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MEET RICHARD TRUMKA: AMERICAN LABOR PUTS THEIR TRUST IN A COMBATIVE MILITANT WITH TIES TO ILLEGALITY AND VIOLENCE

***Trumka's Threat:** "Today, more than ever, we need to be a labor movement that stands by our friends, punishes its enemies, and challenges those who, well, can't seem to decide which side they're on."*

(Mark Murray, "AFL-CIO: Public Option Is A Must," NBC News, 9/1/09)

TRUMKA'S STYLE HAS BEEN CALLED OUT

"Combative" By *The New York Times*. "Mr. Trumka would bring a more combative style to running the federation at a time when organized labor seems to be growing weaker in the nation's workplaces but stronger in Washington." (Steven Greenhouse, "Combative Union Leader Steps From The Shadows," *The New York Times*, 7/3/09)

"Polarizing" By Some Union Leaders. "[S]ome union leaders worry that Mr. Trumka will be a polarizing figure who might not be adept at building consensus among the A.F.L.-C.I.O.'s 56 unions, a crucial step in moving it forward." (Steven Greenhouse, "Combative Union Leader Steps From The Shadows," *The New York Times*, 7/3/09)

"Us Against Them" By A Labor Relations Professor. "His us-against-them style, Mr. Chaison said, could make it harder to attract the white-collar and young workers labor is wooing." (Steven Greenhouse, "Combative Union Leader Steps From The Shadows," *The New York Times*, 7/3/09)

Even Friends Admit He Is “Aggressive” And “Militant.” “‘Rich will be aggressive, bold, militant, and smart,’ said Rose Ann DeMoro, a longtime friend who is executive director of the California Nurses Association/National Nurses Organizing Committee.” (Sam Hananel, “Expected New AFL-CIO Chief To Lead Rebuilding Effort,” *The Associated Press*, 6/9/09)

Some Members Of The AFL-CIO Have Concerns About Trumka Taking Over:

“Inside A.F.L.-C.I.O. headquarters ... some wonder whether he is right for the job. ‘People are asking whether Rich can be an effective organization leader, as opposed to an effective speechmaker and whether he can lead the movement in a broad statesmanlike fashion rather than a narrow, provincial fashion,’ said one official who insisted on anonymity, not wanting to upset one of his bosses.” (Steven Greenhouse, “Combative Union Leader Steps From The Shadows,” *The New York Times*, 7/3/09)

“Some union leaders say Mr. Trumka’s candidacy may impede the months of efforts to reunify the labor movement. The service employees, the Teamsters and five other unions quit the A.F.L.-C.I.O. to form a rival federation in 2005.” (Steven Greenhouse, “Combative Union Leader Steps From The Shadows,” *The New York Times*, 7/3/09)

Trumka Even Launched A Sleazy Attack Against Loyal Democrat George McGovern Because He Had Principled Objections To The Employee Free Choice Act:

“The retiring president of the AFL-CIO sharply criticized former U.S. Sen. George McGovern for opposing the Employee Free Choice Act, suggesting Wednesday that McGovern had taken that position because he was still upset that labor did not support him in the 1972 presidential election ... Trumka was even harsher, at one point referring to McGovern as ‘poor George.’ ‘You know, he ran as an anti-war candidate, and there have been three or four wars since he left the playing field that he has had nothing to say about,’ Trumka said. ‘And then he comes back to the playing field to make war against workers. We find that to be very ironic.’ In fact, McGovern has been an outspoken critic of the Iraq war, writing and speaking against it before the invasion in 2003 and advocating withdrawal in 2006.” (Chuck Raasch, “Labor Leader Blasts George McGovern’s Stance On Union Bill,” *Reno Gazette-Journal*, 9/2/09)

TRUMKA HAS MULTIPLE TIES TO ILLEGAL CAMPAIGN CONTRIBUTIONS

Richard Trumka, then-Secretary-Treasurer of the AFL-CIO, was frequently named in a Clinton-era federal investigation into a money-laundering scheme involving the Democratic Party and then-Teamsters President Ron Carey. Court documents and a congressional report claimed Trumka helped channel \$150,000 in union funds to Carey’s 1996 re-election campaign through Citizen Action, a liberal consumer-advocacy group and separately provided \$50,000 illicitly to the Carey campaign.

ILLEGAL SCHEME #1: Funneling \$150,000 Through The AFL-CIO:

Trumka Named In Investigation And Report By Former U.S. District Court Judge Serving As A Federal Election Officer:

Kenneth Conboy, a retired U.S. District Court Judge, investigated the illegal campaign contributions as a federal election officer and submitted a report to the Southern District of New York to disqualify Carey from running again for his leadership position. After a lengthy investigation, Judge Conboy found that Trumka laundered \$150,000 from the International Brotherhood of Teamsters (IBT) through the AFL-CIO to a political group called Citizen Action, which routed \$100,000 of the original amount to the Carey campaign. Judge Conboy explained:

“In the Fall of 1996, [Carey campaign consultant Martin] Davis sought to raise an additional \$100,000 to cover more of the costs of the direct mail campaign to be conducted by the November Group for the Carey campaign. Mr. Davis initially sought to raise these funds by arranging for another IBT contribution to Citizen Action. In late October 1996, Citizen Action agreed that if Mr. Davis could obtain an additional contribution from the IBT of \$150,000, Citizen Action would pay the November Group \$100,000. Mr. Davis told [Carey campaign manager Jere] Nash that he wanted the IBT to make another contribution to Citizen Action which would, like the first contribution to Citizen Action for \$475,000, benefit the Carey campaign. To follow up on Mr. Davis’ request, on October 31, 1996, Ira Arlook of Citizen Action sent [IBT Government Affairs Director William] Hamilton a request for an additional \$150,000 contribution from the IBT. In that letter, Mr. Arlook noted that the IBT had already ‘been extremely generous in supporting [Citizen Action’s] efforts.’

“Mr. Hamilton turned down this request from Citizen Action. Mr. Hamilton wrote to Mr. Arlook on November 1, 1996, stating, ‘[m]uch as I’d like to, we can’t do the additional request.’ Mr. Nash stated that he was told by Mr. Hamilton that an additional contribution to Citizen Action could not be justified, since the IBT had recently given the group \$475,000.

“After learning that Mr. Hamilton denied the Citizen Action request for \$150,000, Mr. Davis stated that he approached Richard Trumka, the Secretary-Treasurer of the AFL-CIO, and asked whether his union could donate \$150,000 to Citizen Action. Mr. Davis explained to Mr. Trumka that such a donation by the AFL-CIO would help the Carey campaign. According to Mr. Davis, Mr. Trumka indicated that the AFL-CIO did not have any money to contribute. Mr. Davis stated that he and Mr. Trumka then agreed that if Mr. Davis could persuade the IBT to give \$150,000 to the AFL-CIO, Mr. Trumka would have the AFL-CIO provide \$150,000 to Citizen Action.

“Mr. Davis then asked Mr. Nash to arrange for the IBT to contribute \$150,000 to the AFL-CIO in order to benefit the Carey campaign. Mr. Nash asked Mr. Hamilton to recommend such a contribution, and Mr. Hamilton agreed to submit a request to contribute \$150,000 of IBT funds to the AFL-CIO. By memorandum dated October 31, 1996, Mr. Hamilton asked for Mr. Carey’s approval ‘to move \$150,000 in general treasury funds to the AFL-CIO’s [political action committee] COPE program to help finance get-out-the-vote activity in selected Labor ‘96 states.’ The request was approved on November 1, 1996, and a check for \$150,000 was sent to the AFL-CIO. According to Mr. Davis, the AFL-CIO then transferred \$150,000 to Citizen Action, which then forwarded \$100,000 to the November Group. This \$100,000 was applied by Mr. Davis to the costs of the direct mail campaign conducted by the November Group for the Carey campaign.”

(Conboy Decision, <http://archive.nlpc.org/olap/TEAMSTER/971117KC.HTM>)

Trumka Named In Criminal Indictment By Justice Department:

On April 27, 1998, Trumka was named in the indictment of William W. Hamilton Jr., as someone who participated in certain “contribution swap schemes” to assist in Carey’s re-election effort in 1996. Page 18 of the indictment alleges that:

“In or about late October 1996, Martin Davis asked the Secretary-Treasurer of the AFL [Richard Trumka] if he would arrange for the AFL to give \$150,000 to Citizen Action if the IBT [International Brotherhood of Teamsters] agreed to give \$150,000 to the AFL [AFL-CIO]. The Secretary-Treasurer of the AFL agreed. At Martin Davis’ request, Jere Nash asked William W. Hamilton, Jr., the defendant, to contribute \$150,000 to the AFL, and informed him that the Carey campaign would benefit in return. Hamilton agreed to Nash’s request, and, on or about November 1, 1996, Hamilton caused the IBT to give \$150,000 in IBT General Treasury funds to the AFL, upon obtaining the necessary approvals from IBT officials. The AFL then sent \$150,000 to Citizen Action. Upon receipt of the \$150,000 from the AFL, Citizen Action sent \$100,000 to the November Group, which Davis applied to pay the November Group’s fees for the Carey campaign’s direct mail program.” (Indictment Of William W. Hamilton Jr., 4/27/98)

Hamilton Charged And Convicted In Trial ... Witnesses Spoke Of Trumka’s Participation In The Illegal Arrangement:

“Hamilton was charged with conspiracy, embezzlement, mail fraud, wire fraud and perjury in connection with an elaborate and illegal scheme involving the AFL-CIO and the Democratic National Committee. Rather than cooperating with the government, Hamilton chose to go to trial, and was convicted on six counts.” (Steven Greenhouse, “Ex-Teamster Official Guilty In Campaign Finance Case,” *The New York Times*, 11/20/99)

During the trial, “witnesses furnished much more information about Richard Trumka, the A.F.L.-C.I.O.’s secretary-treasurer. Several witnesses indicated that Mr. Trumka had worked with Mr. Hamilton in an arrangement in which the Teamsters made an unusual \$150,000 payment to the A.F.L.-C.I.O., and then the labor federation immediately contributed \$150,000 to Citizen Action. Prosecutors suggested that this was part of a scheme to get Citizen Action’s donors to give to the Carey campaign.” (Steven Greenhouse, “Ex-Teamster Official Guilty In Campaign Finance Case,” *The New York Times*, 11/20/99)

- For example, as the government summarized one of the trial witnesses in its closing argument, “you know from [AFL-CIO controller] Sue Mackie that right around this same time period, she gets called to a meeting in the secretary-treasurer’s office, in Mr. Trumka’s office, and there are four people at that meeting; Sue Mackie herself, Richard Trumka, Richard Trumka’s secretary, Kathy Smith, and a fourth person that Sue Mackie can’t identify, someone that she’s never seen before and she can’t remember since. What happens during that meeting? Well, when Sue Mackie leaves, she knows this: She knows that the AFL-CIO might be getting \$150,000 from the Teamsters’ Union, and that if that money comes in, then that \$150,000 should be sent to Citizen Action.” (Justice Department’s Assistant U.S. Attorney Martine Beamon, Summation To The *Hamilton* Jury, 11/16/99)

Trumka Is Mentioned Again In The “AFL Overt Acts” Section Of The Indictment (On Pages 24-25):

“On or about November 1, 1996, the Secretary-Treasurer of the AFL sent a letter to Hamilton requesting a \$150,000 contribution from the IBT to the AFL ... On or about November 4, 1996, the Secretary-Treasurer of the AFL caused the AFL to send a check for \$150,000 to Citizen Action.” (Indictment Of William W. Hamilton Jr., 4/27/98)

Both Martin Davis and Jere Nash Charged and Pled Guilty. (Steven Greenhouse, “Ex-Teamster Official Guilty In Campaign Finance Case,” *The New York Times*, 11/20/99)

Hoffa Openly Suggested Trumka Was Involved In The Criminal Activity:

James P. Hoffa, the Teamsters President at the time, kept a close eye on the federal investigation as he was interested in knowing exactly how the 1996 Teamsters election was defrauded. Hoffa openly commented on Hamilton’s potential cooperation:

“The fraud went higher than Hamilton ... I’m hoping Hamilton pleads guilty and becomes a government witness. He can name the missing links in the money transfers to Carey.’ Hoffa’s aides later suggested the first person Hamilton can implicate is Richard Trumka, the secretary-treasurer of the AFL-CIO.” (Jack Newfield, “This Jimmy Hoffa Is No Chip Off The Old Block,” *The New York Post*, 10/11/99)

In another interview, Hoffa was even more direct in alleging Trumka was connected to illegal activities and illegal campaign practices:

ROBERT NOVAK: “Mary Jo White, the U.S. attorney in New York, has just won a conviction of the former political director of the Teamsters, William Hamilton, under a previous administration, on this deal where they were swapping money in between the Democratic National Committee and the Teamsters illegally. Do you believe, Mr. Hoffa, that the U.S. attorney should extend this investigation to an indictment of the AFL- CIO Secretary-Treasurer Richard Trumka?”

JAMES HOFFA: “Well, I’m not saying who should be indicted, but I would certainly say this, that I urge the U.S. Attorney in New York to pursue all avenues. There are a number of loose ends. I understand the testimony at the Hamilton case opened up all kinds of new evidence that I didn’t know about, that the government certainly knows, and there could be further prosecutions. And I think that they should pursue it. I’m not going to name names, but...”

NOVAK: “You won’t name – you won’t name any names, like the president’s fundraiser Terence McAuliffe?”

HOFFA: “I’m not naming any names, but I’m telling that – I would urge the U.S. Attorney to pursue all avenues. If there are people that should be prosecuted for stealing money from the Teamsters, they should do it. I also want to tell you, Bob, that we’re going to bring a RICO case and a civil rights case – civil action against these different people to recover the money.”

NOVAK: “Trumka?”

HOFFA: “Well we haven’t figured out who we’re going to name, but we will name a number of people to get this money back into the treasury because it is the members’ money that’s been taken and it will be returned to the treasury.”

NOVAK: “Do you think Trumka, who has taken the Fifth Amendment, should be required to resign as secretary-treasurer of the AFL-CIO?”

HOFFA: “Well you know, I’m not going to say whether he should or not. That’s a decision the board has to make, the AFL-CIO has to make. And that’s not a decision that we’re making here today.”

NOVAK: “Do you believe, sir, that there was a conspiracy between the Clinton White House and the previous administration – the Ron Carey administration at the Teamsters – to keep you out of office?”

HOFFA: “Well, I would say this, that there were ballots stolen in the first election in 1996, and the people running the election did everything they could to make sure that I didn’t get elected. I did not have a level playing field. And as it was, we came within 25,000 votes of winning that election. And guess what? Twenty-five thousand votes mysteriously disappeared when we counted the ballots.

“That couldn’t have been done by any – just somebody walking off the street. These were supposedly government people. And I think that there was a certain sympathy there because they were comfortable with Ron Carey.”

HUNT: “So you think the Clinton White House was involved in that?”

HOFFA: “Well, I don’t know the details of it, but I certainly think that the government – I’ll talk about the government, the people who ran the election – tilted towards my opponent and did everything they could to try and make sure that he won. We had an unbelievable campaign and we finally won, and we knew that the Carey people had done illegal things using union money, and we were able to bring that up, get a re-run election, and then we won an overwhelming victory in 1998.”

(CNN’s “Evans, Novak, Hunt & Shields,” 12/4/99)

Trumka Takes The Fifth And Refuses To Testify Repeatedly ... Before Congress, Before A Federal Grand Jury, Before The Former U.S. District Court Judge Serving As A Federal Elections Master:

“Richard Trumka, who has been described as John Sweeney’s ‘top lieutenant,’ asserted the Fifth Amendment to protect himself from self-incrimination before a federal grand jury and refused to comply with a subpoena for a deposition before a U.S. Senate committee.” (Scott Shepard, “Gore Bids For AFL-CIO Backing To Avoid Setback,” *The Atlanta Journal and Constitution*, October 10, 1999; Senate Governmental Affairs Committee Web Site, www.senate.gov/~gov_affairs/26.pdf, Chapter 26, 3/7/00)

“Trumka was subpoenaed several times, but refused to testify before a federal grand jury in New York, at least one Congressional committee, and a federal elections appeal master called in to investigate the Carey campaign.” (Jerry Seper, “Big Donors Dominate Obama Advisory Board,” *The Washington Times*, 3/5/09)

Trumka Becomes The First AFL-CIO Leader To Take The Fifth And Keep His Job:

“After Trumka took the fifth, AFL-CIO President John Sweeney did not ask for Trumka to step down from his position, which ended a 40-year AFL-CIO precedent of asking reluctant witnesses to resign.” (Robert Novak, “Big Labor At Odds Over Dems,” *Chicago Sun-Times*, 10/4/99)

John Sweeney Even Defended Trumka Under Oath Before Congress:

“Rich Trumka is someone I have known and trusted for years ... I do not believe that Rich Trumka would knowingly participate in a scheme to launder union treasury money into the campaign coffers of a candidate for union office.” (Steven Greenhouse, “AFL-CIO Chief Tells Panel Of Faith In Deputy,” *The New York Times*, 5/1/98)

“According to the Senate Governmental Affairs report regarding the ‘Investigation of Illegal or Improper Activities in Connection with 1996 Federal Election Campaigns,’ the AFL-CIO refused to comply with a committee subpoena ordering them to produce documents dealing with the White House, DNC, and Clinton/Gore campaign. Also, the AFL-CIO refused to produce relevant documents from the files of Secretary-Treasurer Richard Trumka, also under subpoena.” (Senate Governmental Affairs Committee Web Site, www.senate.gov/~gov_affairs/26.pdf, Chapter 26, 3/7/00)

ILLEGAL SCHEME #2: Contributing \$50,000:

Judge Conboy’s election investigation also found that Trumka participated in a second scheme involving \$50,000 that he wrongfully contributed to – and/or wrongfully solicited for – the Carey campaign. Conboy wrote:

“The [IBT] Election Rules prohibit high-ranking officials of unions other than the IBT from contributing or soliciting funds for an IBT candidate because such officials are deemed ‘employers’ under the Rules. Art. XII, Sec. 1(b)(1). See Election Officer’s Advisory on Campaign Contributions and Disclosure 10 (Nov. 1997) (incorporating definition of employer in 29 U.S.C. § 402(e), which includes as an employer any person acting ‘as an agent of an employer in relation to an employee’). In clear contravention of the Election Rules, Messrs. Davis and Nash obtained significant contributions for the Carey campaign from non-IBT union officials. Mr. Davis stated that he approached Paul Booth, the National Organizing Director of the American Federation of State, County, and Municipal Employees (‘AFSCME’) and Richard Trumka, Secretary-Treasurer of the [AFL-CIO], and asked each to raise \$50,000 for the Carey campaign. Mr. Nash stated that these non-IBT union officials raised a total of approximately \$77,100 in cash and checks for the Carey campaign: \$27,100 from Mr. Booth and \$50,000 from Mr. Trumka. Mr. Nash stated that the cash donations were funneled into the Carey campaign through various members of the IBT.”

(Conboy Decision, <http://archive.nlpc.org/olap/TEAMSTER/971117KC.HTM>)

Ultimately, After He Repeatedly Refused To Testify, Trumka Was Not Charged. Trumka was one of at least 83 people who took the Fifth in refusing to cooperate with the U.S. Congress with regard to 1996 campaign finance improprieties.

TRUMKA HAS “ORGANIZED” VIOLENT STRIKES THAT EVEN TURNED DEADLY

Trumka Criticizes Concerned Citizens When They Are On The Opposite Side Of A Policy Debate:

“Every American has the inalienable right to participate in our democratic process ... But that is not what the corporate-funded mobs are engaging in when they show up to disrupt town halls held by members of Congress ... Mob rule is not democracy. People have a democratic right to express themselves and our elected leaders have a right to hear from their constituents – not organized thugs whose sole purpose is to shut down the conversation and attempt to scare our leaders into inaction.” (AFL-CIO Press Release, 8/6/09)

Yet When The Concerned Citizens Are On Trumka’s Side, He Has No Problem With “Mob” Rule:

Trumka Has Led Strikes And Walkouts Where Adherents Committed Thousands Of Criminal Violations To Promote His Goals. “If elected – and he may well run unopposed – Mr. Trumka, 59, would bring the tough guy image he developed in his 13 years as president of the United Mine Workers. In that position, he led long, successful strikes against Pittston and other coal companies, often persuading hundreds of miners to block roads to pressure the companies. In 1989, he led a 10-month walkout by 1,700 miners in Virginia, West Virginia and Kentucky after Pittston moved to cut health benefits to disabled and retired miners. During that strike, there were 3,000 arrests of miners and their allies.” (Steven Greenhouse, “Combative Union Leader Steps From The Shadows,” *The New York Times*, 7/3/09)

“A multistate UMW strike in 1993 provides a good example of union persuasion, Trumka-style. As union president, he ordered more than 17,000 miners to walk off their jobs. Among his goals was to ensure that nobody would find work in a mine without paying dues or agency fees to the union. Violence was frequent. That wasn’t surprising given Trumka’s explicit call to strikers to ‘kick the shit out of’ employees and mine operators resisting demands. Trumka’s enforcers vandalized homes of opponents, fired shots at a mine office, and cut power to another mine, temporarily trapping 93 miners underground.” (Carl Horowitz, “AFL-CIO’s Trumka Denounces Town Meeting ‘Mobs,’ Ignores His Own,” NLPC, 8/7/09)

“On July 22, 1993, [Eddie York, a heavy-equipment operator,] husband and father of three was shot in the back of the head as he drove past militant UMW strikers away from a work site. He died instantly. UMW goons then pounded would-be rescuers with stones ... In June 1994, a federal jury found UMW strike captain Jerry Dale Lowe guilty on conspiracy and weapons charges in the death of York. By then, York’s widow Wanda had already filed a \$27 million lawsuit. In addition to Lowe, it named Trumka and several other UMW officials, charging that union strike tactics and directives had contributed to Eddie York’s death. For four years, UMW

lawyers zealously fought Wanda York's suit. But the course of the legal battle suddenly changed after federal prosecutors announced on June 23, 1997, that they would release evidence from Lowe's criminal trial to her attorneys. After that bombshell, it took UMW lawyers just two days to reach a secret settlement with Wanda York." (National Right To Work Committee Press Release, 1/30/04)

The Workforce Fairness Institute is an organization committed to educating voters, employers, employees and citizens about issues affecting the workplace. To learn more, please visit: <http://www.workforcefairness.com>.

To schedule an interview with a Workforce Fairness Institute representative, please contact Kelly Oliver (ext. 140) or Mary Beth Hutchins (ext. 105) at (703) 683-5004.