

INDEPENDENT REVIEW BOARD  
Meeting Minutes  
July 12, 1995

ID-138  
ID-176  
ID-185  
FD-262  
ID-463

The Independent Review Board met at their Washington, D.C. office on Wednesday, July 12, 1995. Attending were Mr. Crandall, Judge Lacey, Judge Webster, Mr. Carberry and Mr. Cronin.

1. Review and Approval of June Meeting Minutes.

The Board reviewed, corrected and approved the June Meeting Minutes.

REVIEW OF OPEN INVESTIGATIVE MATTERS

2. Status of Decision on Local 282. (Cammarano, Jr.)

The decision on this case is being drafted by Judge Webster.

3. Status of Simpson Decision and Agreement on Cars re Local 743.

The Board reviewed and discussed the Simpson Decision and related penalties. Judge Lacey will draft the Decision section and submit it for final approval to the Board members.

Concerning the Agreement on cars, the Board discussed Judge Edelstein's concerns as relayed by his law clerk, Mr. Mogelson. The Board discussed Judge Lacey's letter to Judge Edelstein dated July 6, 1995. Judge Lacey will supplement the letter with an additional letter to be drafted by Mr. Carberry.

4. Status of Reports on Local 138.  
(Trusteeship; Winstead and Skeries)

The Trustee is setting up a panel to hear this case. Mr. Crandall will follow up on the status of this with the IBT.

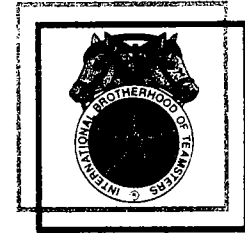
5. Status of IBT Decision on Local 966. (Sombrotto et al)

The Board reviewed Mr. Carey's July 6, 1995 decision letter in which he accepted the recommendations made by the Board on June 22, 1995. The Board now considers the case closed.

6. Status of IBT Decisions on Local 813. (Sottile, Capone)

The Board reviewed the July 6, 1995 decision of Mr. Carey providing a lifetime ban for Mr. Sottile. The Board considered the action satisfactory and the case is now closed.

INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS  
AFL-CIO



OFFICE OF  
RON CAREY  
GENERAL PRESIDENT

July 6, 1995

BY UPS, NEXT DAY DELIVERY

Mr. John Tierney  
26 Bronxville Glen Drive  
Building 4 Unit 12  
Bronxville, New York 10708

Mr. Stephen Zaccherio  
55 Highfield Avenue  
Port Washington, New York 11050

Mr. James Giblin  
25-26 78th Street  
Jackson Heights, New York 11372

Re: Local Union 966  
Article XIX charges v. Vincent Sombrotto, Edwin Gonzalez,  
Alfred Faicco, John Tierney, Stephen Zaccherio, and James Giblin

Dear Brothers Tierney, Zaccherio and Giblin:

This will clarify that the penalties imposed in my May 16, 1995 decision include the following:

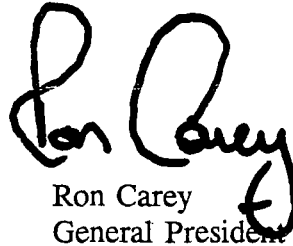
During the terms of their suspensions:

- **John Tierney, Stephen Zaccherio and James Giblin** are prohibited from drawing any money or compensation from Local 966 or any IBT affiliate or source;
- No contributions from the IBT or any IBT-affiliated entity may be made on **Tierney's, Zaccherio's or Giblin's** behalf to any IBT-affiliated pension plan;
- No contributions may be made to any IBT-affiliated welfare plan by Local 966 or any other IBT entity or affiliate on **Tierney's, Zaccherio's or Giblin's** behalf;

Brothers Tierney, Zaccherio and Giblin  
July 6, 1995  
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- No severance payments, if any, due **Tierney, Zaccherio** or **Giblin** may be made, and
- Accrued vacation pay, if any, owed to **Tierney, Zaccherio** or **Faicco** shall be set off against monies they owe to Local 966 as a result of their wrongdoing.

Fraternally,



Ron Carey  
General President

RC/mcj

cc: Gene Moriarty, Trustee, Local 966  
Tom Gilmartin, Panel Chair  
Lou Partenza, Panel Member  
Chris McLoughlin, Panel Member  
Charles Carberry, IRB Chief Investigator  
John J. Cronin, IRB Administrator  
Vincent Sombrotto  
Edwin Gonzalez  
Alfred Faicco

INDEPENDENT REVIEW BOARD  
444 North Capitol St., NW, Suite 528  
Washington, DC 20001  
(202) 434-8080  
Facsimile (202) 434-8084  
Corruption Hotline (800) CALL IRB

Chief Investigator:

Charles M. Carberry, Esq.  
17 Battery Place, Suite 331  
New York, NY 10004

Administrator:

John J. Cronin, Jr.

Board Members:

Grant Crandall, Esq.  
Crandall, Pyles & Haviland  
1021 Quarrier Street  
Charleston, WV 25301

Frederick B. Lacey, Esq.  
LeBoeuf, Lamb, Greene & MacRae  
One Riverfront Plaza  
Newark, NJ 07102-5490

William H. Webster, Esq.  
Milbank, Tweed, Hadley & McCloy  
1825 Eye Street, NW, Suite 1100  
Washington, DC 20006

June 22, 1995

Ron Carey  
IBT General President  
25 Louisiana Avenue, NW  
Washington, DC 20001

RE: Charges Against Local 966 Officers

Dear Mr. Carey:

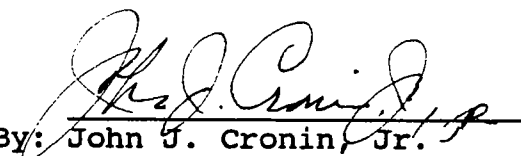
Pursuant to the Rules and Procedures of the Independent Review Board ("Rules"), the Independent Review Board ("IRB") has reviewed your May 16, 1995 Decision concerning Local 966 officers Vincent Sombrotto, Edwin Gonzalez, Alfred Faicco, John Tierney and James Giblin. Pursuant to Paragraph I, Section 7 of the Rules, with respect to Tierney and Giblin, the IRB considers the sanctions imposed to be inadequate because the prohibitions upon the expelled union officers were not also imposed upon Tierney and Giblin during their suspension periods.

As a result, the IRB suggests that the penalties imposed upon the expelled officers be imposed upon Tierney and Giblin while they are suspended. The sanctions which should be imposed during the suspension period include prohibiting Tierney and Giblin from receiving any money or compensation from Local 966 or any IBT affiliate; prohibiting any IBT entity from making any pension or health and welfare contributions on behalf of Tierney and Giblin; prohibiting Tierney and Giblin from receiving any severance payments and requiring that any accrued vacation pay, if any, owed to Tierney and Giblin be set off to the extent appropriate against monies owed to the Local as a result of their financial malpractice.

Pursuant to Paragraph I, Section 8 of the Rules, within ten days of receipt of this notice you must file an affidavit with the IRB setting forth any and all additional actions that have been taken to correct the deficiencies described in this notice.

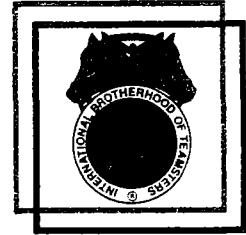
Very truly yours,

Members of the  
Independent Review Board

  
By: John J. Cronin, Jr.  
Administrator

# INTERNATIONAL BROTHERHOOD OF TEAMSTERS

AFL-CIO



OFFICE OF  
RON CAREY  
GENERAL PRESIDENT

May 16, 1995

By Telecopier and First Class Mail

Mr. Gene Moriarty, Temporary Trustee  
Teamsters Local Union No. 966  
321 West 44th Street, 10th Floor  
New York, New York 10036

Re: Local Union 966  
Article XIX charges v. Vincent Sombrotto, Edwin Gonzalez,  
Alfred Faicco, John Tierney, Stephen Zaccherio, and James Giblin

Dear Sir and Brother:

Having reviewed and duly considered the hearing record, the parties' briefs and the Findings and Recommendations of the Article XIX hearing panel, I issue the following decision on the charges against Vincent Sombrotto, Edwin Gonzalez, Alfred Faicco, John Tierney, Stephen Zaccherio, and James Giblin.

I concur with the findings set forth in the hearing panel's report and recommendations and adopt them in their entirety. A copy of the hearing panel's report and recommendation is enclosed with this letter. With respect to the appropriate penalty, I concur with the unanimous recommendations of the hearing panel. Accordingly, I impose the following penalties:

**Vincent Sombrotto** is hereby permanently expelled from membership in the International Brotherhood of Teamsters ("IBT") and barred for life from accepting or seeking any employment, including consulting work, with the IBT or any Teamster affiliate.

**Edwin Gonzalez** is hereby permanently expelled from membership in the IBT and barred for life from accepting or seeking any employment, including consulting work, with the IBT or any Teamster affiliate.

**Alfred Faicco** is hereby permanently expelled from membership in the IBT and barred for life from accepting or seeking any employment, including consulting work, with the IBT or any Teamster affiliate.

Mr. Gene Moriarty, Temporary Trustee  
May 16, 1995  
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**John Tierney** is hereby suspended from IBT membership for five (5) years.

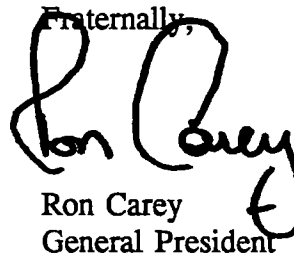
**Stephen Zaccherio** is hereby suspended from IBT membership for three (3) years.

**James Giblin** is hereby suspended from IBT membership for three (3) years.

In addition, with respect to Vincent Sombrotto, Edwin Gonzalez and Alfred Faicco, I impose the following additional penalties:

1. **Vincent Sombrotto, Edwin Gonzalez and Alfred Faicco** are prohibited from drawing any money or compensation from Local 966 or any IBT affiliate or source;
2. No future contribution from the IBT or any IBT-affiliated entity may be made on **Sombrotto's, Gonzalez' or Faicco's** behalf to any IBT-affiliated pension plan;
3. No future contributions may be made to any IBT-affiliated welfare plan by Local 966 or any other IBT entity or affiliate on **Sombrotto's, Gonzalez' or Faicco's** behalf;
4. No severance payments, if any, due **Sombrotto, Gonzalez or Faicco** may be made;  
and
5. Accrued vacation pay, if any, owed to **Sombrotto, Gonzalez or Faicco** shall be set off against monies they owe to Local 966 as a result of their financial malpractice.

Fraternally,



Ron Carey  
General President

RC/mcj

cc: Tom Gilmartin  
Lou Partenza  
Chris McLoughlin