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INVESTIGATIONS OFFICER, :

Claimant, :

- v -

: AFFIDAVIT AND AGREEMENT

DONALD K. WILLIAMS :

Local 541

Respondent. :

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STATE OF KANSAS )  
OVERLAND PARK ) SS.:

DONALD K. WILLIAMS, being duly sworn, deposes and says, and agrees as follows:

1. The Investigations Officer, Charles M. Carberry, appointed pursuant to the Consent Order entered March 14, 1989 in United States v. International Brotherhood of Teamsters, 88 Civ. 4486 (DNE) (SDNY) (the "Consent Order") has filed charges against me pursuant to the Consent Order (the "charges"). A copy of the charges is annexed as Exhibit A and incorporated herein by reference.

2. I make this affidavit and agreement (the "agreement") to resolve the charges. This agreement does not constitute an admission or denial of the charges.

3. I represent and agree to the following:

(a) I am a member of the International Brotherhood of Teamsters ("IBT") and a member of IBT Local Union 541;

(b) I was formerly a member of the Executive Board of Local 541 and held the office of Secretary-Treasurer of Local

541, and was employed as a Business Agent. On November 5, 1991 the President of Local 541 suspended me from those positions.

(c) I currently hold no other elected or appointed offices of any kind, paid or unpaid, in the IBT or any of its affiliated entities including Local 541, or with any pension, health and welfare or other benefit funds or other such entities (collectively "IBT Entities");

(d) I currently receive no salary, allowances, or remuneration of any kind from any IBT Entities, and have not received any such salary, allowances or remuneration since November 5, 1991;

(e) I shall be suspended, effective from November 5, 1991 as an officer and employee of Local 541 and the other positions described in Paragraph 3(b) (the "suspension"). The suspension shall be in effect for a period of three years from the effective date. I may continue to pay dues and maintain my membership in Local 541 during the suspension period.

(f) During the suspension period, I shall not attend or participate in any manner in any of the activities or affairs of Local 541, or any other IBT Entity, including but not limited to meetings, discussions, consultations, negotiations, votes, or any other business or activity of the union. I shall not enter or call the offices of Local 541 or any other IBT Entity except I may enter the premises of Local 541 for the sole purpose of signing hiring lists posted at the union hall in connection with obtaining employment by an employer having a collective bargaining agreement with Local 541. I shall not discuss with any other member, officer, business agent or employee of Local

541 or any other IBT Entity any union matter and shall refrain from any other involvement in the affairs of Local 541 or any other IBT Entity, provided however, I may (i) communicate with a business agent solely concerning matters directly affecting my employment by an employer having a collective bargaining agreement with Local 541; (ii) provide factual information directly and solely to the attorneys for Local 541 as necessary for negotiations or grievances; and (iii) testify if required to do so in arbitrations or other proceedings.

(g) During the suspension period, I shall receive no salary, allowances, gratuities, accrual of pension benefits or any other remuneration or compensation of any kind from Local 541, or any other IBT Entity. I may continue to be covered by my health insurance from Local 541, but shall pay the cost of such insurance coverage during the suspension period out of personal funds, with no contribution by Local 541.

(h) I shall not take or accept, after the expiration of the suspension period, any compensation or remuneration in money or other things of value to replace the compensation or benefits lost pursuant to Paragraph 3(g) above.

4. I have entered into this agreement on the understanding the Investigations Officer agrees he will not pursue the charges.

5. I understand the Investigations Officer's agreement is limited to the charges annexed as Exhibit A and he expressly reserves the right to pursue charges against any other officer or entity of the IBT or Local 541 arising out of the allegations contained in the charges or any other investigations.

6. I agree this agreement will be submitted to the

Independent Administrator for his review and approval. If approved by the Independent Administrator, I agree he will submit it to the United States District Court for the Southern District of New York for review and approval and, if approved by the court, to be entered as an order.

7. I understand the Investigations Officer makes no representation as to the determination of the Independent Administrator or the court with respect to this agreement.

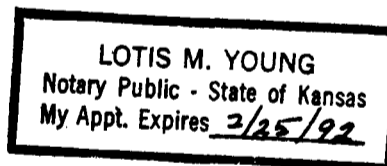
8. I make this agreement freely and voluntarily without coercion of any kind. I fully understand its terms, and represent that I was given a full and fair opportunity to consult with an attorney, but I knowingly and voluntarily decided to not be represented by counsel.

9. I will transmit this agreement, signed by me, to the Investigations Officer. When it is signed by the Investigations Officer, he will submit it to the Independent Administrator for approval.

Donald K. Williams  
DONALD K. WILLIAMS

Sworn to before me  
this 15<sup>th</sup> day of February 1992

Lotis M. Young  
NOTARY PUBLIC



Agreed:

Charles M. Carberry  
Charles M. Carberry  
Investigations Officer

Dated: 2/18/92

Approved:

*Frederick B. Lacey*  
Frederick B. Lacey  
Independent Administrator

Dated: 3/3/92

SO ORDERED:

*David N. Edelstein*  
David N. Edelstein  
United States District Judge

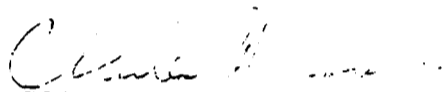
Dated: 3/9/92



Teamsters, et al., 88 Civ. 4486 (DNE) to give a sworn statement you refused to answer questions under oath relating to allegations you sold cocaine in 1989; including questions concerning use by you of union property to facilitate such transaction or the conducting of such sale when you should have been engaged in union business.

Dated: New York, New York  
October 29, 1991

Very truly yours,

  
Charles M. Carberry  
Investigations Officer

cc: Frederick B. Lacey, Esq.  
James T. Grady, Esq.  
Edward T. Ferguson, III, Esq.

MEMORANDUM

**AFL-CIO STATEMENT REGARDING COOPERATION  
WITH ALL APPROPRIATE PUBLIC AGENCIES  
INVESTIGATING RACKETEERING  
(Adopted by the AFL-CIO Executive Council, January 28, 1957)**

The American Federation of Labor and Congress of Industrial Organizations is pledged both by its constitution and by fundamental principles of trade union morality to keep the labor movement free from any taint of corruption.

While the AFL-CIO has its own responsibility for keeping its house in order and is attempting to meet this obligation to the best of its ability, this does not in any sense mean that appropriate agencies of government and the public do not have rights, obligations and responsibilities in eliminating racketeering and corruption from all segments of American life, including the labor movement.

No institution or entity, whether labor or business, public or private, enjoys special immunity from the application of the laws, from appropriate investigation by duly constituted legislative committees and from scrutiny of its operations by the members of the press or the general public.

Investigations by fair and objective legislative committees in the field of labor-management relations have been of tremendous help in eliminating abuses in this area.

The investigations conducted by the LaFollette Committee exposing as it did, unsavory and illegal practices on the part of important business interests, contributed greatly to the enactment of the Wagner Act and to the elimination of employer practices which prevented union organization and caused strife and violence in labor-management relations. The recent investigation by the Douglas subcommittee of the Senate Labor Committee, exposing as it did, instances of corruption and improper conduct by labor officials and others in the handling of health and welfare funds, has provided for the public and the labor movement invaluable information which has laid the foundation for proposed disclosure legislation in this field, endorsed by the AFL-CIO, and which in addition, has enabled the AFL-CIO and its affiliates to do a better job of keeping their house in order. Both law enforcement agencies and legislative committees in the interest of enforcing law, and legislative committees in the interest of corrective legislation, by reason of their power and authority to subpoena witnesses and to place them under oath, as well as their superior investigatorial facilities, have means beyond those of the labor movement to expose and bring to

the public the truth. We believe that law enforcement agencies, legislative committees, and the labor movement itself share the common responsibility of conducting investigations fairly and objectively, without fear or favor and in keeping with due process. It is firmly embedded in the tradition and constitution of our great country that the highest ethical standards be maintained by all officials of the AFL-CIO and its affiliates.



The AFL-CIO is determined that any remaining vestiges of racism or corruption in unions shall be completely eradicated. We believe that Congress, in interest of enacting corrective legislation, if the same be deemed and found necessary has the right, through proper committees, to investigate corruption wherever exists, whether in labor, industry or anywhere else.

It is the firm policy of the AFL-CIO to cooperate fully with all proper legislative committees, law enforcement agencies and other public bodies seeking fairly and objectively to keep the labor movement or any other segment of our society free from any and all corrupt influences. This means that all officials of the AFL-CIO and its affiliates should freely and without reservation answer all relevant questions asked by proper law enforcement agencies, legislative committees and other public bodies, seeking fairly and objectively to keep the labor movement free from corruption. We recognize that any person is entitled, in the exercise of his individual conscience, to the protection afforded by the Fifth Amendment and we reaffirm our conviction that this historical right must not be abridged. It is the policy of the AFL-CIO, however, that if a trade union official decides to invoke the Fifth Amendment for his personal protection and to avoid scrutiny by proper legislative committees, law enforcement agencies or other public bodies into alleged corruption on his part, he has no right to continue to hold office in his union. Otherwise, it becomes possible for a union official who may be guilty of corruption to create the impression that the trade union movement sanctions the use of the Fifth Amendment, as a matter of individual conscience, but as a shield against proper scrutiny of corrupt influences in the labor movement.