

Communications  
Workers of America  
AFL-CIO, CLC

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**Sara Steffens**  
Secretary-Treasurer

***Sent Via UPS Overnight Mail (to Home Addresses)***

December 8, 2017

Barrie Blueian  
Mayette Arie  
Anthony Velez  
Rose Wolcott  
Ross Miller  
Martin (Justin) Roberto  
Richard (Marc) Ellis  
Anthony Bradley

Dear Former Officers of Local 9413:

This is to advise that on December 7, 2017, the CWA Executive Board passed the following motion regarding the temporary administration of Local 9413:

**MOTION:** Move that the recommendation of District 6 Vice President Claude Cummings, with respect to the decision of the CWA Executive Board to place Local 9413 into temporary administration, be affirmed and the temporary administration over Local 9413 be continued.

Attached is the full Report and Recommendation of Vice President Cummings.

Sincerely,



Sara Steffens  
Secretary-Treasurer

Attachment

- c. Chris Shelton
- Thomas Runnion
- Claude Cummings
- Lynn Johnson
- Ameenah Salaam
- Liz Sorenson

**Hearing Officer  
Report and Recommendation  
Local 9413 – Temporary Administration**

CWA Local 9413 Vice Presidents Mayette Arie, Anthony Velez, Secretary Rose Wolcott and Executive Board Member Richard (Marc) Ellis requested that CWA Local 9413 be placed in temporary administration by individual letters dated or received June 8, 2017. On June 19, 2017, the CWA Executive Board acted on that request and did place CWA Local 9413 into temporary administration. The CWA Executive Board also appointed District 9 Staff Representative Lynn Johnson as Temporary Administrator. The reasons for the Executive Board actions are summarized as follows:

1. Failure to keep the membership or Local Executive Board informed of critical information concerning the AT&T strike or the AT&T West Tentative Agreement;
2. Allegations of sexual harassment against Local President where a National Prosecutor has found cause to proceed to a trial;
3. Improper action with respect to an attempt to amend the Local Bylaws;
4. Allegations of physical assault of another officer against the Local President;
5. Allegations of bullying and creating a hostile work environment against the Local President;
6. Failure to properly represent members of certain bargaining units;
7. Failure to properly process charges filed at the Local level;
8. Allegation that the President has talked to members about how to decertify CWA;
9. Openly disregarding the CWA Constitution, Local Bylaws and Rules.

On June 21, 2017, former President Barrie Blueian objected to the imposition of the temporary administration. On June 30, 2017, CWA President Shelton provided all former officers of Local 9413 with the reasons for the imposition of the temporary administration and appointed me, District 6 Vice President Claude Cummings, as the Hearing Officer in this matter. The purpose of the hearing was to determine "the reasons for and the objections of the Local or its officers to the appointment of a temporary administrator." On August 14, 2017, I sent notice to all former Local 9413 Officers and Executive Board members of the hearing in this matter and provided additional information about how this hearing would proceed. All documents referred to in this report to this point were entered into the record as Hearing Officer Exhibits A-F.

The hearing in this case convened on October 30, 2017, and concluded on the same day at the Local 9413 offices in Reno, Nevada. A court reporter was present and transcribed the entire proceeding. Ameenah Salaam, Assistant to the Vice President of District 9 presented the case for the proponents of the temporary administration. Barrie Blueian, the former President of Local 9413 and the only person to lodge an objection to the temporary administration presented his case as the opponent of the temporary administration. The opponent to the temporary administration had the opportunity to and, in most cases did, cross-examine witnesses testifying against his position. While Mr. Blueian did cross-examine witnesses, he himself was not sworn and presented no testimony on behalf of his position. It must also be noted that Mr. Blueian left, unexpectedly and with no explanation, before the hearing adjourned.

Proponents' spokesperson Ameenah Salaam presented six witnesses and entered five exhibits into evidence. All of proponent's witnesses were sworn. As noted, Mr. Blueian presented no witnesses but did present one exhibit. Because Mr. Blueian did not testify nor did he call anyone else to testify on behalf of the opponent, the proponents' testimony was unrebutted. While much of the testimony concerned what Mr. Blueian, as President, did or did not do, this hearing was not about proving allegations against any officer or member of the Local. It is merely about whether the Board action in placing the Local into temporary administration should be affirmed, reversed or modified. My recommendation is that the temporary administration be affirmed.

Testimony at the hearing clearly showed that the Local had become dysfunctional. There were screaming matches at nearly every Executive Board meeting, charges filed with the Local were not properly processed, the Constitution and Local Bylaws were regularly disregarded and there were no stewards training provided to stewards. In addition, representation of the membership was seriously compromised. For example, in the 700 member

St. Mary's bargaining unit, three unit members with little experience and no formal training bargained the contract. President Blueian did appear once to assist in that bargaining but declined the assistance of District 9, despite assistance being offered by District 9 and despite the bargaining unit members requesting the District's assistance.

The Mobilization structure at the Local had disintegrated. Strike preparation for the AT&T Mobility strike did not begin to occur until the eve of the strike due to a lack of information disseminated to the Local officers and or Mobilizers. There was an inadequate dissemination of information about the tentative agreement reached at the core contract at AT&T West. Most concerning, however, was testimony about Mr. Blueian instructing other members of the Executive Board on how to decertify CWA as the bargaining representative. There was very credible direct testimony from a former Executive Board Member that he actually saw and heard this exchange. Again, because Mr. Blueian did not testify at the hearing, that testimony was not rebutted and must be accepted as true.

While a National Trial Panel did dismiss the charges of sexual harassment against Mr. Blueian, there was sufficient evidence entered in the temporary administration hearing that there was a hostile work environment present in the Local and that hostile work environment was largely directed at the female members of the Executive Board. The allegations of physical assault toward an officer of the Local were also substantiated by several former Executive Board Members.

In sum, I believe that the temporary administration should be affirmed. I also recommend that the Temporary Administrator begin to make preparations for a Local election. New officers must then be trained before the Local is ready to be removed from temporary administration. Once new Local officers are trained, a steward structure put into place and all federal reporting requirements are fulfilled, the Local will be in a better position and the temporary administration can be ended.

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