

BEFORE THE ADJUDICATIONS OFFICER

<p>THE MONITOR OF THE INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE, AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, Plaintiff,</p> <p style="text-align: center;">v.</p> <p>TIMOTHY EDMUNDS, Defendant.</p>	<p>Case No.:</p> <p>The Honorable Gil M. Soffer Adjudications Officer</p>
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INFORMATION

Count One

(29 U.S.C. § 501(c), Embezzlement and Theft from a Labor Organization)

The MONITOR charges:

1. At times material to this Information:

a. The International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (“UAW”) was a labor organization engaged in an industry affecting commerce within the meaning of Sections 402(i) and 402(j) of Title 29, United States Code.

b. UAW Local 412 was a Local Union of the UAW headquartered in Warren, Michigan that represented approximately 2600 workers employed by the automaker Stellantis N.V. UAW Local 412’s members included many of those employed at the following Stellantis facilities located within the Eastern District of Michigan: Sterling Stamping Plant, Mack Engine Plant, Warren Truck Assembly Plant, Warren Stamping Plant, and Jefferson Assembly

Plant. UAW Local 412 is a labor organization engaged in an industry affecting commerce within the meaning of Sections 402(i) and 402(j) of Title 29, United States Code.

c. Between 2011 and 2021, TIMOTHY EDMUNDS was the Financial Secretary-Treasurer of UAW Local 412. As the Financial Secretary-Treasurer, EDMUNDS was an officer and member of the Local Union and sat on the Local Union's executive board and joint council. These bodies are responsible for running UAW Local 412. In this role, EDMUNDS controlled and was responsible for the financial accounts and transactions of UAW Local 412.

d. The UAW Constitution governs the conduct of the UAW and its officers, staff, members, and employees. The UAW Ethical Practices Codes are incorporated into the UAW Constitution, and Administrative Letters are issued to provide further guidance on the UAW Constitution and Ethical Practices Codes, as well as explain additional policies and procedures.

2. It is alleged that EDMUNDS was issued a debit card for use in his role as Financial Secretary-Treasurer of UAW Local 412. Rather than using this debit card solely for business purchases, EDMUNDS also used the debit card to purchase various personal items unauthorized by the other officers of UAW Local 412. For example, EDMUNDS used his UAW Local 412 debit card to withdraw cash, which he then used to gamble at the Greektown Casino located in Detroit, Michigan. These personal purchases using the UAW Local 412 debit card amounted to over \$142,000.

3. It is further alleged that EDMUNDS deposited checks written from UAW Local 412 bank accounts into an account that EDMUNDS personally controlled. These checks totaled approximately \$170,000.

4. It is further alleged that EDMUNDS, without authorization from UAW Local 412, transferred funds from UAW Local 412 bank accounts into an account that EDMUNDS personally controlled. Some of these transfers resulted from checks written from the UAW Local 412 bank accounts to the account controlled by EDMUNDS, and EDMUNDS signed those checks and forged the signature of the UAW Local 412 president to effect the transfers. The transfer of funds to EDMUNDS' personal account totaled approximately \$1.5 million.

5. It is further alleged that the unauthorized personal use of funds by EDMUNDS totaled approximately \$2 million.

6. It is further alleged that, in an effort to conceal his activities from other Local Union members and officers, EDMUNDS falsified the UAW Local 412's bank statements.

7. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and

willfully abstract and convert to his own use, the moneys, funds, securities, property, and other assets of said labor organization of at least approximately \$2 million of UAW funds.

In violation of Title 29, United States Code, Section 501(c).

Count Two
(Violation of the UAW Constitution)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.
2. Article 31, Section 17(b) of the UAW Constitution prohibits members from misappropriating or embezzling UAW funds.
3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert to his own use, the moneys, funds, securities, property, and other assets of said labor organization of at least approximately \$2 million of UAW funds.

In violation of Article 31, Section 17(b) of the UAW Constitution.

Count Three
(Violation of the UAW Constitution)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.

2. Article 48, Section 5 of the UAW Constitution provides that the International President may try any Local Union member who “has received Union funds improperly, has spent Union funds improperly or otherwise has engaged in financial misconduct.”

3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert to his own use, the moneys, funds, securities, property, and other assets of said labor organization of at least approximately \$2 million of UAW funds, thereby engaging in financial misconduct.

In violation of Article 48, Section 5 of the UAW Constitution.

Count Four
(Violation of the UAW Constitution)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.
2. Article 40, Section 5 of the UAW Constitution requires Financial Secretaries to report to the Local Union each month the amount of monies received and paid out during the previous calendar month and the remaining balances in the Local Union's fund accounts.
3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, falsified the Local Union's bank statements in an effort to conceal his financial misconduct from other Local Union members and officers, thereby failing to accurately report on the finances to the Local Union.

In violation of Article 40, Section 5 of the UAW Constitution.

Count Five
(Violation of the UAW Constitution)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.

2. Article 40, Section 11 of the UAW Constitution requires Treasurers to report to the Local Union each month the total receipts and expenditures and the amount of money still on deposit for the Local Union.

3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, falsified the Local Union's bank statements in an effort to conceal his financial misconduct from other Local Union members and officers, thereby failing to accurately report on the finances to the Local Union.

In violation of Article 40, Section 11 of the UAW Constitution.

Count Six
(Violation of the UAW Ethical Practices Codes)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.

2. The UAW Ethical Practices Codes, Financial Practices Introduction states as follows: “Union funds are held in sacred trust for the benefit of the membership. The membership is entitled to assurance that Union funds are not dissipated and are spent for proper purposes. The membership is also entitled to be reasonably informed as to how Union funds are invested or used.”

3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, did dissipate and spend UAW funds for improper purposes.

In violation of the UAW Ethical Practices Codes, Financial Practices.

Count Seven
(Violation of the UAW Ethical Practices Codes)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.
2. The UAW Ethical Practices Codes, Business and Financial Activities of Union

Officials, Paragraph Two states as follows: “No officer or representative shall have a personal financial interest which conflicts with her/his Union duties.”

3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, did have a personal financial interest, namely the use of UAW Local 412 funds for personal purchases, which conflicted with his Union duties.

In violation of the UAW Ethical Practices Codes, Business and Financial Activities of Union Officials, Paragraph Two.

Count Eight
(Violation of the Administrative Letters)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.
2. The Administrative Letter of May 30, 2002, explains that Local Unions “can only pay members that which is specifically listed in the local union bylaws. . . . If the local union bylaws do not list it, the local union should not pay for it.”
3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert to his own use, the moneys, funds, securities, property, and other assets of said labor organization of at least approximately \$2 million of UAW funds, thereby spending Local Union money in a manner not authorized by the UAW Local 412 bylaws.

In violation of the Administrative Letter of May 30, 2002.

Count Nine
(Violation of the Administrative Letters)

The MONITOR further charges:

1. The allegations in Count One, paragraphs 1 through 6, are realleged here.
2. The Administrative Letter of April 15, 2011, describes proper uses of Local Union debit cards, and requires that the debit cards be used only for membership-approved travel expenses.
3. From in or around 2015, through in or around 2021, in the Eastern District of Michigan, Southern Division, and elsewhere, the defendant,

TIMOTHY EDMUNDS,

while a member and officer, namely Financial Secretary-Treasurer of UAW Local 412, a labor organization engaged in an industry affecting commerce, did embezzle, steal, and unlawfully and willfully abstract and convert to his own use, the moneys, funds, securities, property, and other assets of said labor organization of at least approximately \$2 million of UAW funds, in some part through the unauthorized use of the UAW Local 412 debit card for personal purchases.

In violation of the Administrative Letter of April 15, 2011.