



**NOTICE OF HEARING
NOTICE OF APPOINTMENT OF HEARING OFFICER
AND RULES OF PROCEDURE**

**TO: All Former Officers, Former Executive Board Members and
Members of Service Employees International Union Local
617**

After determining that an emergency situation existed in SEIU Local 617 (“Local 617” or “Local Union”), SEIU International President Mary Kay Henry issued an order appointing Bill Lloyd and Bob Kirkman as Trustees to take immediate charge and control of the affairs of Local 617, effective February 9, 2015. This action was taken pursuant to International President Henry’s express authority under Article VIII, Sections 7(a) and 7(f) of the SEIU Constitution and Bylaws.

In accordance with Article VIII, Section 7(f) of the SEIU Constitution, the International Executive Board has appointed Kevin Doyle as Hearing Officer to conduct a hearing on the emergency trusteeship imposed on Local 617.

The hearing will be conducted according to the following schedule:

DATE: Tuesday, March 31, 2015

TIME: 3:30 p.m. until recessed by the Hearing Officer

**PLACE: Hilton Newark Penn Station
Essex Room
1048 Raymond Boulevard
Newark, NJ 07102
(973) 622-5000**

The hearing will address the facts that served as the bases for imposition of the emergency trusteeship as well as facts pertaining to whether the trusteeship should continue. All members of Local 617 have the right to appear at this hearing and to enter their positions on the trusteeship into the record. To be admitted to the hearing, Local 617 members should bring their Local Union membership card or a paystub showing that their union dues are being deducted.

International President Henry placed Local 617 into emergency trusteeship after determining that the facts demonstrated the existence of the following conditions as of February 9, 2015, that required an immediate trusteeship to safeguard the members’ interests:

MARY KAY HENRY
International President

MICHAEL P. FISHMAN
International Secretary-Treasurer

KIRK ADAMS
Executive Vice President

GERRY HUDSON
Executive Vice President

EILEEN KIRLIN
Executive Vice President

VALARIE LONG
Executive Vice President

ROCIO SÁENZ
Executive Vice President

SERVICE EMPLOYEES
INTERNATIONAL UNION
CTW, CLC

1800 Massachusetts Ave, NW
Washington, DC 20036

202.730.7000
www.SEIU.org

- Local 617 lacks policies and procedures requiring documentation for many of its disbursements, including for officer and employee expenditures;
- Local 617 does not conduct a sufficient budgeting process or implement sufficient policies and procedures to safeguard member resources and assets. Based on reviews of the Local Union's financial records from December 31, 2009 through December 31, 2013, Local 617 experienced an average reduction in its cash balances of \$75,000 per year. If the reduction in the Local Union's cash balances continued at that rate, the Local Union would run out of cash in the next several years;
- Local 617 has not carried out its collective bargaining responsibilities;
- Local 617 regularly made loans to Local Union employees and members based on the verbal approval of the Local Union's officers without there being a formal loan approval or loan repayment process in place; and
- Individuals at Local 617 have administered a healthcare benefit program established for the benefit of certain Local 617 members under a collective bargaining agreement between the Local Union and a major public employer, in a manner that is inconsistent with the proper operation of such program.

Following the closure of the record, the Hearing Officer will make a report and recommendation to the International Executive Board, orally and/or in writing, including a recommendation as to whether the trusteeship was properly imposed on Local 617 and should be continued. The International Executive Board will thereafter render its decision on the Hearing Officer's report and recommendation.

RULES OF PROCEDURES

The following procedures, approved by Hearing Officer Kevin Doyle will be in effect for the hearing:

1. The hearing is to be conducted as an internal union governance matter under the SEIU Constitution. Hearing Officer Kevin Doyle will preside over the hearing.
2. The two official parties in the trusteeship hearing are the representatives of International President Henry, who will present the evidence in support of the imposition and continuation of the trusteeship and the Local Union's former Executive Board who, by majority vote of the former members of the local Executive Board who are still members of SEIU, may designate a representative to present its position on the trusteeship.
3. The hearing is informal and not intended to be a formal legal proceeding. Formal rules of evidence will not apply. The Hearing Officer may set reasonable time limits on the presentation of evidence and may make any other

rulings he deems appropriate to assure an orderly, full and fair hearing. All statements and testimony will be provided under oath. Documentary and testimonial evidence will be taken into evidence as deemed appropriate by the Hearing Officer.

4. The designated representative of each party shall be allowed an opportunity to give an opening statement at the commencement of the hearing and a summation at the conclusion of the hearing, not to exceed 30 minutes per party. The Hearing Officer may extend this time as he deems appropriate.
5. The representatives designated by the International President shall present their witnesses and evidence first. The Local Union's representative (if any) shall then present his/her witnesses and evidence. All testimony of witnesses shall be provided under oath.
6. Cross-examination will be allowed within limits, bearing in mind that this is an internal union proceeding and not a formal court proceeding. After each witness has testified, s/he may be questioned by the principal spokesperson of the opposing party. In addition, the Hearing Officer or his counsel may question any of these witnesses. Further, the Hearing Officer may allow the spokespersons additional opportunities for questioning the witnesses. The Hearing Officer may limit cross-examination that is unnecessary, duplicative or inappropriate.
7. Transcription of the hearing will be done by a certified court reporter. This will serve as the official transcript of the proceeding. Any party who wishes to obtain a copy of the transcript should make arrangements with the court reporter directly. No other means of audio recording, video recording or photography will be permitted.
8. Unless otherwise approved by the Hearing Officer, only Local 617 members, the Trustees, the court reporter, assigned International Union staff, counsel to the Hearing Officer, and the parties' counsel (if any) may attend the hearing. Counsel to the Hearing Officer may also be present.
9. In the event that the spokesperson for either party intends to offer written materials into the record at the hearing, five (5) copies should be prepared so that the Hearing Officer and his counsel, the court reporter and each party have a copy for review, and so that one copy can be introduced into the official record.
10. The Hearing Officer reserves the right to exclude testimony that is irrelevant and to limit testimony that is undisputed, cumulative or duplicative of other evidence.
11. After each party has presented its witnesses and evidence, reasonable

opportunity for rebuttal shall be allowed by the Hearing Officer if he deems it appropriate.

12. After the parties have completed their cases and any rebuttal thereto and time permitting, Local 617 members may present their views by speaking on the record for no more than two (2) minutes. Each such person who wants to speak shall sign up on the speakers' list and shall identify herself or himself at the beginning of her or his presentation. The Hearing Officer has the discretion to permit members to speak for longer than two (2) minutes in an individual case if he deems it appropriate. Only the Hearing Officer or his counsel may question any of these speakers.
13. The Hearing Officer shall leave the record open for a period of time following the close of the hearing to permit the parties to submit post-hearing written briefs and to permit Local 617 members to submit written statements. The period of time within which to submit briefs and statements shall be announced before the end of the hearing.
14. Following the closure of the record, the Hearing Officer will make a written report and recommendation to the International Executive Board, which has the final authority to issue a decision on the trusteeship in this case under Article VIII, Section 7(f) of the SEIU Constitution.

Dated in Washington, D.C. this 13th day of March, 2015.



Michael P. Fishman
International Secretary-Treasurer

cc: Mary Kay Henry, International President
Valarie Long, Executive Vice President
Former Officers and Executive Board Members, SEIU Local 617
Kevin Doyle, Hearing Officer
Bob Kirkman, Trustee, SEIU Local 617
Bill Lloyd, Trustee, SEIU Local 617
Dora Chen, Managing Counsel for Union Administration
and Counsel to Hearing Officer
Judy Scott, General Counsel
Deedee Fitzpatrick, Assistant to the International Secretary-Treasurer
and Associate General Counsel
Alma Henderson, Associate General Counsel