

SPECIAL MEETING

CHEVY CHASE, ME, JUNE 29 – 30, 2013

FIRST SESSION

The meeting convened at 10:00 a.m. on Saturday, June 30, 2013. Board members present were Larry R. Kinnear, Javier M. Perez, Jr., Richard M. Murphy, Bob Hykaway, William G. McLean, Janis M. Borchardt, Paul D. Bowen, Marcellus Barnes, Rafael Rivera, Gary Johnson, Sr., Robin West, John A. Costa, Charles E. Watson and Bruce Hamilton. International President Lawrence J. Hanley presided.

Also in attendance were International Executive Vice President Robert H. Baker, Sr., International Secretary-Treasurer Oscar Owens, General Counsel Robert Molofsky, and Executive Assistant to the International President Lauri Straughan.

INTRODUCTORY REMARKS BY INTERNATIONAL PRESIDENT HANLEY

International President Lawrence Hanley reviewed the agenda for the special two-day meeting including:

- a) consideration of the recommendations of the three-member Hearing Panel, appointed by International President Hanley, pursuant to the provisions of the Ethical Practices Code (Ethics Code) for ATU International Officers and Staff, to determine the facts involving allegations of wrongdoing by International Executive Vice President (IEVP) Baker and International Vice President (IVP) Gary Rauen; and
- b) discussion of the necessity of forming ATU industry councils composed of local unions representing employees of a common employer and;
- c) continued support for the non-profit organization, Americans for Transit; strike sanctions and training at the International Convention.

CONSIDERATION OF ETHICS COMMITTEE HEARING PANEL'S FINDINGS AND RECOMMENDATIONS INVOLVING ALLEGED VIOLATIONS OF THE ATU ETHICS CODE

International President Hanley initially reviewed the process to date, including a motion approved by the General Executive Board at its May 2013, meeting to refer allegations of wrongdoing by IEVP Baker and IVP Rauen to the Ethics Committee for investigation, as provided for under the Ethics Code; the subsequent referral of the matter by the Ethics Committee to the International President, with a finding of reasonable cause to believe violations of the Code had occurred; the appointment of the three-member Hearing Panel; the June 11, 2013, Hearing held in Washington, DC; and the Panel's recommendations for consideration by the General Executive Board. Copies of the hearing transcript and exhibits were provided to all board members.

MOTIONS TO ADOPT RECOMMENDATIONS OF THE HEARING PANEL APPROVED

Following a comprehensive review of the facts and circumstances involving the allegations; an opportunity for IEVP Baker and IVP Rauen to address the Board to present their views of the events, issues and policies involved in their respective allegations and response to questions; a review of the transcript and exhibits; the members of the General Executive Board, by separate motions, adopted the recommendations of the Hearing Panel to suspend both IEVP Baker and IVP Rauen for 30 days without pay effective July 1, 2013, for violations of their fiduciary responsibilities and the Ethics Code, involving their actions surrounding IEVP Baker's trade-in of a 2010 DTS Cadillac owned by the Union, and IVP Rauen's acts undertaken to purchase that car from the dealer.

MOTION APPROVED TO PROVIDE FINANCIAL SUPPORT TO LOCAL 583 (Calgary, AB) TO ASSIST ATU FLOOD VICTIMS

Upon motion duly made and seconded, the members of the General Executive Board approved a \$20,000 contribution to Local 583 (Calgary, AB) for distribution to ATU members and their families harmed by the extraordinary recent floods affecting Calgary, AB and the nearby vicinity.

MOTION TO PROVIDE CONTINUED SUPPORT TO AMERICANS FOR TRANSIT

Following a summary review by International President Hanley of Americans For Transit accomplishments over the past year, including its work with ATU locals and community organizations, and building coalitions on behalf of pro-transit initiatives, upon motion duly made and seconded, the members of the General Executive Board approved a continuing contribution of \$50,000 in support of the organizations' efforts and activities.

GENERAL DISCUSSIONS

The remainder of the session was devoted to discussions among the international executive officers and members of the Board. The meeting adjourned at 5:00 p.m. to reconvene at 9:00 a.m. on Sunday, June 30, 2013.

SECOND SESSION

The meeting convened at 10:00 a.m. on Sunday, June 30, 2013. Board members present Larry R. Kinnear, Javier M. Perez, Jr., Richard M. Murphy, Bob Hykaway, William G. McLean, Janis M. Borchardt, Paul D. Bowen, Kenneth R. Kirk, Gary Rauen, Marcellus Barnes, Rafael Rivera, Gary Johnson, Sr., Robin West, John A. Costa, Charles E. Watson, Claudia Hudson, and Bruce Hamilton. International President Lawrence J. Hanley presided.

Also in attendance were International Executive Vice President Robert H. Baker, Sr., International Secretary-Treasurer Oscar Owens, General Counsel Robert Molofsky and Executive Assistant to the International President Lauri Straughan.

Director of Strategic Research and Campaigns David Welker and ATU Consultant Bob Muelenkamp were also in attendance for special presentations and discussions.

International Vice Presidents Kenneth Kirk and Claudia Hudson were excused from attending.

DISCUSSION ON PENDING NEGOTIATIONS INVOLVING OAKLAND, CA, LOCALS 1555 WITH BART: 192 WITH AC TRANSIT, AND APPROVAL OF STRIKE SANCTIONS

International President Hanley reviewed the history and current status of the negotiations with BART and AC Transit. International Representative Tony Withington also briefed the Board via telephone conference.

Following a review of the issues, current positions of the employers upon motion duly made and seconded, the members of the General Executive Board approved strike sanction for Local 1555 (Oakland, CA); and upon separate motion duly made and seconded, approved strike sanction for Local 192 (Oakland, CA), subject to their compliance with the obligations to initially request arbitration and strike option available upon employer's refusal to arbitrate.

PRESENTATIONS AND DISCUSSION ON THE NECESSITY FOR ATU INDUSTRIAL COUNCILS

Director of Strategic Research and Campaigns Welker and ATU Consultant Muelenkamp gave special presentations to the Board on the rising number of ATU bargaining units represented by five multinational and national transit companies, and the advantages of forming new structures within the International Union to more effectively address the many issues raised.

Both Muelenkamp and Welker, stressed the advantages of forming a series of councils among ATU locals representing members of a common employer as proposed by President Hanley, and reviewed ways in targeted research and coordinated bargaining in both community and national campaigns to address these and other privatization issues that would benefit from such structures.

Amplifying their presentation, President Hanley and the Board discussed the ways such structures could

improve information sharing on contract language, bargaining strategies, and grievance arbitration through focused education and training programs.

The Board then engaged in a wide ranging discussion affirming the need for such councils, expansion of ATU education and training programs, and increasing the Union's capacity to provide research and campaign support to ATU locals in the transit, para transit, school bus and over-the-road sectors.

GENERAL DISCUSSIONS

The remainder of the session was devoted to discussions among the international executive officers and members of the Board.

The meeting adjourned sine die at 5:00 p.m.