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NEGOTIATIONS: WHAT'S THE TRUTH?

THE TEAMSTER'S IN ITS ATTEMPT TO GET IN AT OUR PLANT, HAS BEEN MAKING LOTS OF PROMISES AND CLAIMS ABOUT NEGOTIATIONS AND WHAT WILL HAPPEN IF THE TEAMSTER'S GETS IN. WE ARE CONCERNED ABOUT THE CREDIBILITY OF THE TEAMSTER'S BECAUSE AGAIN, THEY AREN'T BEING HONEST WITH YOU. SO AGAIN, WE WILL SHIFT FROM THE TEAMSTER'S EMOTIONALISM TO THE FACTS.

FACTS ABOUT NEGOTIATIONS

JUNE 27, 1980 UDDERHOLM

IF THE TEAMSTER'S GETS VOTED IN ON AUGUST 17, 1979, TOMY WOULD BE REQUIRED TO ONLY DO TWO THINGS:

- A. RECOGNIZE THE TEAMSTER'S AS YOUR BARGAINING UNIT;
- B. NEGOTIATE IN GOOD FAITH WITH THE TEAMSTER'S.

HERE ARE SOME FACTS ABOUT NEGOTIATIONS THE TEAMSTER'S HAVE NOT TOLD YOU ABOUT.

"UNIONS TYPICALLY PROMISE EMPLOYEES WHATEVER THEY WANT TO HEAR. THEY DO IT BECAUSE MOST EMPLOYEES DON'T UNDERSTAND THE NEGOTIATING PROCESS AND UNION'S CAPITALIZE ON THAT LACK OF UNDERSTANDING. MOST UNIONS ATTEMPT TO GIVE EMPLOYEES THE IMPRESSION THAT THROUGH THE PROCESS OF NEGOTIATIONS THINGS CAN ONLY GET BETTER. THAT NEGOTIATIONS WILL AUTOMATICALLY RESULT IN MORE WAGES AND BENEFITS. NOTHING COULD BE FURTHER FROM THE TRUTH. NEGOTIATIONS IN FACT, ARE A TWO-WAY STREET. WAGES AND BENEFITS CAN GO UP, BUT THEY CAN ALSO GO DOWN. IN FACT, THE FEDERAL LAW DOES NOT PROTECT EMPLOYEES FROM LOSING AS A RESULT OF NEGOTIATIONS. A UNION'S PRIMARY GOAL IN NEGOTIATIONS IS TO GET A UNION SHOP AND CHECK OFF CLAUSE IN THE CONTRACT. A UNION SHOP REQUIRES COMPULSORY UNION MEMBERSHIP FROM EMPLOYEES AND PAYMENT OF INITIATION FEES AND UNION DUES TO THE UNION TO KEEP THEIR JOBS. A CHECK OFF CLAUSE REQUIRES THAT THESE INITIATION FEES BE AUTOMATICALLY DEDUCTED FROM THE EMPLOYEES PAY CHECKS AND SENT TO THE UNION OFFICE SO THE UNION CAN AVOID COLLECTION PROBLEMS. TO GET THESE TWO CLAUSES IN A COLLECTIVE BARGAINING AGREEMENT UNION'S OFTEN TRADE AWAY BENEFITS EMPLOYEES ALREADY HAVE. THIS IS A GOOD EXAMPLE OF THE UNION WINNING WHILE THE EMPLOYEE LOSES WHAT HE HAD IN THE PROCESS.

THE NATIONAL LABOR RELATIONS ACT SPECIFICALLY PROVIDES THAT AN EMPLOYER NEED NOT AGREE TO ANY UNION DEMAND, UNIONS CAN MAKE ALL THE DEMANDS THEY WANT, BUT IN THE FINAL ANALYSIS, THE ONLY POWER THE UNION HAS IS TO ACCEPT THE FINAL OFFER MADE BY THE EMPLOYER OR CALL A STRIKE. NOTWITHSTANDING AN EMPLOYER BARGAINS IN GOOD FAITH, ITS FINAL AND LAST OFFER TO THE UNION MAY EXCLUDE OR SEVERELY LIMIT UNION DEMANDS,

WHILE AT THE SAME TIME CONTAIN ITS OWN DEMANDS. UNIONS AND NEGOTIATIONS ARE NO PANACEA. THEY CAN JUST AS EASILY PRODUCE A BAD RESULT AS A GOOD RESULT. NOR ARE THEY A.B.C. KINDS OF THINGS. SOME NEGOTIATIONS CAN DRAG ON FOR MONTHS AND YEARS BEFORE AGREEMENT IS EVER REACHED. MANY TIMES EMPLOYEES ARE STUCK WITH THE SAME WAGES AND BENEFITS THEY HAD WHEN NEGOTIATIONS FIRST BEGAN EVEN THOUGH IT IS A YEAR LATER AND STILL THERE HAS BEEN NO NEGOTIATED AGREEMENT. WE'RE NOT SAYING THIS WILL HAPPEN, BUT IT HAS HAPPENED, AND YOU SHOULD BE AWARE OF IT. IT IS POSSIBLE TO WIN IMPROVED WAGES, HOURS AND CONDITIONS OF EMPLOYMENT IN NEGOTIATIONS. IT IS ALSO POSSIBLE TO LOSE. NEGOTIATIONS CAN AND DO RESULT IN STRIKES. WE READ ABOUT UNIONS ON STRIKE ALMOST EVERY DAY IN OUR LOCAL NEWSPAPERS. ONE WAY YOU CAN AVOID THE PITFALLS OF NEGOTIATIONS AND THE POSSIBILITY OF STRIKES IS BY VOTING "NO" FRIDAY, AUGUST 17, 1979.

JUNE 27, 1980

EMPLOYEES ORGANIZED BY THE TEAMSTERS HAVE LOST BENEFITS IN NEGOTIATIONS FROM THE EAST COAST TO THE WEST COAST.

- (A) ON THE EAST COAST THE TEAMSTERS NEGOTIATED REDUCED SICK PAY FOR EMPLOYEES AT SCIENTIFIC PRODUCTS IN WASHINGTON, D.C. UNION SECURITY AND DUES MONEY FROM EMPLOYEES WAS THE TEAMSTERS MOTIVE.
- (B) ON THE WEST COAST THE TEAMSTERS GAVE AWAY EMPLOYEES' PROFIT-SHARING AT AMERICAN HOSPITAL SUPPLY IN SANTA ANA, CALIFORNIA. UNION SECURITY AND DUES MONEY FROM EMPLOYEES WAS AGAIN THE TEAMSTERS MOTIVE.

NEGOTIATIONS WITH THE TEAMSTERS UNION GIVES YOU NO GUARANTEES:

- A. YOU CAN LOSE AS EASILY AS WIN.
- B. ~~IF YOU LOSE, A UNION SHOP WILL REQUIRE YOU TO PAY A MINIMUM OF \$168.00 OUT OF YOUR POCKET TO THE TEAMSTERS ANYWAY. THAT MEANS YOU REALLY LOSE.~~
- B.C. THE TEAMSTERS KNOW HOW TO SPEND YOUR MONEY, WIN OR LOSE. WITH THEIR RECORD OF CORRUPTION IT'S "GOODBYE MONEY."
- C.D. YOU COULD BE ON STRIKE. THE TEAMSTERS HAD 547 STRIKES FROM JUNE, 1977 THROUGH JULY 1978. WITH THE TEAMSTERS THERE IS ALWAYS THE CHANCE YOU WILL BE OUT OF WORK ON STRIKE WITHOUT PAY.

Vote NO ON FRIDAY, JUNE 27, 1980, AND MAKE CERTAIN THAT YOU WIN.

NOW LET'S DISCUSS STRIKES.....

FACT: FROM JUNE 1977 THROUGH JULY 1978 (AS REPORTED BY THE BUREAU OF NATIONAL AFFAIRS):

THE TEAMSTERS HAD

547 STRIKES

AFFECTING

92,397 EMPLOYEES

Lost Days of Work

1,596,989,748

IF STRIKES ARE WHAT YOU WANT, THEN YOU SHOULD VOTE "YES" FOR THE TEAMSTERS BECAUSE THEY RANK CLOSE TO THE TOP OF THE STRIKE-HAPPY UNION LIST. BUT YOU SHOULD CONSIDER THESE FACTS IF YOU FOUND YOURSELF ON STRIKE AND ON THE PICKET LINE.

QUESTION: IF THE TEAMSTERS CALL A STRIKE TO ENFORCE ITS DEMANDS (FOR EXAMPLE: HIGHER WAGES, MORE BENEFITS, ETC.), WHAT ARE THE RIGHTS OF THE PARTIES?

ANSWER: THE COMPANY:

1. THE COMPANY CAN CONTINUE TO OPERATE AND PERMANENTLY REPLACE STRIKING EMPLOYEES.
2. THE COMPANY CAN DISCONTINUE ITS PAYMENTS FOR BENEFITS TO STRIKING EMPLOYEES.
3. THE COMPANY CAN TERMINATE AND CRIMINALLY PROSECUTE ANY STRIKER FOR PICKET LINE MISCONDUCT.

4. THE COMPANY CAN NOTIFY THE STATE UNEMPLOYMENT COMPENSATION DEPARTMENT WHO THE EMPLOYEES ARE THAT ARE STRIKING AND THEREFORE DISQUALIFY THEM FROM UNEMPLOYMENT COMPENSATION FOR THE DURATION OF THE LABOR DISPUTE.

THE TEAMSTERS:

1. THE TEAMSTERS CAN LEGALLY PICKET TOMY, PROVIDED THE PICKETING IS PEACEFUL AND ENTRY TO THE COMPANY'S PREMISES IS NOT OBSTRUCTED.

THE EMPLOYEES:

1. THE EMPLOYEES CAN HONOR THE PICKET LINE AND REFUSE TO COME TO WORK, OR THEY CAN REFUSE TO HONOR THE PICKET LINE AND COME TO WORK.

QUESTION: WHAT HAPPENS IF THE TEAMSTERS DO NOT SUCCEED IN THE STRIKE?

ANSWER: WHAT USUALLY HAPPENS IS WHAT HAPPENED TO THE EMPLOYEES AT AMERICAN HOSPITAL SUPPLY CO. (SEE NEWSPAPER CLIPPING ATTACHED).

QUESTION: IF THE TEAMSTERS GET IN, CAN TOMY CONTINUE TO MEET WITH EMPLOYEES AND COMMUNICATE TO THEM CONCERNING WAGES, HOURS AND CONDITIONS OF EMPLOYMENT AS THEY HAVE BEEN?

ANSWER: NO. TOMY COULD NO LONGER INITIATE DISCUSSIONS WITH EMPLOYEES INDIVIDUALLY OR IN GROUPS TO DISCUSS THEIR PROBLEMS. INSTEAD, TOMY WOULD DEAL EXCLUSIVELY WITH THE UNION ON SUCH MATTERS, NOT TO MENTION WHAT THE EMPLOYEES THEMSELVES MIGHT WANT. WHATEVER IS AGREED TO WITH THE UNION WOULD BE ENFORCED FOR ALL EMPLOYEES WHETHER THEY LIKED WHAT WAS AGREED TO OR NOT.

QUESTION: IF THE TEAMSTERS NEGOTIATES UNION SECURITY PROVISIONS REQUIRING MEMBERSHIP IN THE UNION AFTER THIRTY (30) DAYS OF EMPLOYMENT, WOULD EMPLOYEES HAVE THE RIGHT TO REFUSE TO BELONG TO THE UNION?

ANSWER: NO. EMPLOYEES WOULD HAVE TO JOIN THE UNION AND PAY DUES OR ELSE BE FIRED.

QUESTION: IF EMPLOYEES HAVE TO BE MEMBERS OF THE UNION TO HOLD THEIR JOBS, WHAT DOES THAT MEAN?

ANSWER: AS A MEMBER OF THE TEAMSTERS, YOU ARE SUBJECT TO THE PROVISIONS OF THE TEAMSTERS' CONSTITUTION AND BY-LAWS. THAT MEANS YOU CAN HAVE SPECIAL ASSESSMENTS ADDED TO YOUR DUES IF THE UNION CHOOSES; THAT MEANS IF YOU DO NOT GET ALONG WITH THE REPRESENTATION YOU CAN BE FINED AND EVEN EXPELLED; THAT MEANS YOU MUST FOLLOW THE TEAMSTERS' REGULATIONS WHETHER YOU LIKE THEM OR NOT, BECAUSE IF YOU DO NOT, YOU CAN BE FINED.

QUESTION: WHY IS TOMY AGAINST THE TEAMSTERS AS A LABOR ORGANIZATION?

ANSWER: WE BELIEVE THE TEAMSTERS UNION AS A LABOR ORGANIZATION AT TOMY WOULD:

1. CREATE MORE CONFLICT AND DISHARMONY BETWEEN EMPLOYEES AND MANAGEMENT;
2. ELIMINATE THE TEAMWORK APPROACH WE HAVE ATTEMPTED TO GENERATE AT TOMY WITH ALL EMPLOYEES AND THE MANAGEMENT OF THE COMPANY. WE SEE THE TEAMSTERS AS A LABOR ORGANIZATION DEVELOPING A HARDENING OF POSITIONS BETWEEN THE PARTIES WHERE POWER REPLACES REASON, RESULTING IN LABOR UNREST THAT COULD DISRUPT THE TEAMWORK APPROACH AND PUT EMPLOYEES AT EACH OTHERS THROATS. WE DO NOT BELIEVE IN AN ENVIRONMENT THAT PUTS EMPLOYEES AGAINST THE COMPANY AND CREATES STRONG FEELINGS AND DIFFERENCES OF OPINIONS BETWEEN EMPLOYEES THAT HAS RESULTED IN HARD FEELINGS AND CONFLICT AT OTHER COMPANIES.

QUESTION: IS TOMY RUNNING SCARED OR AFRAID OF THE TEAMSTERS UNION?

ANSWER: IF EMPLOYEES CHOOSE TO SELECT THE TEAMSTERS, ALL WE CAN SAY IS WE TOLD YOU SO, AND WE WILL NOT VIOLATE THE LAW IN CARRYING OUT OUR RESPONSIBILITIES AND RIGHTS UNDER THE LAW. WE WOULD PREFER TO SOLVE OUR PROBLEMS WITH UNDERSTANDING, HARD WORK AND PATIENCE RATHER THAN THE UNION WAY OF POWER AND CONFLICT. IF THE TEAMSTERS DECIDES POWER IS THE WAY TO GO, WHEN THE DUST SETTLES, WE WILL ALL FIND OUT IF TOMY IS AFRAID OF THE TEAMSTERS.

AS YOU CAN SEE, UNIONS AND STRIKES GO TOGETHER. WHEN YOU ADD IT ALL UP, STRIKES ARE USUALLY A NO-WIN SITUATION:

- FACT - YOUR WAGES WOULD STOP IMMEDIATELY.
- FACT - MAKING UP WAGES LOST DURING A STRIKE CAN TAKE YEARS, SOMETIMES A LIFETIME.
- FACT - YOU DO NOT GET UNEMPLOYMENT COMPENSATION WHEN YOU ARE ON STRIKE.
- FACT - YOU WILL STARVE TO DEATH ON TEAMSTERS' STRIKE BENEFITS WHICH ARE:

FIRST TWO WEEKS ON STRIKE - No BENEFITS

THIRD THROUGH SIXTH WEEK ON STRIKE - \$35.00

SEVENTH WEEK AND AFTER \$35.00

AND YOU ARE AUTOMATICALLY DISQUALIFIED FROM STRIKE BENEFITS IF YOU DO NOT WALK THE PICKET LINE AS THE TEAMSTERS TELL YOU TO - AND THAT COULD BE 11 AT NIGHT TO 7 IN THE MORNING.

CAN YOU LIVE ON \$25.00 TO \$35.00 A WEEK?

- FACT - IF YOU ARE ON STRIKE, FRINGE BENEFITS STOP. WHAT WOULD HAPPEN TO YOU IF YOU WERE HOSPITALIZED? WHO WOULD PAY THE BILL? NOT THE TEAMSTERS. IF YOU ARE ON STRIKE YOU WOULD LOSE THEM.
- FACT - IF YOU ARE ON STRIKE, YOU CAN BE PERMANENTLY REPLACED. WHAT HAPPENS TO YOUR JOB SECURITY THEN? EMPLOYEES ORGANIZED BY THE TEAMSTERS HAVE HAD THIS EXPERIENCE BEFORE. (HEAR IT FROM TEAMSTERS' ATTORNEY IN THAT ATTACHED NEWSPAPER CLIPPING.)

CONSIDER SOME OTHER LOCAL TEAMSTER STRIKE EXPERIENCES.....

- DOWN IN SANTA ANA, EMPLOYEES ORGANIZED BY THE TEAMSTERS WERE ON STRIKE NINE (9) MONTHS. THEY WERE ALL PERMANENTLY

- REPLACED DURING THE STRIKE. THEY NOT ONLY LOST THEIR WAGES FOR NINE MONTHS, THEY ALSO LOST THEIR JOBS. AFTER THE STRIKE WAS OVER, EMPLOYEES BOOTED OUT --- (DECERTIFIED) THE TEAMSTERS. BUT THE DAMAGE WAS ALREADY DONE.

- ABOUT 18 MILES FROM OUR PLANT, EMPLOYEES ORGANIZED BY THE TEAMSTERS AT MARSHALL TRANSPORT IN SANTA FE SPRINGS WERE ON STRIKE FOR ABOUT FIVE (5) WEEKS. THAT STRIKE NEVER ENDED - THE COMPANY WENT OUT OF BUSINESS. BEFORE THE TEAMSTERS THEY HAD JOBS. AFTER THE TEAMSTERS THEY LOST THEIR JOBS.

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- TODAY YOU DO NOT HAVE TO PAY THE TEAMSTERS UNION DUES TO KEEP YOUR JOBS.
 - TODAY YOU DO NOT HAVE TO PAY THE TEAMSTERS MORE MONEY IN SPECIAL ASSESSMENTS WHENEVER THEY WANT IT.
 - TODAY YOU ARE NOT CONTROLLED BY THE MOST CORRUPT UNION IN OUR COUNTRY WHERE UNION OFFICIALS ARE ON MULTIPLE SALARIES, FLY THEIR OWN FLEET OF JET PLANES FROM THE UNION DUES YOU PAY, AND DRIVE LINCOLNS AND CADILLACS FROM THE UNION DUES YOU PAY.
 - AND TODAY YOU DO NOT HAVE TO WORRY ABOUT STRIKES, LOST WAGES AND JOB SECURITY. WE ARE HOPING YOU WILL DECIDE TO GIVE TOMY YOUR OVERWHELMING VOTE OF CONFIDENCE ON AUGUST 17TH BY VOTING "NO"!

Hospital supply workers idled

EDISON — After striking nine weeks, about 60 members of Teamsters Local 307 employed by the American Hospital Supply Corp. in Raritan Center have found themselves out of a job.

With evidently few exceptions, striking union ware-

housemen and truck drivers were notified by American Hospital Supply that they were laid off only days after they voted May 16 to accept the company's contract offer.

Warren Mangin, Jr., attorney for the 10,000-member Local 307 and son of its president, confirmed this week from Long Island City that the majority of workers had been laid off as soon as they returned to work.

Quirk of law

Mangin, who was reluctant to talk about any aspect of the strike, said that it is a "peculiar quirk of the law" that an employer can hire permanent strike replacements in place of striking employees.

He said that replacements cannot be displaced by returning union members.

"This is apparently the position," he added, "that the National Labor Relations Board has taken."

Strike replacements were hired by American Hospital Supply soon after the strike began March 26.

Jobs filled

By the third week of the action more than 50 of the approximately 70 jobs formerly held by strikers had been filled by new, non-union employees and returning strikers — seven of whom reportedly returned to work before the nine-week long strike was over.

Sack steward Pat Fogarty of Jackson, was one of the men laid off last week.

He said he received a letter May 19 from American Hospital Supply saying that he was being laid off "until further notice."

The letter, which carried no date, was signed by Thomas Funkhauser, vice-president of American Hospital Supply, and Thomas J. Jackenberg, vice president of scientific Products Division.

Hoffa's Family Abandons Hope; Son Says He Was Victim of an Assassination Plot

BY BRYCE NELSON
Times Staff Writer

DETROIT—The family of missing Teamster leader James R. Hoffa has given up hope that he is still alive and has concluded that he was the victim of a "highly planned assassination directly related to his attempt to return to power in the Teamsters Union," his son, James P. Hoffa, said Tuesday in an interview with The Times.

"Whoever did this, did the most inhumane thing by not allowing us the opportunity to bury our father in a proper Christian burial. That's the worst thing. The whole idea of a funeral is to help people accept death. It's incredibly cruel," said Hoffa.

Tuesday's comments marked the first day on which the younger Hoffa, a lawyer, has admitted publicly that he is now convinced that his father is dead, although, he said, he came to the conclusion several weeks ago.

Hoffa's father disappeared on July 30. The younger Hoffa said Tuesday that he did not think his father's body would be found.

"They got rid of my father because he stood in their way. If they can get rid of him, they can get rid of anybody that stands in their way. If the president of the Ford Motor Co. stands in their way, they can get rid of him. What's to stop them from getting rid of the president of the United States if they think he's standing in their way?" Hoffa asked.

When asked who the "they" were—who killed his father—Hoffa said, "They're the people who've been mentioned in the newspapers."

Hoffa said that "assassinating my father was the only way that my father's enemies could keep him from returning to the presidency of the Teamsters Union. My father was the power and they knew it."

A federal grand jury run by the Justice Department Strike Force has been conducting an investigation of Hoffa's disappearance here since Sept. 2. The grand jury has tried, often without success, to talk to several witnesses it has subpoenaed including Hoffa's foster son, Charles (Chuckie) O'Brien; reputed Detroit Mafia figure Anthony (Tony Jack) Giacalone; his brother, Vito Giacalone; deposed Teamster Vice President Anthony (Tony Pro) Provenzano, and Detroit labor consultant Leonard Schultz. Several of the key witnesses have invoked Fifth Amendment protection against self-incrimination.

An FBI affidavit read by the U.S. special attorney in federal court here last week has linked O'Brien, Anthony Giacalone and Provenzano on the day of Hoffa's disappearance.

Hoffa said that he thought his father had been killed by "a band of killers—paid professionals." He said that the alleged abduction and murder had been "meticulous" and had been planned with great care.

A meeting between Giacalone and Hoffa may have taken place about a week before Hoffa's disappearance, according to one Detroit Teamster source close to the investigation. According to the source, the alleged meeting was heated and Giacalone walked away angry.

When asked if he had been in the vicinity of such a meeting, the younger Hoffa said Tuesday that he would not comment on such aspects of the investigation.

The younger Hoffa continued to voice his suspicions of O'Brien Tuesday, saying, "He cannot explain what he was doing on the date in question." Hoffa has urged O'Brien to take a lie detector test.

According to the FBI affidavit, the younger Hoffa told the FBI that O'Brien "is one of the small number of persons with whom Hoffa is acquainted and with whom Hoffa would willingly enter an automobile."

Hoffa said Tuesday that O'Brien and his father had a "falling out" in December, 1971. When asked why O'Brien had sided with the forces of current Teamster President Frank E. Fitzsimmons, Hoffa replied, "My dad was never going to let him (O'Brien) control locals because of his feeling that Chuckie was incompetent. My father was very disillusioned with O'Brien."

The younger Hoffa said that he thought that the Justice Department and FBI were "definitely paying enough attention to the case."

The federal grand jury focused its attention Tuesday on a visit of Fitzsimmons to Detroit on July 25 and 26, a few days before Hoffa's disappearance. Fitzsimmons' attorney, Robert Battiste, has denied Detroit press reports that Fitzsimmons had met with reputed Mafia figures Raffaele (Jimmy Q) Quasariano and Peter Vitale about July 25 and 26.

Restaurant owner Peter Larco, at whose restaurant the

meeting had been alleged to have taken place, told reporters that he knew all of the three men mentioned but that they had not been at his restaurant during those days.

Larco testified for the grand jury Tuesday as did auditor Edmund Lalonde, who said that Fitzsimmons had checked into the Fairlane Inn in Dearborn shortly after midnight on the morning of July 26.

Several Teamsters, who refused to identify themselves for newsmen and who took Fifth Amendment protections against self-incrimination, according to their lawyer, also appeared before the grand jury Tuesday.

4 Indicted in Murder of N.J. Teamster

NEWARK, N.J. (AP)—Two New Jersey Teamsters bosses, both linked to organized crime and the investigation of Jimmy Hoffa's disappearance, have been indicted on charges that they helped kidnap and kill another Teamsters official in 1961, the FBI announced Wednesday.

Anthony (Tony Pro) Provenzano, 59, secretary-treasurer of Teamsters Local 560 in Union City, N.J., and Salvatore Briguglio, 46, the business agent for the 13,000-member local, were charged along with two other men in the murder of Anthony (Three Fingers Brown) Castellito.

Castellito was secretary-treasurer of Local 560 when he disappeared.

The arrests Wednesday were based on an indictment returned by a federal grand jury in New York, charging the four men with violating federal kidnaping and conspiracy statutes.

The other two defendants are George J. Vangelakos of Jersey City and Harold (Kayo) Konigsberg, now serving a

44-year sentence for extortion at the Clinton Correctional Facility in Dannemora, N.Y.

A separate state indictment in Ulster County, N.Y. charged Briguglio and Konigsberg with murder and Provenzano with conspiracy to commit the murder of Castellito.

Castellito, whose body has not been found, vanished after attending a union meeting in Union City, N.Y.

The indictments charged that the defendants, along with two unindicted coconspirators, agreed to lure Castellito from Lodi, N.J., to his farm in Kerhonkson, N.Y., for the murder.

One of the unindicted coconspirators reportedly is a government witness, identified only as Salvatore Sinno.

While Briguglio and Konigsberg were killing Castellito, according to the indictment, Vangelakos dug a grave. But the plans changed and the body was taken back to New

Jersey for disposal, it said.

The federal indictment charged that Provenzano paid \$10,000 to Konigsberg for the murder.

FBI officials refused to comment on the whereabouts of the body and the method used to kill Castellito.

In 1961, Provenzano was president of the local, but was stripped of the title when he was sent to prison for extortion two years later.

He served four years at the Lewisburg Penitentiary in Pennsylvania, while Hoffa was serving a 13-year sentence there for jury tampering and mail fraud.

Provenzano reportedly opposed Hoffa's bid to regain the national presidency of the Teamsters. He also reportedly had violent arguments with Hoffa over his loss of pension benefits.

Hoffa has been missing since July 30, 1975. His body has not been recovered, and no one has been charged in connection with the case.

Before he disappeared, Hoffa told his wife he planned to meet Provenzano and reputed mobster Anthony Giacalone at a restaurant outside of Detroit. Hoffa was last seen in the restaurant parking lot.

Sun., June 13, 1976

Los Angeles Times 2*

THE NATION

Crime Figures' Use of Union Funds Told

A Senate investigator said in Washington that more than \$1.1 million had been diverted from a union benefit plan of a New York Teamsters local to persons with organized crime connections and that other unions across the country might be using additional millions through similar schemes. La Vern J. Duffy, assistant counsel for the Senate government operations investigation subcommittee, said the scheme to divert funds from a severance pay-life insurance plan had been discovered in Teamsters Local 295. Similar plans, drawn up by the same person who prepared the New York one, are in effect in other union locals across the country, Duffy added.

Son of Teamsters Boss Indicted

DETROIT (AP)—Richard Fitzsimmons, son of Teamsters Union President Frank Fitzsimmons, was indicted Friday on charges of embezzlement and conspiracy in connection with a union severance fund.

The indictment alleges that Fitzsimmons, vice president of Teamsters Local 299 in Detroit, and Anthony Sciarrotta, a former Teamsters business agent, converted \$5,000 from the Detroit-based fund to buy life insurance policies.

If convicted of the federal charges, Fitzsimmons and Sciarrotta each would face up to 10 years in prison and a \$20,000 fine.

Cleveland Union Officer Killed by Bomb in His Car

CLEVELAND (UPI)—John Nardi, a Cleveland Teamsters Union officer, was killed by a bomb blast that destroyed his car Tuesday near a union office.

Nardi, 61, had been described by the police and FBI as one of the most powerful men in Cleveland organized crime. He was secretary-treasurer of Teamsters Local 410.

Police sources said Nardi had been engaged in a power struggle with other mob elements.

Teamster Union organizer Jimmy Cecil Tucker, 37, of Merced, was arrested on charges of possession of a firearm by an ex-felon and possession of an explosive device, marijuana and dangerous drugs. The arrest was made after Riverside County sheriff's deputies found a shotgun, 39 rounds of ammunition, a dynamite fuse and drugs in Tucker's Indian motel room. Outbreaks of violence have occurred in the area recently during a wildcat strike by Teamster Union farm workers who want to renegotiate an existing contract for higher wages in Coachella Valley vineyards.

2-6-77
L.A. TIMES

Rebel Teamsters Claim Union Is Corrupt, Score \$100,000-a-Year Pay for Leaders

BY ROBERT A. ROSENBLATT
Times Staff Writer

WASHINGTON—A rebel Teamsters group attacked the union Thursday, calling it a dictatorship run by men who draw salaries exceeding \$100,000 a year, travel in a \$13 million fleet of private aircraft, and dine on meals prepared by French chefs on the union payroll.

Because "corruption runs deep," any efforts to reform the nation's biggest union may be "physically, legally and financially overwhelming," the Professional Drivers Council (PROD) said in a 177-page report.

PROD claims a membership of 2,000 dues-paying Teamsters, and says it has thousands of sympathizers in the union of 2.3 million workers.

PROD executive director Arthur Fox called for congressional inquiries into union abuses. He accused the federal government of failing to protect Teamsters' rights under national labor law.

The permanent Senate investigations subcommittee already is studying the union, and Sen. Jacob K. Javits (R-N.Y.) said that he would ask the Senate Labor Committee to investigate PROD's charges of abuses in the administration of Teamsters pension funds.

"Teamsters are rapidly losing their faith in our political institutions because the (union) has corrupted the meaning of democracy," Fox told a news conference attended by PROD members from Maryland, Ohio, New Jersey and Pennsylvania.

A Teamsters spokesman said the union would have no comment on PROD's charges.

Based on a 10-month study of financial records, the PROD report claimed that:

—17 Teamsters officials earned more than \$100,000 in 1974. The union allows officers to hold several jobs and draw several salaries. President Frank Fitzsimmons drew a salary of \$125,000. By contrast, the



LEADER—Arthur Fox, attorney for a rebel Teamsters group.

AP Wirephoto

heads of three other large unions were paid much less: \$75,021 for I. W. Abel of the United Steelworkers, \$62,939 for Leonard Woodcock of the United Auto Workers; and \$16,205 for Floyd Smith of the International Assn. of Machinists.

—The union operates seven aircraft for the use of top officials. Only General Motors among private groups has a bigger fleet to transport its managers, according to the report.

—Nine top officials obtained real estate loans from the union treasury, an apparent violation of the Lanum-Griffin labor law.

—The union spent \$8.6 million on "organizing" in 1974 without telling the membership how or where the money was used. There is "no way of knowing whether it was spent on legitimate organizing or whether it was wasted or illegally converted to the private use of certain individuals," the report said.

duals," the report said.

—The Southern Teamsters Conference gave cash gifts to officials and organizers, provided a furnished luxury condominium apartment in Florida for its former director, and gave Fitzsimmons an \$8,119 gift.

—Teamsters health and welfare funds paid millions of dollars in questionable service fees to an insurance company owned by a man convicted of taking a kickback for a pension fund loan.

The report also said that the union spends approximately equal sums for its two-man safety department, concerned with the working conditions of driver-members, and for the salaries of two French chefs employed at international headquarters in Washington.

The chefs draw salaries totaling \$39,000 and the safety experts \$41,000.

PROD has proposed amendments to the union constitution that would automatically expel officials convicted of taking illegal payments from employers, place limits on executive salaries and liberalize union election rules. The amendments will be offered at the union convention in Las Vegas next month, but they appear to have little likelihood of passage.

Each of the 800 Teamsters locals has been sent a copy of the suggested amendments and the PROD report, titled "Teamster Democracy and Financial Responsibility."

Bob Nadolski, a Teamster from Edison, N.J., told the news conference that the report was "dynamite" which should remove a "cloak of secrecy" from the union.

Leo Kohls of Somerset, Ohio, said he was fired last year after he became an active member of PROD. Both men said many Teamsters wanted to support PROD but feared union retaliation.

"They say, 'We'll pull your union cards,'" Kohls said.

Workers join firm's owners in criticism of NLRB ruling

Workers at Tri-City Linen Supply Co. in Riverside have joined the firm's owner in criticizing a National Labor Relations Board ruling that the owner unfairly tried to persuade his workers not to join the Teamsters' Union.

Six drivers for the firm made a joint statement also criticizing the Teamsters for making what they said were promises about the benefits of unionization that were not kept.

"We felt the judgment was very unfair to Tri-City, especially after the union got its foot in the door, promised us so many things and couldn't fulfill them." one of the drivers, Dana Owen, said later.

He indicated that the drivers have not yet ascertained the procedures by which a new NLRB election might be called in which they might vote the Teamsters out as their bargaining agent.

James Pelissero, business agent for the Teamsters' Sales Drivers and Dairy Employees Local 166 in San Bernardino, said he thinks the charges are unjustified, and cited the NLRB ruling as support for his belief.

The NLRB ruling, released March 16, said the owner of the firm, Frank Cifu, engaged in unfair labor practices by threatening to sell the business if employees voted to join a union. Cifu subsequently charged that the Teamsters lied to workers about the benefits they would receive if they joined the union, but the NLRB overturned the charge.

In an NLRB election among about eight drivers at the firm last May, the drivers voted to join the Teamsters.

The NLRB ordered the Teamsters local recognized as the workers' bargaining agent, and Pelissero said he plans to meet with the employees soon to discuss terms for contract negotiations.

Owen and other drivers, however, said they no longer want to be represented by the union, and that the type of contract they expect to receive under union representation will cost them \$40 or more a week in pay.

"Whatever is negotiated between the owners and the Teamsters, I'm not going to sign," said another driver, Ronald Miller, of Riverside.

The drivers said Cifu did not know they planned to criticize the ruling and the union, and Cifu said he had no role in it.

ANOTHER VOTE

Editor, Press and Enterprise:

We the route drivers of Tri-City Linen are writing this letter regarding your article about the National Labor Relations Boards' decision toward Tri-City Linen and the Teamsters Union.

Although we did vote at one time to accept the union, we were told at that time we would have an industrial contract which would have meant a \$50 a week raise in pay. At that time it sounded very encouraging, so by a slight margin, we voted the union in. Once the union thought they had their foot in the door, we were told we could not have an industrial contract, but we had to have a linen contract, and thus we were deliberately misled. At this time having a linen contract would mean a loss of \$40 to \$60 a week, plus union dues. Drivers are earning an average of \$250 a week for a four-day week.

Anyone in their right mind would be crazy to accept the union, especially since they lied their way in. . . . we the drivers believe that the NLRB's decision to allow the union to go ahead should be stopped and have another vote, which we believe it is our right due to the union's falsifying the contract we were promised . . .

DANA OWEN
RONALD MILLER
JIM CUNNINGHAM

Riverside