

TO: Local 813 Trustee
FROM: Members of the Independent Review Board
RE: Proposed Charges Against Local 813 Member
John A. Compono
DATE: March 19, 1997

I. RECOMMENDATION

The Independent Review Board ("IRB") refers the below report to the Local 813 Trustee for the purpose of his initiating charges against Local 813 member John A. Compono for failing to cooperate with the IRB by refusing to appear for a sworn examination.

II. INTRODUCTION

An investigation has been conducted into allegations of wrongdoing by Local 813 member John A. Compono ("Compono"). The Local 813 Investigations Officer, appointed pursuant to the settlement of the federal civil RICO suit against Local 813, referred the initial allegation to the IRB.

Based upon investigation it appears that while an IBT member, Compono violated Article II, 2 (a) and Article XIX, Section 7 (b) (1) and (2) and Section 14 (i) of the IBT Constitution by interfering and unreasonably failing to cooperate with the duties of the Independent Review Board as set forth in paragraph G of the March 14, 1989 Consent Decree in United States v. International Brotherhood of Teamsters, 88 Civ. 4486 (S.D.N.Y.).

III. INVESTIGATIVE FINDINGS

A. Background

John Compono ("Compono"), who was born on October 4, 1959, is currently a member of the IBT and Local 813. (Ex. 1) Local 813 records listed Compono as working for Monty's Waste Disposal, 1345 New Bridge Road, North Bellmore, NY 11710. (Ex. 1) Compono's dues and employer paid benefit contributions to the Local 813 Health and Welfare, Pension and Severance Funds showed him as a current member. (Ex. 2) Local 813 records showed a current collective bargaining agreement with Monty's Waste Disposal. (Ex. 3)

On February 18, 1997, a Channel 4 news broadcast in New York City contained information regarding the organized crime ties of IBT Local 813 member John Compono ("Compono"), employed at Monty's Waste Disposal, 1345 Newbridge Road, Bellmore, New York. Specifically, the news report included a videotape of Compono meeting with Ralph Lombardo, who is reported to be a soldier in the Colombo LCN Family. In addition, there was a video of Compono meeting with Anthony Russo, who is reported to be an associate of the Colombo LCN Family. (Ex. 4)

B. Compono's Failure to Appear for His Sworn Examination

On February 20, 1997, a Notice of Sworn Examination was sent to John A. Compono by overnight express mail scheduling his sworn examination for March 6, 1997. (Ex. 5) At this

examination, the Chief Investigator planned to question Compono about his Local 813 membership, whether he had contact with any organized crime figures and his employment at Monty's Waste Disposal, 1345 New Bridge Road, North Bellmore, New York.

At the request of Compono's counsel, the examination was adjourned to March 7, 1997. (Ex. 6) In a telephone conversation of March 7, 1997, Compono's counsel advised Special Counsel Dennis Milton of the Chief Investigator's Office that Compono will not make himself available for sworn examination by the Chief Investigator's Office. (Ex. 7)

IV. PROPOSED CHARGES

Based upon the foregoing, it is recommended that the Local 813 Trustee charge John A. Compono as follows:

While a member of Local 813 and the IBT, you brought reproach upon the IBT in violation of Article II, Section 2(a) and Article XIX, Section 7(b)(1) and (2) and Section 14(i) of the IBT Constitution and obstructed, interfered and unreasonably failed to cooperate with the duties of the Independent Review Board as set forth in paragraph G of the March 14, 1989 Consent Decree in United States v. International Brotherhood of Teamsters, 88 Civ. 4486 (S.D.N.Y.) to wit:

On March 7, 1997 you willfully and without justification refused to appear for a sworn in person examination pursuant to Paragraph H.3(c) of the Rules and Procedures for Operation of the Independent Review Board for the International Brotherhood of Teamsters.

EXHIBITS TO REPORT CONCERNING JOHN A. COMONO

- Ex. 1 John A. Comono's Local 813 Membership Application
- Ex. 2 John A. Comono's Titan Dues Printout and Dues Billing Record
- Ex. 3 Collective Bargaining Agreement between Local 813 and Monty's Waste Disposal
- Ex. 4 Video tape of John Comono Meeting with Ralph Lombardo and Anthony Russo
- Ex. 5 February 20, 1997 Notice of Sworn Examination to John A. Comono
- Ex. 6 Memorandum from Special Counsel Dennis Milton
- Ex. 7 Memorandum from Special Counsel Dennis Milton

INDEPENDENT REVIEW BOARD
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TD-23

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1825 Eye Street, NW, Suite 1100
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September 16, 1997

General President Ron Carey
International Brotherhood of Teamsters
25 Louisiana Avenue, N.W.
Washington, D.C. 20001

Re: Decision on Charges against Local 813
Member John A. Compono

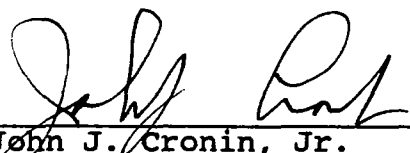
Dear Mr. Carey:

The Independent Review Board has reviewed your decision of August 12, 1997, in the above-captioned matter, and finds the decision to be not inadequate.

Very truly yours,

Members of the
Independent Review Board

By:



John J. Cronin, Jr.
Administrator

cc: Earl V. Brown, Jr., Esq.
David Neigus, Esq.
Eugene Maney, Trustee, Local 813

INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
AFL-CIO



OFFICE OF
RON CAREY
GENERAL PRESIDENT

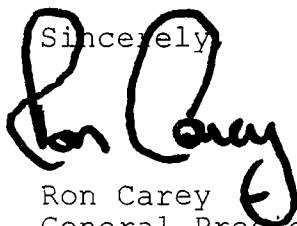
August 12, 1997

Mr. John A. Compono
108 Kenny Avenue
Merrick, NY 11566

Re: Article XIX Charges Referred by the IRB to
Local 813 Trustee Eugene Maney Against
John A. Compono

Dear Brother Compono:

Enclosed is my decision on the charges against you referred by the Independent Review Board ("IRB") to Local 813 Trustee Eugene Maney. Also enclosed is a copy of the findings and recommendations of the hearing panel in this case.

Sincerely,


Ron Carey
General President

RC/lmb

Enclosures

cc: Chris McLoughlin, Panel Chair
Roy McClam, Panel Member
Donna Santoro, Panel Member
Eugene Maney, Trustee, Local 813
John J. Cronin, IRB Administrator
Charles Carberry, IRB Chief Investigator

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

In the Matter of:)
)
ARTICLE XIX CHARGES)
) DECISION
)
)
against)
)
)
LOCAL 813 MEMBER JOHN A. COMONO)
)

Having reviewed and duly considered the hearing record and the recommendation of the hearing panel in the above-referenced case, I hereby issue the following decision on Article XIX charges filed by the Local 813 Trustee, Eugene Maney against Local 813 member John A. Compono.

I. The Charges

This case arises out of charges referred by the Independent Review Board to Local 813 Trustee Eugene Maney based on allegations referred by the Local 813 Investigations Officer who was appointed pursuant to the settlement of the Federal Civil RICO suit against Local 813. The charges allege that John Compono brought reproach upon the IBT in violation of Article II, Section 2(a) and Article XIX, Section 7(b)(1) and (2) and Section 14(i) of the IBT Constitution by interfering and unreasonably failing to cooperate with the duties of the Independent Review Board as set forth in paragraph G of the March 14, 1989 Consent Decree in United States v. International Brotherhood of Teamsters, 88 Civ. 4486 (S.D.N.Y.), by willfully and without justification failing to appear to answer questions at a scheduled Sworn In-Person Examination on March 7, 1997. The Chief Investigator was to question Mr. Compono about his union membership, current job, and alleged involvement with organized crime.

II. The Hearing

General President Ron Carey appointed a panel and a duly noticed hearing was held on May 21, 1997. At the hearing, Trustee Maney introduced evidence that Mr. Compono willfully and without

justification failed to appear to answer questions at his Sworn In-Person Examination. The Examination had been scheduled for March 7, 1997 after Compono's counsel requested the Exam, originally scheduled for March 6, 1997, be postponed. During a telephone conversation on March 7 (the scheduled day of the Examination) Compono's counsel told Special Counsel Dennis Milton of the Chief Investigator's Office that Compono would be unavailable for the sworn examination. At the hearing Compono admitted that he knew alleged crime figures, but denied having received their assistance in securing his job. Mr. Scimeca, his employer, corroborated his testimony. Compono's and Scimeca's testimony did not, however, explain or adress Compono's failure to appear at his scheduled Exam.

III. The Panel's Recommendations

The hearing panel unanimously recommended that the charges against John A. Compono be found proven. The panel further recommended that Mr. Compono be permanently expelled from his membership in the IBT and any IBT affiliates and that he be permanently barred from participating in the affairs of the union, from holding union office, and from receiving any compensation from the IBT or any IBT entity, except for fully vested benefits.

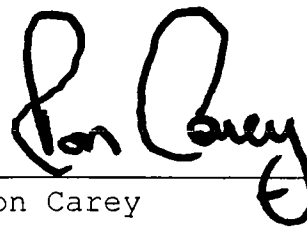
IV. Conclusions and Penalties

Having reviewed and considered the evidence of the hearing panel, I find proven the above charges against John A. Compono. I also agree with the hearing panel's recommended penalty.

John A. Compono is hereby permanently expelled from membership in the International Brotherhood of Teamsters. He is permanently barred from participating in the affairs of the union, from holding union office, and from receiving any compensation from the IBT or any IBT entity, except for fully vested benefits.

August 12, 1997

Date



Ron Carey
General President