The Charged Parties disputed the charges' allegations that this amounted to deliberate misconduct, however. Instead, they insisted that any wrongdoing was merely the understandable, if regrettable, result of oversight, inadvertence, and misunderstanding, which, in their view, is insufficient to sustain the charges or the recommended remedy of suspension and removal from office. Tr. 53:23-54:19; 58:9-10; 61:7-17.

1. Local 896's EFT Procedures

Beginning with the EFT procedures, Brother Cooper argued that he inherited the existing system from his predecessors and was unaware that it was inconsistent with the International Constitution or Local 896's Bylaws until its deficiencies were brought to his attention by the IIO investigators during his deposition in April 2022. Tr. 165:19-25; 185:14-17; Exh. 3. Brother Cooper further asserted that the proper procedures for handling EFTs were vague and unclear, for neither the International Constitution nor Local 896's Bylaws expressly reference EFTs. Tr. 187:2-10. Rather, as he pointed out, the procedures for processing paper checks set forth in the International Constitution (i.e., requiring the signature of two authorized signers) are cross-referenced in the Manual for Secretary-Treasurers and made applicable to EFTs. *See* Exhs. 1, 2, 4.⁶ Indeed, Brother Cooper argued that Local 896 rarely used EFTs; the Local made most of its payments by paper check, and there was no allegation that the Local ever improperly disbursed any funds by check. Tr. 165:9-11; 210:1-5; *see also* Tr. 111:8-9. Augmenting this lack of clarity, in Brother Cooper's telling, was the fact that he never received adequate training with respect to EFTs. Tr. 163:21-164:2. Neither was he immediately provided with documents outlining proper practices, such as the Manual for Secretary-Treasurers. Tr. 164:3-6.

⁶ The International Constitution does not mention electronic payments. Rather, Article XXIII, Section 3 provides that bills paid by a Local Union via check "must bear the signature of any two (2) of the following: the Local Union President, the Local Union Secretary Treasurer, or one (1) other officer or elected Business Agent." Exh. 1. In turn, the Manual for Secretary-Treasurers states in Section 2 that "[d]isbursements may also be processed electronically, but such disbursements are subject to the same authorizations and controls applicable to a disbursement by check." Exh. 2. Local 896's Bylaws also do not expressly reference electronic payments; they similarly require in Section 8(h) only that paper checks bear the signature of two authorized signers. *See* Exh. 4.

In addition, Brother Cooper testified that while Local 896's Trustees review the Local's financial transactions monthly, including EFTs, checks, and other documents, they had never objected to or even mentioned the Local's EFT procedures. Tr. 166:21-22. He further testified that IBT auditors, who reviewed Local 896's finances twice during Brother Cooper's tenure as Secretary-Treasurer, once in 2018 and once in 2022, likewise failed to ever raise any concerns regarding the Local's handling of EFTs. Tr. 167:1-23; 168:14-24. Lastly, Brother Cooper attested that after discovering the deficiencies in Local 896's procedures he took action to ensure the Executive Board corrected them—which occurred via resolution on July 3, 2024, *see* Exh. A—and they are now fully compliant with the International Constitution and Local 896's Bylaws, Tr. 171:2-172:14.

Sister Bradley largely corroborated Brother Cooper's version of events. First, she testified that as bookkeeper she created the EFT form used by Local 896 because no process to document the transactions theretofore existed. Tr. 85:6-11. She also testified that she never received any training, either as bookkeeper or Recording Secretary, regarding EFTs (or the proper procedures for disbursement of union funds in general). Tr. 77:2-21; 78:6-15. Nor did she overlap with her predecessors' tenure in office and thus obtain the benefit of observing their practices. Tr. 76:24-77:1. Moreover, Sister Bradley, like Brother Cooper, testified that she never received the Manual for Secretary-Treasurers, which she stated she did not see until after her IIO deposition in April 2022. Tr. 79:9-13. Thus, Sister Bradley continued, she was unaware that the Local's EFT procedures were non-compliant until such was revealed to her by the IIO investigators, also in her deposition. Tr. 88:13-18. Furthermore, Sister Bradley supported Brother Cooper's testimony that Local 896's procedure for processing paper checks was fully compliant, without any suggestion to the contrary, Tr. 80:24-81:20, Tr. 111:8-9; that neither the Trustees (who reviewed the Local's books monthly), accountants (who reviewed the Local's finances annually), or IBT auditors (who conducted two audits of the Local) identified any concerns regarding its handling of EFTs, Tr. 85:3-86:25; 88:5-12; and that the Local's EFT procedures have been revised and are now compliant with the International Constitution and Local 896's Bylaws, Tr. 88:20-89:16.

2. Sister Bradley's MetroLink Allowance

With respect to the increased MetroLink allowance, Sister Bradley insisted that she believed, based on a conversation she had with Brother Cooper, that the increase would be approved by the Executive Board. Tr. 99:1-18. According to her testimony, as a result of the additional work she had taken on in connection with Local 896's purchase of and relocation into a new building, which required extensive additional travel on top of her existing duties, Tr. 98:8-25, she and Brother Cooper discussed in July 2017 whether the Executive Board would increase her MetroLink allowance. Tr. 99:2-14. In her view, Brother Cooper indicated that the Executive Board would do so. Tr. 99:15-18. Brother Cooper corroborated this testimony; since Sister Bradley's MetroLink allowance did not cover the full amount she paid, he believed it would be appropriate for the Executive Board to increase the allowance, particularly in light of the additional work she had assumed, and he therefore told her he

would take the matter to the Executive Board, according to his testimony. Tr. 174:16-175:19. Ultimately, however, Brother Cooper ascertained through discussion with several Executive Board members that the increase would not likely be approved. Tr. 176:4-15. Consequently, he never brought the matter to a vote. Tr. 176:19-20. He did not report this to Sister Bradley, however, because, according to his testimony, he did not want to disappoint her. Tr. 177:1-2.

Unbeknownst to Brother Cooper, Tr. 177:3-9, Sister Bradley subsequently increased her MetroLink allowance by \$100.00 monthly. Tr. 99:20-23. According to her testimony, she did so under the belief that the increase had been approved by the Executive Board, though Brother Cooper had never outright confirmed as much. Tr. 132:10-14. She did not realize the increase had not been duly approved until it was revealed to her by the IIO investigators. Tr. 101:9-14.⁷ In acting unilaterally, Sister Bradley merely followed the same procedure as she did when the Executive Board initially approved her monthly MetroLink allowance in August 2014. Tr. 92:25-93:13; *see also* Exhs. 9, 10.⁸ Moreover, Sister Bradley testified that she made no effort to conceal the increased payments. On the contrary, she documented the payments on EFT forms every month, *see* Exh. 12, exactly as she had done in the past, *see* Exh. 11. Tr. 100:19-25. These forms, as Sister Bradley was aware, were subsequently reviewed by Local 896's Trustees, none of whom ever raised any issue with them. Tr. 101:1-8. Finally, Sister Bradley testified that she unilaterally discontinued the increase in August 2018 once the move to the new building had been completed and her corresponding additional duties had ceased. Tr. 100:5-9. This reflected her understanding that the increased allowance was intended as compensation for those additional duties. Tr. 100:10-17.

3. Sister Bradley's Refusal to Cooperate with the IIO Investigation

Lastly, as for her alleged refusal to cooperate with the IIO investigation, Sister Bradley argued that she never knowingly made any false statements to IIO investigators. Although

⁷ When Sister Bradley discovered that the increase was not duly approved, she promptly sent a check to Local 896 for the additional allowance she had improperly received—\$1,100.00. Tr. 104:24-25; 177:20-22. To date, that check remains undeposited pending the outcome of these charges by instruction of the IBT. Tr. 103:9-25; 177:23-25.

⁸ In actuality, as reflected in the August 18, 2024, minutes of the Executive Board meeting, the Executive Board approved "a motion to provide a stipend of \$25.00 a week for Darlene Bradley ... for taking mass transit." Exh. 9 (emphasis added). Yet for reasons that remain unclear, this was paid in the form of \$100.00 per month. Tr. 152:1-19; *see also* Exh. 10. \$100.00 per month is not equivalent to \$25.00 per week, however; the former amounts to \$1,200.00 per year, the latter \$1,300.00. *See* Tr. 207:12-18. These underpayments continued until July 3, 2024, when the Executive Board voted to reimburse all Local 896 staff up to \$100.00 per week for public transit, thus officially establishing Sister Bradley's MetroLink allowance as \$100.00 per month. *See* Exh. A. In sum, then, Sister Bradley was underpaid in the amount of \$925.00 between August 18, 2014, and July 3, 2024.

she acknowledged having inaccurately stated in her deposition that the increased MetroLink allowance had been approved by the Executive Board, Tr.109:21-24, this statement, she testified, reflected her sincere belief at the time, Tr. 109:6-9. She further testified that since the IIO investigation had predominantly focused on other matters, most significantly Local 896's purchase of its new union hall, she did not anticipate questions regarding her MetroLink allowance. Tr. 109:10-13. In fact, she stated that the IIO investigators did not reveal to her that the Executive Board had failed to approve the increase until after questioning her about it. Tr. 101:13-14; *see also* Exh. 6. Thus, she argued, not only was she deprived of any opportunity to review documents pertaining to the increase prior to her deposition (and thereby ensure her understanding of the situation was accurate), Tr. 109:14-16, she also did not have any motive to deceive the investigators when the question was asked, Tr. 110:17-24.

In addition to their own testimony, the Charged Parties again called Mr. Hughes as a witness, though this time in his capacity as an IBT investigator. Tr. 63:1-4. Mr. Hughes corroborated Brother Cooper and Sister Bradley's narrative and testified that he agreed, based on his own investigation, with the IBT's assessment that the charges lacked merit. Tr. 69:5-10. Mr. Hughes stated that he believed the IIO investigation was incomplete and limited, Tr. 63:8-64:5, and that he did not believe there was any malfeasance or deliberate misconduct on the part of either of the Charged Parties regarding the MetroLink allowance increase, Tr. 64:16-18. Rather, in his view, Sister Bradley genuinely believed the increase had been properly approved, and Brother Cooper was not aware that Sister Bradley had provided herself the increase, until their respective IIO depositions. Tr. 64:24-65:7. Mr. Hughes further testified that he did not believe Sister Bradley deliberately lied to the IIO at any point in her deposition; he believed she answered all questions in good faith and honestly according to her knowledge at the time. Tr. 65:7-14. These views were based on his review of the IIO documents and his own investigation, including interviews with the Charged Parties. Tr. 70:21-25; 71:1-6.

Following presentation of the evidence, the parties mutually requested submission of written briefs in lieu of closing statements. Tr. 211:17-19. The Hearing Panel granted their request. Tr. 212:1-11. The parties' briefs were duly submitted on June 26, 2025. The arguments made therein did not differ materially from those presented at the hearing.

Findings

Based upon our review of the entire record of this case, including the evidence presented at the hearing and the additional submissions of the parties, we make the following FINDINGS of FACT:

1. While Local 896 rarely used EFTs, the manner in which it processed them at the time of the IIO's investigation was inconsistent with the Manual for Secretary-Treasurers because, although the EFT form created by Sister Bradley provided space for the signature of Brother Cooper and two Trustees, Local 896 failed to ensure the signatures

of two authorized signers were actually received prior to the disbursement of funds.⁹ This procedure, however, was essentially a continuation of the one in place at the time Brother Cooper and Sister Bradley took their respective offices, and neither of them received adequate training regarding EFTs prior to or during their time in office.

2. There is no evidence that Local 896's procedure for processing non-EFT payments (i.e., by paper check) is improper or that non-EFT disbursements have ever been improperly made by Local 896.
3. Local 896 was audited by the IBT on at least two occasions since Brother Cooper's election to office in 2012, first in 2018 and second in 2022. Local 896 cooperated fully with both audits, dutifully providing financial records, checks, EFT forms, Executive Board minutes, and all other documents requested by the auditors. At no point did any of the auditors raise any issues or concerns regarding Local 896's procedure for processing EFTs.
4. At the request of Brother Cooper, Local 896's Executive Board corrected the Local's EFT procedure upon discovering its inadequacy. The current procedure is fully compliant with the International Constitution and Local 896's Bylaws.
5. Local 896's Executive Board approved a MetroLink allowance for Sister Bradley of \$25.00 per week on August 18, 2014. For unknown reasons, however, this allowance was erroneously reported and paid as \$100.00 per month, amounting to a difference of \$100.00 per year. These shortchanged payments continued until July 2024, at which time the Executive Board voted to reimburse all Local 896 staff up to \$100.00 per month for use of public transit and thus enshrined Sister Bradley's MetroLink allowance as \$100.00 per month. Accordingly, Sister Bradley was underpaid a total sum of \$925.00 during this period.
6. Brother Cooper told Sister Bradley in July 2017 that he would request that Local 896's Executive Board approve a \$100.00 per month increase in her MetroLink allowance. This was intended to compensate Sister Bradley for the additional work she had taken on in connection with Local 896's purchase of and relocation to a new building.

⁹ Because both parties assumed Local 896's EFT procedures violated the International Constitution and Local 896's Bylaws, and because, for the reasons set forth below, we find the charges to be without merit in either case, we do not take a position on whether the procedures were in fact violative, given neither the International Constitution nor Local 896's Bylaws expressly reference electronic payments. Neither do we take any view on whether violation of the Manual for Secretary-Treasurers in itself constitutes grounds for charges under Article XIX. Likewise, although the Charging Party mentioned on several occasions Sister Bradley's use of a rubber stamp of Brother Bradley's signature, *see* Tr. 139:1-140:8; Tr. 169:2-170:19, neither the Charging Party nor the IIO alleged that this was improper, and we do not find it to be.

Brother Cooper never made this request to the Executive Board, however, for he discovered that it was unlikely to be approved. He neglected to inform Sister Bradley that the Executive Board had not voted to approve the increase, and Sister Bradley did not otherwise receive notice that it had not done so.

7. Shortly thereafter, unbeknownst to Brother Cooper, Sister Bradley increased her MetroLink allowance by \$100.00 per month beginning the month of July 2017. This was consistent with Local 896's past practice: when the Executive Board initially approved Sister Bradley's MetroLink allowance on August 18, 2014, Sister Bradley, as bookkeeper, unilaterally implemented the resolution in the same manner. Sister Bradley's actions reflected her sincere belief that the increase had been duly approved by the Executive Board. Moreover, Sister Bradley documented each \$200.00 monthly payment in EFT forms, which were reviewed by Local 896's Trustees, precisely as she had done with the initial \$100.00 monthly allowance. At no point did any of the Trustees—or any of the IBT auditors—raise any concerns regarding the increased payments.
8. Upon the completion of Local 896's relocation to its new building in May 2018, Sister Bradley discontinued the increased allowance. This again reflects her belief that the increase was approved as compensation for her additional duties associated with the building purchase and relocation.
9. Sister Bradley did not realize the increase had not been approved until it was revealed to her by the IIO investigators during her deposition. Therefore, her statement that it had been approved, while false, was not intended to deceive the investigators but rather was a sincere statement based on her knowledge at the time. In no other respect did Sister Bradley attempt to or actually mislead the IIO investigators or otherwise impede the investigation.
10. Upon learning that the increase had not been approved, Sister Bradley cut a check to Local 896 for the full amount she had improperly received. Sister Bradley expressly disclaimed any admission of intentional wrongdoing, however; the check was intended merely to make whole Local 896 for payments she had improperly received. That check remains in the possession of the Local but has not yet been deposited pending the outcome of the present charges.

Conclusion and Recommendation

The material facts of this case are in many respects uncontested. These facts standing alone are insufficient to resolve the charges, however, for at bottom the charges turn on the question of intent, and on that question the parties sharply diverge. The Charging Party argues that Brother Cooper and Sister Bradley knowingly engaged in deliberate misconduct, amounting to fraud and embezzlement of Local 896's funds; the Charged Parties insist that

their actions were the inadvertent consequence of miscommunication and misunderstanding. We find persuasive the evidence presented by the Charged Parties, including their highly credible testimony as well as the credible testimony of Mr. Hughes in his capacity as IBT investigator. Therefore, we find that there is insufficient evidence to sustain the charges and that they should be dismissed.

To begin with, despite a yearslong IIO investigation and multiple IBT audits, there was no allegation or evidence that Local 896 had ever made improper or unauthorized payments by paper check, even though most of its funds were disbursed in this manner. This evinces honesty, integrity, and good faith on the part of Local 896's Executive Board, including Brother Cooper and Sister Bradley. Second, the record is clear that neither Brother Cooper nor Sister Bradley received adequate training regarding EFTs, and the requirements for EFTs set forth in the International Constitution, Manual for Secretary-Treasurers, and Local 896's Bylaws are less than a portrait of clarity, particularly to those without proper training. Indeed, both Local 896's Trustees and multiple IBT auditors also failed to notice the Local's improper handling of EFTs, despite their unencumbered access to its books and financial records. Moreover, upon learning about these improprieties, both Charged Parties moved to rectify them: Brother Cooper ensured that Local 896's Executive Board corrected its EFT procedures, and Sister Bradley delivered a check to the Local reimbursing the full amount she believed she had improperly received. These actions further indicate good faith and honest dealing.

Perhaps most persuasively, the record also is clear that Sister Bradley took no action to conceal the increased MetroLink allowance payments. On the contrary, Sister Bradley dutifully and diligently recorded each monthly payment in an EFT form—the very form she created in the first place to bring transparency and clarity to Local 896's EFT procedures, which were theretofore nonexistent. Sister Bradley believed this to be the proper procedure at the time, and she also knew the forms would be reviewed by Local 896's Trustees monthly. In fact, this very documentation is likely the reason the IIO investigators discovered the improper payments during their unrelated investigation. Moreover, Sister Bradley unilaterally discontinued the increased allowance once Local 896's transition into its new union hall was completed, which lends credence to her stated belief that the increase was designed as compensation for the additional duties she assumed in connection with the relocation. The undisputed evidence that Sister Bradley made a careful effort to properly document her increased MetroLink allowance and then ceased the increased payments once she believed approval for them had expired strongly undermines any notion that she intended to defraud or embezzle funds from the Local or otherwise acted with any malintent.

Lastly, it must be noted that Brother Cooper and Sister Bradley were both reelected by Local 896's membership after the disclosure of the allegations in these charges. The membership's faith in Brother Cooper and Sister Bradley, notwithstanding the serious accusations they faced, is a further and powerful endorsement of their responsible and honest stewardship of the Local's affairs. After carefully and thoroughly reviewing all the evidence

in the record, we do not find any reason to second-guess the judgement Local 896's membership has expressed regarding the Charged Parties' character and leadership.

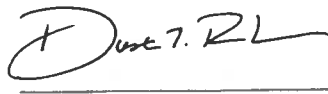
There is no question the Charged Parties made mistakes. Both are guilty of relying on flawed assumptions, failing to communicate effectively, and overlooking errors in Local 896's financial practices. But these mistakes are not malicious or inexcusable; indeed, the record evidence shows that mistakes were made by many other parties as well, including the IBT auditors and the IIO investigators. More importantly, the charges do not allege that Brother Cooper or Sister Bradley merely engaged in miscommunication or carelessness; they contend that the Charged Parties intentionally defrauded the Local and its members and deliberately attempted to conceal their wrongdoing. These are grave allegations, and they are simply not supported by the evidence in the record.

The purpose of Article XIX is to identify and rectify nefarious and destructive conduct, not to punish relatively inconsequential mistakes, oversights, or omissions. After all, we do not demand perfection from our Union brothers and sisters; we demand honesty, integrity, and sincerity. Given our findings that neither Brother Cooper nor Sister Bradley failed to display those qualities here, we do not believe disciplining them would be consistent with the International Constitution or the values of our Union. We certainly do not find warranted the drastic requested remedy of suspension from the IBT and removal from office, which would disrespect the democratically expressed will of Local 896's membership and thus degrade the fundamental tenets of Local Union democracy and autonomy upon which this Union is premised. *See* Preamble of the International Constitution.

Still, it is uncontradicted that, even if merely inadvertent, Local 896's funds were disbursed without proper authorization. The Local should be made whole for these improper transactions. Therefore, we recommend that Sister Bradley be ordered to repay in full the unauthorized MetroLink allowance she received from July 2017 until May 2018, less the amount her duly approved MetroLink allowance was underpaid between August 18, 2014, and July 3, 2024, for a total reimbursement of \$175.00. In addition, we recommend that both Brother Cooper and Sister Bradley be advised to ensure that Local 896's financial practices are compliant with the International Constitution and Local 896's Bylaws at all times moving forward. Mistakes that were excusable once may not be so excusable a second time, particularly after proper training and warning.



Marcus Williams, Chair



Dustin Roach



Robert Mele

Date: July 24, 2025