



# Transport Workers Union of America, AFL-CIO

**John Samuelson**  
International President

**Alex Garcia**  
International Executive  
Vice President

**Jerome Lafragola**  
International  
Secretary-Treasurer

**Curtis Tate**  
International Administrative  
Vice President

**Mike Mayes**  
International Administrative  
Vice President

***"AMERICA'S FIGHTING DEMOCRATIC UNION"***

## **VICE PRESIDENTS**

Delisa Brown  
Willie Brown  
Dale Danker  
John Feltz  
Debra Hagan  
Tom Lenane  
Thom McDaniel  
Benyoel Morgan  
Gary Peterson  
Andre Sutton  
Tony Utano  
James Whalen

## **EXECUTIVE COUNCIL**

John Chiarello  
LaTonya Crisp  
Richard Davis  
Derick Echevarria  
Tim Hughes  
Horace Marves  
J.P. Patafio  
Nelson Rivera  
Kevin Smith

## **EXECUTIVE BOARD**

Bedennia Barnes  
Carlos Bernabel  
Richard Boehm  
Constance Bradley  
Dino Centrone  
Greg Cosey  
Brian DeLucia  
Grigoriy Dunichev  
Cassandra Gilbert  
Victor Gonzalez  
Amy Griffin  
Patrick Howard  
Theotis James  
Vanessa Jones  
Shirley Martin  
Michael Massoni  
Jeffrey Mitchell  
Gus Mohgrabi  
Lyn Montgomery  
Paul Navarro  
Emmanuel Paragios  
John Parrott  
Earl Phillips  
Brian Pollitt  
Dan Rivera  
Richard Rocco  
Peter Rosconi  
Gary Schaible  
Jenny Schar  
Christina Scott  
Armando Serrano  
Robert Taylor III  
Donald Yates

August 5, 2020

Dear Local 208 Members;

As you know, I was appointed to be the Administrator of TWU Local 208 in accord with the TWU Constitution to administer the affairs of the local. It was discovered in October of 2019 that the local elected Secretary-Treasurer Ms. Alesia Combs had been misappropriating funds of the local since September 2014. Local President Jarvis Williams and I met with Ms. Combs who admitted her misdeeds to us on October 5, 2019 and immediately resigned from her elected position.

The TWU International took immediate action by hiring Attorney Bob Sauter and a Forensic Auditor Steven Nelder to aid with the uncovering of the infractions.

On October 30, 2019, we met with Ms. Alesia Combs, her attorney (Isabella Dixon), and ours Bob Sauter, Lora Molnar, Jarvis Williams, and Forensic Auditor Stephen Nelder. Combs was presented with fraudulent ATM withdrawals, questionable checks, donations, and forged checks with the past president's signature stamped on them, and forged checks with the current president's signature. She admitted that much of the activity was in fact fraud. I filed a dispute with PNC Bank for the \$10,500.00 that Combs said was a hack into the locals checking account and the dispute was declined.

The Local was placed into Receivership by the IEC on October 30, 2019. At that time, the Local had \$78,000.00 in assets and they owed approximately \$215,000.00 in unpaid bills. The number of unpaid bills increased as more unpaid lost time was discovered and we could not find any record of it being paid.

We met with Combs on November 7, 2019 for an additional interview where she was presented with more information as the investigation was ongoing. She reviewed signature stamped checks with the former president's name on them, ATM withdrawals, fake receipts she made up for purchases that were never made, and other damning information about her activities. Combs again admitted to what was fraudulent. She at this meeting agreed to sign over to the Union the check she legally was to receive for her legitimate work done in September for the Local as partial restitution.

Bob Sauter was hired to amend the 2014, 2015, 2016, 2017 and 2018 State Employment Relations Board (SERB Board) Filings; and assisted with the 2019 SERB Board Filings on July 15, 2020, and to tend to other legal matters such as updating SERB on the status of the receivership. Steven Nelder went through every aspect of the local's finances including all bank accounts held in the name of the local and reported his findings to us. What he found was upwards of about \$335,000.00 of misspent money belonging to the Local.

Based on the Forensic Auditors work, the local's December financial report had to be amended to reflect the fraud that was discovered after the report was filed with the International and also to file a corrected report with the SERB Board.

There was \$186, 879.03 in unpaid lost time to the Central Ohio Transit Authority (COTA) which led to the discovery of fraudulent activity. We found out the Local was being billed for lost time that were actually activities such as joint union/management meetings, Veteran's Day events and others. These activities were sponsored by COTA who was responsible for covering the cost and should have not been billed to the union as lost time.

We met with COTA to verify the lost time and make agreements to repay the lost time we owed to them as they made mention of taking legal action against the Union. During that meeting, we agreed to pay at least one payment in the arrears and the current lost time bill. The local Executive Board received documents to verify the lost time and agreed that it was accurate to the best of their knowledge. As of June 29, 2020, the balance of the arrears has been paid in full.

I sent an email to COTA requesting that all dues and COPE deposits be forwarded to the International Headquarters in D.C., which is being done to date. COTA has a lot of problems in their payroll department, they sent a couple of checks to the Union's office without an explanation of what the checks were for. When we gave them the check numbers and asked what the checks were for, they looked it up and said COPE, we sent the checks to D.C.

The payroll problems at COTA are ongoing and it is my opinion these problems will continue as the situation in COTA'S payroll department is chaotic. Problems include not getting a correct membership list; not getting a list of members on long term sick leave who are not paying dues; what we call a ZERO Report or an Exceptions Report, which leads to under reporting the membership numbers; not getting requested nonmembers monthly (which is not contractual, but useful); Coding the Ramona Hill Scholarship Fund as child support or child care (they blame it on a change in payroll employees and a new faulty payroll system). There is no ETA of getting these problems fixed. The Local 208 Executive Board needs to make proper dues checkoff list and a current accurate membership list.

Retired Local 208 Recording Secretary-Treasurer Richard Kirk was hired by the International to help straighten out the Local's finances, books, taxes and to file their financial reports. The Local's computer lacked a membership database and we have been trying to get correct information from COTA to build one. We have been filing the financial reports based on the information we received from COTA in terms of dues collected from them, so the membership numbers are questionable.

A trial hearing was held on December 19, 2019. As a result of the theft, the Local 208 Executive board at the trial hearing agreed that Receivership was welcome to help the Local get their affairs in order financially and regain the trust of the members of Local 208. The remaining officers were left in place to perform their representational duties during the receivership. Because of the financial shape that the local was in, I made the decision not to pay out \$8,400.00 in annual Executive Board bonus pay to the Executive Board because I felt it would have been irresponsible. The board sets the amount each year and votes on it at the end of every year, but the local could not afford it based on what was discovered.

I ultimately decided to pay the \$10.00 per month to the Union Stewards who attended both the Executive Board meeting and the Union meeting in the same month. That amount is set in the By-Laws, it amounted to a total of \$430.00.

The locks were changed to the Union offices and the keys were distributed to myself, Sean Doyle, and Richard Kirk. We changed the names on the Local's banking accounts, PNC and the CME Federal Credit Union, and retrieved from the PNC Bank safe deposit box the 33 shares of AEP stock the local kept there. We began paying delinquent federal tax deposits, state taxes, city taxes, BWC, Ohio Jobs and Family Services for 2017, 2018 and 2019, for a total of \$19,966.53. With the help of the forensic auditor, we filed for waivers on all penalties and interest on all the delinquent taxes. Those are still pending.

We hired Siebert & Reynolds, (CPA's), to do the Locals 990's for the years of 2016, 2017, 2018 and 2019 to restore the Local's tax-exempt status. Because we signed with them in the middle of tax season, they had to file an extension prior to beginning work on our 990's. Due to the tax season being extended through July 15, 2020, the 990's may take a little longer than it normally would had the tax season deadline been April 15, 2020.

We recovered \$30,000.00 from CHUBBs bonding company and \$22,525.00 for forgery and employee dishonesty from a policy the local holds with Auto-Owner's Insurance Company and may recover another \$10,300.16 for a hack on Local 208's PNC account by outsiders in 2016.

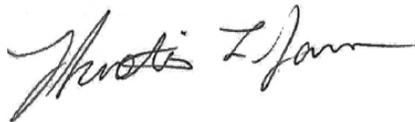
A resolution was passed by the TWU International Executive Board to end the Receivership at TWU Local 208 as of September 1, 2020, I met with the Local 208 Executive Board on August 4, 2020 and explained the transition process of returning the Local from receivership to their local autonomy. I reiterated our findings, the work that was completed and what work/task are outstanding. One of the outstanding items that needs immediate attention is the election of a new Financial Secretary-Treasurer. The Local 208 By-Laws are very specific as to how to fill this vacancy and the Local 208 Executive Board needs to follow that procedure. I also recommended keeping Richard Kirk on until at least the end of the year (2020) to help the new Financial Secretary-Treasurer get acquainted with his/her duties and responsibilities.

Additional safeguards in the form of periodic quarterly reviews and reinforcing yearly audits have been established as a condition of exiting receivership.

Safeguards have also been placed in the revised By-Laws.

**THESE SAFEGUARDS ARE NOT DESIGNED TO PUNISH CURRENT OR FUTURE OFFICERS. THEY HAVE BEEN INSTITUTED TO FURTHER PROTECT THE FINANCES OF THE LOCAL AND THE MEMBERSHIP. THIS WILL HELP ENSURE THAT THE PAST THEFT AND VIOLATION OF THE MEMBERS TRUST WILL NOT HAPPEN AGAIN.**

Fraternally,

A handwritten signature in black ink, appearing to read 'Theotis James', written in a cursive style.

Theotis "Theo" James  
International Staff Representative  
TWU Local 208 Administrator

*TJ: sg*  
*opeiu-153*