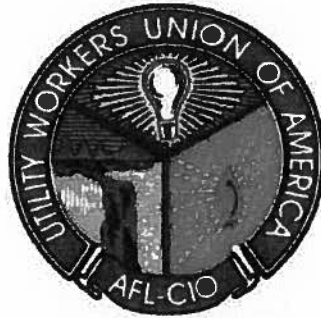


UTILITY WORKERS UNION OF AMERICA



Re: Internal Union Complaints
Of Misconduct During The
Local 132 Transition Election

DECISION AND ORDER **UWUA NATIONAL EXECUTIVE BOARD**

June 24, 2010

On May 11, 2010, the Local 132 Review Committee conducted a lengthy hearing on multiple complaints of election misconduct by Mark Moore and others against Helen Olague-Pimentel and the other candidates on the Unity & Justice slate. On May 21, 2010, the Review Committee issued its Decision and Order, a copy of which is attached. Ms. Olague-Pimentel and Mr. Moore each appealed from the Review Committee Decision. The Executive Board considered all of the issues raised by Ms. Olague-Pimentel and Mr. Moore in their respective appeals.¹ A few of their appeal arguments warrant discussion.

Ms. Olague-Pimentel's appeal is based primarily on the argument that her misconduct did not cause harm because: (1) the Local 132 Trustee cancelled the Transition Election; and (2) Ms. Olague-Pimentel subsequently distributed campaign literature requesting members to discard her previous mailing. This argument is without merit. Significant time and resources were expended on the cancelled Transition Election. More importantly, Ms. Olague-Pimentel's misconduct damaged one of the major purposes of the trusteeship and one of the primary goals of Local 132 -- to produce unity among the membership of Local 132.

Mr. Moore challenged the finding that the other members of the Unity & Justice slate did not support or condone Ms. Olague-Pimentel's misconduct. This argument is without merit. Ms. Olague-Pimentel testified she was solely responsible for the distribution of the disputed campaign literature. There was overwhelming record evidence to support the Review Committee's finding that the other members of the Unity & Justice slate had no prior knowledge of and did not support Ms. Olague-

¹Executive Board Members John Duffy, Noel Christmas, James Anderson and Robert Farrell did not participate in the deliberation or decision of the National Executive Board.

Pimentel's misconduct. Mr. Moore also protested the failure of the Local 132 Trustee to comply with Mr. Moore's demand to produce countless witnesses and voluminous documents for Mr. Moore's use at the hearing. That argument is without merit. In matters of UWUA internal governance, it is the responsibility of a complainant to produce witnesses and documents in support of his/her allegations.

Both appellants object to the establishment of the Local 132 Review Committee on the grounds that these should have been a "trial committee" to hear "charges" and not a review committee to hear "election complaints." These objections are without foundation. Whether Mr. Moore and the other complainants characterized their allegations as "charges" or "as election complaints" does not control the nature of process under UWUA governance. All of the allegations raised issues of misconduct during the course of an election. Therefore, as a matter of substance, those allegations were properly treated as complaints of election misconduct. Moreover, in the special circumstances of Local 132, there was no Local Executive Board. It was well within the authority of the National to appoint a Review Committee of impartial members from outside Local 132 to process complaints in a prompt, fair and impartial manner. Further, the Review Committee's Decision was subject to an appeal to the National Executive Board -- the highest authority of the UWUA between Constitutional Conventions.

For the sake of completeness, the National Executive Board has determined to amend the Order of the Review Committee by stating the names of the accused members who were found not guilty of misconduct. Being otherwise fully advised in all relevant aspects of this matter, the National

Executive Board affirms the Decision and Order of the Review Committee as amended. The Amended Order is set forth below.

AMENDED ORDER

- A. The complaints by Mr. Moore and the Other Complainants that Ms. Olague-Pimentel engaged in election misconduct by distributing the Disputed Campaign Literature to virtually every member of Local 132 are meritorious and are sustained. This serious act of election misconduct requires serious remedial action. Accordingly, Ms. Olague-Pimentel is prohibited from holding office in Local 132 until April 1, 2013.
- B. The complaints that all the other members of the U&J slate acquiesced in Ms. Olague-Pimentel's distribution of the Disputed Campaign Literature are without merit and are dismissed. Accordingly, Alex Ahumada, Ken Balderama, Oscar Barrio, Milton Davis, Armando Garcia, Robert Hoffman, Nancy Logan, Tracey Martin, Mike McDuffie, Ken Morris, Rich Reyes, Alex Robles and Javier Salas are **not guilty** of election misconduct.
- C. The complaints that Ms. Olague-Pimentel used Union resources to distribute U&J slate campaign literature, and that the other members of the U&J slate acquiesced in such misconduct, are without merit and are dismissed.
- D. The complaints that Ms. Olague-Pimentel misappropriated Local 132 membership mailing data, and that the other members of the U&J slate acquiesced in such misconduct, are without merit and are dismissed.

National Executive Board

By: _____ /s/
Gary M. Ruffner, Secretary-Treasurer

Dated: June 24, 2010

SERVICE

This Decision And Order is being served by UPS overnight mail on Ms. Olague-Pimentel and Mr. Mark Moore.

UWUA LOCAL 132 REVIEW COMMITTEE

CONSOLIDATED HEARING ON
INTERNAL UNION COMPLAINANTS
OF MISCONDUCT DURING THE
2010 TRANSITION ELECTION

Local 132 Review Committee:

Noel Christmas, Chair
James Anderson
Robert Farrell

May 21, 2010

Main Complainant:

Mark A. Moore

Other Complainants:

Jeff Anthony
Corrine M. Arechiga
Rhodesia Ashley
Michael Barber
Christie L. Black
Janet S. Davie
Christine DeAmicis
Nicholas Greet
Edward R. Gularte, Jr.
Sophia Jaso
Lynn A. Lauchlan
Caesar Melchor
Garry L. Mitchell
Abram Moya, Jr.
Dennis E. Phipps
Helena-Fonscea Piler
Bridgett Thomas
Ellyn M. Wong

Main Accused:

Helen Olague-Pimentel

Other Accused:

Alex Ahumada
Ken Balderama
Oscar Barrio
Milton Davis
Armando Garcia
Robert Hoffman
Nancy Logan
Tracey Martin
Mike McDuffie
Ken Morris
Rich Reyes
Alex Robles
Javier Salas

DECISION OF THE LOCAL 132 REVIEW COMMITTEE

I. INTRODUCTION

This is the decision of the Utility Workers Union of America Local 132 Review Committee following a Consolidated Hearing regarding certain matters. The Local 132 Review Committee is comprised of Noel Christmas, Chair, Robert Farrell and James Anderson. The Consolidated Hearing was the result of 37 filings by 19 different Complainants. All the filings allege misconduct in connection with the Local 132 Transition Election, and several of the filings sought remedial action with respect to the election such as dissolving the Unity & Justice (U&J) slate or barring Ms. Olague-Pimentel from holding office in Local 132. Accordingly, the complaints that were determined to warrant hearing were consolidated for a single hearing. The matters which were the subject of the Consolidated Hearing are listed below.

1. The complaints by Mr. Moore, Mr. Anthony, Ms. Arechiga, Ms. Ashley, Mr. Barber, Ms. Black, Ms. Davie, Ms. DeAmicis, Mr. Greet, Mr. Gularte, Ms. Jaso, Ms. Lauchlan, Mr. Melchor, Mr. Mitchell, Mr. Moya, Mr. Phipps, Ms. Piler, Ms. Thomas and Ms. Wong that Ms. Olague-Pimentel engaged in misconduct by distributing the 7/17/09 letter as part of the U&J campaign literature are scheduled for hearing.
2. The complaints by Mr. Moore, Mr. Anthony, Ms. Arechiga, Ms. Ashley, Mr. Barber, Ms. Black, Ms. Davie, Ms. DeAmicis, Mr. Greet, Mr. Gularte, Ms. Jaso, Ms. Lauchlan, Mr. Melchor, Mr. Mitchell, Mr. Moya, Mr. Phipps, Ms. Piler, Ms. Thomas and Ms. Wong that the candidates on the U&J slate acquiesced in the distribution of the 7/17/09 letter as part of the U&J campaign literature are scheduled for hearing. The Accused are Mr. Ahumada, Mr. Balderama, Mr. Barrio, Mr. Davis, Mr. Garcia, Mr. Hoffman, Ms. Logan, Ms. Martin, Mr. McDuffie, Mr. Morris, Mr. Reyes, Mr. Robles and Mr. Salas.
3. The complaint by Mr. Moore that Ms. Olague-Pimentel used union resources to distribute U&J campaign literature is scheduled for hearing.
4. The complaint by Mr. Moore that each of the other candidates on the U&J slate acquiesced in the use of union resources to distribute U&J campaign literature is scheduled for hearing. The Accused are Mr. Ahumada, Mr. Balderama, Mr. Barrio, Mr. Davis, Mr. Garcia, Mr. Hoffman, Ms. Logan, Ms. Martin, Mr. McDuffie, Mr. Morris, Mr. Reyes, Mr. Robles and Mr. Salas.

5. The complaints by Mr. Moore, Mr. Anthony, Ms. Arechiga, Ms. Ashley, Mr. Barber, Ms. Black, Ms. Davie, Ms. DeAmicis, Mr. Greet, Mr. Gularte, Ms. Jaso, Ms. Lauchlan, Mr. Melchor, Mr. Mitchell, Mr. Moya, Mr. Phipps, Ms. Piler, Ms. Thomas and Ms. Wong that Ms. Olague-Pimentel misappropriated Local 132 membership mailing data to distribute campaign literature are scheduled for hearing.
6. The complaints by Mr. Anthony, Ms. Arechiga, Ms. Ashley, Mr. Barber, Ms. Black, Ms. Davie, Ms. DeAmicis, Mr. Greet, Mr. Gularte, Ms. Jaso, Ms. Lauchlan, Mr. Melchor, Mr. Mitchell, Mr. Moya, Mr. Phipps, Ms. Piler, Ms. Thomas and Ms. Wong that a majority of the U&J slate acquiesced in the misappropriation of the Local 132 membership mailing data are scheduled for hearing. The Accused are Mr. Ahumada, Mr. Balderama, Mr. Barrio, Mr. Davis, Mr. Garcia, Mr. Hoffman, Ms. Logan, Ms. Martin, Mr. McDuffie, Mr. Morris, Mr. Reyes, Mr. Robles and Mr. Salas.

II. PROCEEDINGS

On about March 20, 2010, Mark Moore (the Main Complainant) filed separate complaints against 17 individuals including Ms. Olague-Pimentel (the Unity & Justice slate candidate for President) and the 13 other Unity & Justice slate candidates for office. On about March 22, 2010 and various dates thereafter, 18 Other Complainants each filed a complaint against Ms. Olague-Pimentel and the 13 other members of the U&J slate. These filings by the 18 Other Complainants were all identical or similar.¹

On March 26, 2010, the Local 132 Trustee cancelled the Transition Election. On April 5, 2010, National President D. Michael Langford, due to the special circumstances of Local 132, appointed this Review Committee to process the multiple complaints alleging misconduct in connection with the Transition Election. President Langford notified the parties as follows:

¹Mr. Moore and 6 of the Other Complainants were candidates for office on the Together We Can Slate. Seven candidates on the Together We Can Slate were not party to any of the complaints – a point that some members of the Together slate in attendance wanted the record to reflect.

The hearing took place as scheduled on May 11, 2010, and it lasted from approximately 4:15 p.m. to 11:30 p.m. Complainants Mark Moore, Corrine Arechiga, Rhodesia Ashley, Michael Barber, Edward Gulatre, Jr., Abram Moya, Jr. and Ellyn Wong attended the hearing. Mr. Gularte left prior to the close of the hearing for medical reasons. Complainants Jeff Anthony, Christie Black, Janet Davie, Christine DeAmicis, Nicholas Greet, Sophia Jaso , Lynn Lauchlan, Caesar Melchor, Gary Mitchell, Dennis Phipps, Helena-Fonscea Piler and Bridgett Thomas did not attend the hearing. Mr. Moore presented a letter from Mr. Phipps authorizing Mr. Moore to represent Mr. Phipps. Mr. Moya stated that he was authorized to represent Mr. Anthony, Ms. Black, Mr. Greet, Ms. Jaso, Mr. Melchor, Mr. Mitchell and Ms. Piler.

Mr. Moore, the Main Complainant, represented himself with the assistance of Ms. Ashley. The 18 Other Complainants selected Ms. Ashley, Mr. Barber and Mr. Moya to present evidence and arguments in support of their respective complaints which were all similar or identical.

Accused members Alex Ahumada, Ken Balderama, Oscar Barrio, Milton Davis, Robert Hoffman, Nancy Logan, Tracey Martin, Mike McDuffie, Helen Olague-Pimentel, Rich Reyes, Alex Robles and Javier Salas attended the hearing. Accused members Armando Garcia and Ken Morris were unable to attend because they were on vacation. Each submitted a letter stating his position on the hearing matters applicable to him. Accused member Oscar Barrio left the hearing about 10:00 p.m. for medical reasons. At that time, Mr. Barrio submitted a letter stating his position on the hearing matters applicable to him.

The Consolidated Hearing was conducted as a matter of internal union governance under the Local 132 By-Laws and the National Constitution. Each party was provided an opportunity to make an opening statement, to present witnesses and evidence, to cross-examine witnesses, to present rebuttal evidence and to make a closing statement. The Review Committee introduced Joint

Exhibits 1 through 45 together with an Index of Joint Exhibits. The Complainants presented testimony and arguments and introduced Complainants Exhibits 1 through 15. The Accused presented testimony and arguments and introduced Accused Exhibits 1 through 8.

The hearing was transcribed by a court reporter who prepared an expedited transcript of the proceedings. As explained at the hearing, any party was able to purchase a copy of the transcript from Local 132 for a nominal fee.

III. THE RELEVANT FACTS

The relevant facts are, for the most part, undisputed.

Local 132 is in trusteeship. A mail ballot Transition Election for all officers of Local 132 was underway during March of 2010. Two different slates were nominated for the offices of President, Secretary-Treasurer, Business Agent and 11 Regional Officers - - the Unity & Justice slate and the Together We Can slate. There were also individual candidates for President, Secretary-Treasurer, Regional Officer for Call Centers, Regional Officer for North Coast and for 3 Trustee positions.

Ms. Olague-Pimentel was the candidate for President on the U&J slate. Mr. Moore was the candidate for Secretary-Treasurer on the Together We Can slate. At all relevant times, Ms. Olague-Pimentel was an employee (not an officer) of Local 132.

In about July of 2009, Ms. Olague-Pimentel received a letter from Mr. Moore at the office of Local 132. Mr. Moore's letter was dated July 17, 2009. Ms. Olague-Pimentel testified that she considered the July 17, 2009 letter a personal letter to her. She stated that she took the letter to her home; that she made a copy of the letter at her home; that she kept a copy of the letter at home; and that she took a copy of the letter to Local 132. Ms. Olague-Pimentel explained that she considered

the letter "personal" because it was addressed to her; and that she took the letter home because it contained a compliment about her.

At some unspecified time, Ms. Olague-Pimentel apparently drafted two different pieces of literature. One, titled "Helen Olague-Pimentel for President," attached and commented on Mr. Moore's July 17, 2009 letter and urged members to "Vote The U&J Slate." This literature, hereafter called the "Disputed Campaign Literature," is attached as Complainants Exhibit 3. The other is titled "To All Local 132 Members Revised Campaign Communication." This literature, hereafter called "Revised Campaign Literature," is attached as Complainants Exhibit 7.

According to Ms. Olague-Pimentel, in March 2010 she had both the Disputed Campaign Literature and the Revised Campaign Literature at her home. She picked up the Disputed Campaign Literature by "mistake" and "in error." She had about 4000 copies made. She took the copies to Oxford Mailers and she made arrangements to have the Disputed Campaign Literature mailed to Local 132 members.² March 14, 2010 appears to be the date the Disputed Campaign Literature was mailed to members.

Ms. Olague-Pimentel testified that shortly thereafter she realized that she had mistakenly distributed the Disputed Campaign Literature. She modified her other piece of campaign literature by adding the words "Revised Campaign Communication" to the title and by adding the following introductory statement: "(Please discard or destroy the communication received earlier this week - That communication was sent due to clerical error and should never have been mailed!)" Ms. Olague-Pimentel had copies made, and she made arrangements to have Oxford Mailers mail the

²Transition Election Guidelines provided a procedure for candidates to distribute literature at their expense utilizing Oxford Argonaut Mailers. Oxford Mailers was required to maintain strict confidentiality of Local 132's member mailing data.

Revised Campaign Literature to Local 132 members. March 16, 2010 appears to be the date the Revised Campaign Literature was mailed to members.

On March 16, 2010, the Local 132 Trustee removed Ms. Olague-Pimentel as an employee of Local 132. About March 20, 2010, or shortly thereafter, Mr. Moore lodged separate complaints of misconduct in connection with the Transition Election against Ms. Olague-Pimentel and 16 other individuals. About March 22, 2010 and various dates thereafter, the 18 Other Complainants each filed a complaint against Ms. Olague-Pimentel and the 13 other members of the Unity and Justice Slate. On March 26, 2010, the Local 132 Trustee cancelled the Transition Election, explaining that, “[The] widespread and serious and allegations of election misconduct must be resolved before Local 132 can have a unifying and orderly transition to autonomy.”

At the hearing, Ms. Olague-Pimentel steadfastly maintained that no other members of the Unity and Justice Slate had any knowledge of the Disputed Campaign Literature or participated in any way in the preparation or distribution or financing of the Disputed Campaign Literature. Ms. Olague-Pimentel insisted that she, and she alone, was responsible for the Disputed Campaign Literature.

- “I take full responsibility for my mistake.”
- “I wrote the letter, . . . I wrote the letter.”
- “These [other U&J] candidates were not aware and have no knowledge of the letter nor did they know I sent out the letter in error.”
- “I sincerely owe the National and the slate and Mr. Mark Moore a sincerely apology for this error. I cannot do any more to correct it. It went out. I tried to do my best by sending out the correction letter.”
- “Mark, I made a mistake in sending that letter out. I apologize for that. I made a mistake, Mark.”

IV. DISCUSSION

The complaints that Ms. Olague-Pimentel's distribution of the Disputed Campaign Literature to the members of Local 132 constituted election misconduct under the Local 132 By-Laws and the National Constitution are meritorious. This action plainly damaged a primary objective of Local 132 -- "to unite all members" -- and brought disrepute to the Union. The distribution of the Revised Campaign Literature two days later, on March 16, 2010, was insufficient to undo the harm caused by the Disputed Campaign Literature.

Even if the distribution of the Disputed Campaign Literature was "in error," the fact that Ms. Olague-Pimentel admittedly put herself in the position to make such an "error" cannot be excused. Union members, including candidates for office, have broad free speech rights under the governing documents of Local 132 and the National UWUA. Our Union does not censor or stifle election speech by members. However, at some extreme point, "speech" can cross the line from negative and even disparaging spoken words or writings or images to misconduct which undermines our Union. And Ms. Olague-Pimentel's distribution of the Disputed Campaign Literature to virtually every member of Local 132 crossed that line.

The complaints that the other members of the U&J slate "acquiesced" in this misconduct by Ms. Olague-Pimentel are not meritorious. Ms. Olague-Pimentel testified, without contradiction, that she alone was responsible for every aspect of both the Disputed Campaign Literature and the Revised Campaign Literature -- writing, copying, financing and mailing. Ms. Olague-Pimentel testified that no other member of the U&J slate even knew about the Disputed Campaign Literature prior to its mass mailing about March 14, 2010.

The 10 Accused members of the U&J slate who attended the hearing each testified that he/she had no prior knowledge of the Disputed Campaign Literature and did not support or condone

the Disputed Campaign Literature. Mr. Barrio, who had to leave the hearing before he could testify, and Mr. Garcia and Mr. Morris, who could not attend the hearing, each submitted a handwritten statement to the same effect.

The only possible fact issue regarding the Disputed Campaign Literature arises from an email from a Mr. Gonzales to Mr. Moore that, in early March, Mr. Gonzales allegedly heard Ms. Logan mention Mr. Moore's July 17, 2009 letter, and from four identical canned statements by members that Mr. Moore obtained on May 7, 2010 listing alleged comments by Ms. Logan and Mr. Robles on March 22, 2010 (after the distribution of the Disputed Campaign Literature) indicating knowledge of Mr. Moore's July 17, 2009 letter. Ms. Logan acknowledges that, through her work on the Local 132 grievance committee, she had previously seen a copy of Mr. Moore's July 17, 2009 letter; but she denied having anything to do with the Disputed Campaign Literature. Mr. Robles denied having anything to do with the Disputed Campaign Literature. The four identical canned statements, while somewhat confusing, actually tend to support Ms. Logan's and Mr. Robles' testimony that they did not support or condone Ms. Olague-Pimentel's distribution of the Disputed Campaign Literature.

The Complainants argued that the other members of the U&J slate "acquiesced" in Ms. Olague-Pimentel's misconduct, because they did not remove themselves from the U&J slate or apologize to Mr. Moore or broadcast their disagreement with Ms. Olague-Pimentel's actions to the entire Local 132 membership.³ The sequence of events and the facts do not support this argument. Under the Election Guidelines, slates could not be changed after the close of nominations; and AAA

³One of the accused members of the U&J slate did immediately express her regrets to Mr. Moore, and it is clear that some of the members of the U&J slate expressed to other Local 132 members their disagreement with Ms. Olague-Pimentel's actions.

had already finalized and printed ballots by mid-March 2010. The Disputed Campaign Literature was mailed on about March 14, 2010. On March 16, 2010, the Revised Campaign Literature was mailed. On March 16, 2010, the Local 132 Trustee removed Ms. Olague-Pimentel as an employee of Local 132. On about March 20, 2010, Mr. Moore lodged a formal complaint against Ms. Olague-Pimentel and each of the other 13 members of the U&J slate. Soon thereafter, the Other Complainants filed complaints against Ms. Olague-Pimentel and the entire U&J slate. On March 26, 2010, the Transition Election was cancelled.

Under the Local 132 By-Laws, the other members of the U&J slate had no institutional authority or responsibility to address Ms. Olague-Pimentel's misconduct. As a practical matter, the other members of the U&J slate had no opportunity to address Ms. Olague-Pimentel's misconduct. Retraction, employment action, complaints, and election cancellation occurred within days of the members' receipt of the Disputed Campaign Literature.

To establish acquiescence in another person's misconduct requires proof of support or condonation or assent to such misconduct. The record contains no such proof. The Complainants plainly did not satisfy their burden of proof that the other members of the U&J slate had something to do with, or could have done anything about, Ms. Olague-Pimentel's misconduct in distributing the Disputed Campaign Literature.⁴

⁴ Complaints of "acquiescence" in Ms Olague-Pimentel's misconduct are not at all comparable to the National Executive Committee's findings that the Local 132 Executive Board acquiesced in misconduct in the trusteeship case. In this case, as noted, the other members of the U&J slate had no institutional responsibility to address Ms. Olague-Pimentel's misconduct; and they did not in any way support or condone her misconduct. In the trusteeship case, the National Executive Committee issued a Decision in which it found that the Local 132 Board did have institutional authority and responsibility to address the Local President's violations of democratic practices and financial malpractice. And the National Executive Committee found that, instead of addressing the Local President's misconduct, some members of the Local 132 Board (over the protests of their colleagues) actively condoned and even supported the Local President's misconduct for many months.

The complaints by Mr. Moore that Ms. Olague-Pimentel used union resources to distribute U&J campaign literature, and that the other members of the U&J slate acquiesced in such misconduct, are without factual support. The record evidence is that Ms. Olague-Pimentel used personal equipment and personal money to duplicate and distribute campaign literature.

The complaints by Mr. Moore and the Other Complainants that Ms. Olague-Pimentel misappropriated Local 132 membership mailing data, and that the other members of the U&J slate acquiesced in such misconduct, are without factual support. The record evidence is that Ms. Olague-Pimentel did not take the Local 132 membership mailing data, which remained in the custody of Local 132 and Oxford Mailers. Ms. Olague-Pimentel arranged for Oxford Mailers to distribute campaign literature using the membership mailing data provided to Oxford Mailers (not to Ms. Olague-Pimentel) by Local 132.⁵

V. FINDINGS AND CONCLUSIONS

For the foregoing reasons and based on the entire record, the Local 132 Review Committee makes the findings and conclusions set forth below with respect to the six matters which were the subject of the Consolidated Hearing.

- A. The complaints by Mr. Moore and the Other Complainants that Ms. Olague-Pimentel engaged in election misconduct by distributing the Disputed Campaign Literature to virtually every member of Local 132 are meritorious and are sustained. This serious act of election misconduct requires serious remedial action. Accordingly, Ms. Olague-Pimentel is prohibited from holding office in Local 132 until April 1, 2013.

⁵ On one occasion, Ms. Olague-Pimentel arranged for the distribution of campaign literature directly with Oxford Mailers without first submitting a written request to Local 132 as provided in the Transition Election Guidelines. This breach of protocol did not constitute misappropriation of the Local 132 membership mailing data, which remained in the exclusive custody of Local 132 and Oxford Mailers.

- B The complaints that all the other members of the U&J slate acquiesced in Ms. Olague-Pimentel's distribution of the Disputed Campaign Literature are without merit and are dismissed.
- C The complaints that Ms. Olague-Pimentel used Union resources to distribute U&J slate campaign literature, and that the other members of the U&J slate acquiesced in such misconduct, are without merit and are dismissed.
- D The complaints that Ms. Olague-Pimentel misappropriated Local 132 membership mailing data, and that the other members of the U&J slate acquiesced in such misconduct, without merit and are dismissed.

Local 132 Review Committee

/s/
Noel Christmas, Chair

/s/
James Anderson

/s/
Robert Farrell

Service and the Right of Appeal

A copy of this Decision is being served by UPS Overnight Mail on each of the parties. Any party aggrieved by this Decision may appeal to the National Executive Board in writing within 30 days after the mailing date of this Decision.