

INDEPENDENT DISCIPLINARY OFFICERS

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Independent Review Officer
Hon. Barbara S. Jones (Ret.)

Independent Investigations Officer
Robert D. Luskin, Esq.

March 11, 2025

Via Electronic Mail

David Suetholz
General Counsel
International Brotherhood of Teamsters
25 Louisiana Avenue, N.W.
Washington, DC 20001

Re: *Settlement of Charges Against Phil Cooper and Darlene Bradley of Local 896*

Dear Mr. Suetholz:

On June 24, 2024, I received the Charge Report from the Independent Investigations Officer (“IIO”) recommending charges against Phil Cooper, Secretary-Treasurer of Local 896, and Darlene Bradley, the bookkeeper for Local 896.¹ On November 25, 2024, pursuant to Paragraph 32 of the of the Final Agreement and Order (“Final Order”), approved on February 17, 2015, in *United States v. International Brotherhood of Teamsters*, et. al., 88 Civ. 4486 (LAP), the IBT submitted a report of its investigation into the IIO’s allegations contained in the Charge Report along with proposed settlements for Bradley and Cooper. On December 23, 2024, the IIO submitted its opposition to the settlement proposals and, on December 24, 2024, the IBT submitted a reply.

Pursuant to Paragraph 36 of the Final Order, I write to notify you of my determination that the proposed settlements are “inadequate.”

Charges

The Charge Report alleges, among other things, that Darlene Bradley disbursed union funds totaling more than \$1,100 to herself for her own personal benefit without proper authorization or union purpose. It was also alleged that Ms. Bradley lied to investigators during her sworn deposition regarding the payments she made to herself. In addition, Ms. Bradley was

¹ There are 26 procedural and evidentiary exhibits supporting the Charge Report, including deposition transcripts of the charged parties, meeting minutes, and various financial forms.

charged with failing to comply with proper union internal accounting controls by making over \$1.5 million in electronic funds transfers (“EFT”) on behalf of the union without first obtaining proper sign offs and authorizations from Local 896 officers.

Secretary-Treasurer Phil Cooper, who serves as the local’s chief financial officer and is a fiduciary over its finances, was charged with failing to ensure that Ms. Bradley made disbursements in accordance with proper union accounting procedures and generally failed to maintain proper internal controls over Local 896’s treasury.

Findings

After receiving the Charge Report in this matter, the IBT elected to conduct its own separate investigation into the allegations because its “initial review of the evidence attached to the Charge Report deserved a more thorough investigation.” *See* IBT Letter dated November 25, 2024 at 1. Based on its investigation, the IBT found that certain new information it obtained contradicts the IIO’s evidence and asserts that the “evidence provided by the IIO in support of its Charge Report was insufficient to successfully present the charges to a hearing committee.” *Id.* The IBT now seeks to settle the charges.

The IIO objects to the proposed settlement agreements because the IBT failed to follow the procedural requirements set out in the Final Order. In addition, the IIO notes that most of the evidence upon which the IBT relies has not been fully disclosed or properly examined. *See* IIO Letter dated December 23, 2024 and IBT Response dated December 24, 2024. I agree with the IIO.

After the IIO refers a Charge Report to the IBT, the union is required to “promptly take whatever action is appropriate in the circumstances and shall, within ninety (90) days of the referral, make written findings setting forth the specific action taken and the reasons for that action.”² Final Order at ¶ 32. The Independent Review Officer (“IRO”) has the “authority to review IBT disciplinary decisions in matters referred by the IIO.” *Id.* at ¶ 33. If the IRO determines that the union has not pursued the matter in a lawful, responsible or timely manner, or that a decision is inadequate in the circumstances, the appropriate union entity shall be so notified. *Id.*

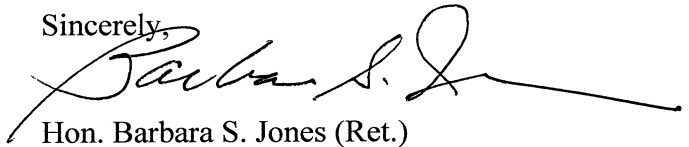
The Final Order requires the IBT to maintain an effective and independent disciplinary enforcement mechanism. *See* Final Order at ¶ 25. The IBT typically conducts a panel hearing to determine whether the IIO’s allegations are substantiated, or it may attempt to settle with the parties to resolve the charges. While the IBT is authorized to conduct investigations into charges referred to it by the IIO, the purpose of the Final Order is to ensure that the charges are fully and fairly heard or resolved.

² The IBT was granted an extension to November 25, 2024 to submit written findings to the IRO with respect to the charges.

Here, the IBT did not hold a hearing and, in an effort to settle the charges, made its own determinations about the merits of the IIO's allegations without the benefit of a full and thorough examination of the evidence. Based on this record, I find that the new information the IBT obtained through its own investigation has not been sufficiently presented for consideration or evaluation, and I am unable to determine whether the proposed settlement agreements are reasonable. Accordingly, pursuant to Paragraph 36 of the Final Order, I find the proposed settlements "inadequate."

The IBT shall promptly convene a hearing panel so that a proper evaluation of all the evidence can be made. Following the panel's determination on the merits of the charges, I will then assess the adequacy of any disciplinary decision. Please inform me of your decision on how you would like to proceed no later than March 18, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara S. Jones", with a long horizontal flourish extending to the right.

Hon. Barbara S. Jones (Ret.)
Independent Review Officer

cc: Robert D. Luskin, Esq.
Jeffrey J. Ellison, Esq.
Brian T. Kelly, Esq.
Joshua C. Sharp, Esq.