

[2118 Officer “X” Charges - Part IV - Charges 3.1 - 3.2]

Charge 3.1 - Violation of Federal Law - Suppression of a member’s right to vote for and support the candidates of his choice without being subject to penalty, discipline, or improper interference or reprisal of any kind by his labor organization or any member thereof (LMDRA, Bill of Rights)

Charge 3.2 - Violation of the Oath of Office - Compromising the harmony and/or dignity of the union (ART XIX Sec. 7(b)(2))

WHEREAS the LMRDA expressly guarantees the right for all union members to support the candidate of his choice without ***any kind*** of interference, penalty, reprisal, or discipline by other officers or members,

WHEREAS the opportunity to cast a secret ballot in an officer election is the most fundamental right guaranteed by the LMRDA to all union members in good standing,

WHEREAS a material connection, for political purposes, was established and has previously existed between Captain [ACCUSED - REDACTED] and Captain [ACCOMPLICE - REDACTED] since at least Friday, November 24th, 2023,

WHEREAS Captain [ACCUSED - REDACTED] admitted to using Captain [ACCOMPLICE - REDACTED] in a political capacity in an attempt to frame his/their political attacks as “talking points,

Captain [ACCUSED - REDACTED] stands accused of the following:

- a. **influencing, orchestrating, and/or ordering the attempted suppression of a union member's freedom of expression with regards to his election choices**
- b. **influencing, orchestrating, and/or ordering the interference and suppression of a member's freedom to choose and support candidate of their choice during a union election**
- c. **compromising the harmony and dignity of the union through an orchestrated misinformation campaign that eroded member trust, degraded the democratic process, and fostered a culture of fear and intimidation**

General Allegation(s):

Captain [ACCUSED - REDACTED] orchestrated and directed Captain [ACCOMPLICE - REDACTED] to suppress and force the withdrawal of First Officer [VICTIM - REDACTED]'s support for the Transparency 2024 Slate during the 2023 local union election. First Officer [VICTIM - REDACTED] is a member in good standing and was eligible to vote and support candidates in the 2023 union election. First Officer [VICTIM - REDACTED] is a former U.S. Army Aviator who performs additional administrative duties as a pilot recruiter for Allegiant Air. He publicly stated his support for the Transparency 2024 slate on the public election group chat. He was publicly and falsely accused of being a "management pilot" by Captain [ACCOMPLICE - REDACTED] in the election group chat, with the accuser suggesting that his concerns were of his own making, and that such accusations were made for concerns of "election integrity". Captain [ACCOMPLICE - REDACTED]'s statements and questions that framed First Officer [VICTIM - REDACTED] were virtually identical to those made by Captain

[REDACTED], Captain [ACCUSED - REDACTED], and others in a separate “Steward’s Group Chat” that Captain [ACCOMPLICE - REDACTED] would have otherwise not had access to. Captain [ACCOMPLICE - REDACTED]’s harassment and interference resulted in [VICTIM - REDACTED] withdrawing his support for the Transparency 2024 slate out of fear of retaliation by Captain [ACCOMPLICE - REDACTED] or union officials, a violation of federal law. Further, framing First Officer [VICTIM - REDACTED] as a management pilot was done in an intentional way to damage his credibility among the pilot group.

Incident:

Initial Endorsement: On December 2nd, 2023, First Officer [VICTIM - REDACTED] posted a statement of support for the “Transparency 2024” slate candidates in the local 2118 election group chat, and possibly other places public to local 2118 pilots.

Suppression and Harassment: The following occurred on December 3rd, 2023 in an alleged coordinated attempt to interfere with and suppress First Officer [VICTIM - REDACTED]’s right to vote and support the candidate of his choice. A successful attempt was then made to influence and coerce Allegiant Air management, through false suggestions of potential legal liability and election impropriety, to force First Officer [VICTIM - REDACTED] to retract his support for the Transparency 2024 slate.

Timeline of Events on December 3rd, 2023 (Times PST unless otherwise noted):

11:06 AM: In the Executive Board and Union Stewards Group Chat (to which Captain [ACCOMPLICE - REDACTED] is not shown to be a part of), Captain [REDACTED] asks

if anyone has a link to the “[VICTIM - REDACTED] podcast” and asks Captain [ACCUSED - REDACTED] “is that the question [ACCUSED-REDACTED]?”. Captain [REDACTED] seems to be responding to a private message from Captain [ACCUSED - REDACTED] regarding First Officer [VICTIM - REDACTED]. This is the first mention of First Officer [VICTIM - REDACTED] in the election context, indicating a sudden interest in his activities by Captain [ACCUSED - REDACTED].

11:15 AM: Less than 10 minutes later, Captain [ACCOMPLICE - REDACTED] (no official union position), an associate of Captain [ACCUSED - REDACTED], begins questioning First Officer [VICTIM - REDACTED] in the public election group chat having shown no previous material interest in his endorsement or position prior. He insinuates that [VICTIM - REDACTED] may be receiving additional compensation for his recruitment duties outside the Collective Bargaining Agreement, suggesting a conflict with his union status.

12:51 PM: Captain [REDACTED] ([POSITION - REDACTED]) asks on the Steward/EBoard group chat if [VICTIM - REDACTED] is getting extra compensation for each pilot he recruits, hinting at potential improper financial benefits or management impropriety.

12:51 PM: Captain [REDACTED] (Steward, [FORMER POSITION - REDACTED]) quickly responds, stating unequivocally that [VICTIM - REDACTED] is not receiving such compensation, seeming to attempt to dispel the accusations.

12:52 PM: Captain [ACCUSED - REDACTED] escalates the situation on the Steward/EBoard group chat by insinuating that [VICTIM - REDACTED]'s endorsement is a federal crime, intensifying the allegations against [VICTIM - REDACTED]'s actions.

12:52 PM: Captain [REDACTED] adds to the speculation by questioning [VICTIM - REDACTED]'s full-time pay status and suggesting he "Feels like management to me", thereby casting further doubts on [VICTIM - REDACTED]'s role.

12:53 PM: Captain [REDACTED] references a statement by Captain [REDACTED] ([POSITION - REDACTED]), clarifying that [VICTIM - REDACTED] and others in similar positions were not considered management, countering the narrative being constructed against [VICTIM - REDACTED].

1:29 PM: Captain [ACCOMPLICE - REDACTED] sends an email to company management, falsely alleging that [VICTIM - REDACTED] is a management pilot, and was illegally endorsing candidates in the union election. He advises management to have [VICTIM - REDACTED] "stay out of our union election" and "retract his endorsement", directly interfering in the fair election process and violating First Officer [VICTIM - REDACTED]'s rights under federal law.

1:54 PM: [ACCOMPLICE - REDACTED] observes in the group chat that [VICTIM - REDACTED] has deleted all his posts and makes a comment as such, indicating the mounting pressure and possible intimidation [VICTIM - REDACTED] is experiencing as a result of Captain [ACCOMPLICE - REDACTED]'s suggestive email to management.

2:09 PM: [VICTIM - REDACTED] sends a text message to Captain J.R. Lynch (Presidential candidate, Transparency 2024 slate), stating he removed his comments from the group chat out of fear of being punished or fired, highlighting the impact of the perceived harassment.

3:38 PM: The Company System Chief Pilot responds to [ACCOMPLICE - REDACTED]'s email, affirming [VICTIM - REDACTED]'s status as a non-management pilot and a Union Dues Paying Member, performing administrative work for recruiting as per the CBA. This response is a direct contradiction to the narrative being pushed by [ACCOMPLICE - REDACTED] and others.

5:58 PM: [ACCOMPLICE - REDACTED] sends another email to the System Chief Pilot, pressing the issue further. This email, CC'd to the company COO and union stewards, shows [ACCOMPLICE - REDACTED]'s persistent attempt to change [VICTIM - REDACTED]'s union standing and role.

6:37 PM (approximate) Captain [REDACTED] ([POSITION - REDACTED]) advises the Steward/EBoard chat not to respond to [ACCOMPLICE - REDACTED]'s email. This directive could suggest an attempt to de-escalate the situation or a strategy to avoid inflaming the issue further.

8:06 PM: The System Chief Pilot reiterates [VICTIM - REDACTED]'s non-management status in an email to [ACCOMPLICE - REDACTED], CC'ing the union executive board, all stewards, VP of Flight Crew Services, and the COO. This communication clarifies

[VICTIM - REDACTED]'s legitimate union membership and role, in response to the ongoing allegations.

Motive(s):

The alleged motive was to reduce public support for the Transparency 2024 slate through unethical and/or illegal means. The concerted effort in the group chat, spearheaded by Captain [ACCUSED - REDACTED] and supported by others, aimed to distort [VICTIM - REDACTED]'s role as a management pilot and suppress his electoral voice, although the NRLA provides clear and specific guidance to the contrary. This tactic underscores a motive to manipulate member rights for political advantage, highlighting a disregard for union election integrity. The accused attempted to discredit First Officer [VICTIM - REDACTED] through a misrepresentation of his classification, to interfere with his right to choose and support a candidate during the election, and to coerce company management through dishonest and suggestive means to force First Officer [VICTIM - REDACTED] to retract his endorsement and have no further involvement in the union election.

Misrepresentation of Role:

The incident publicly began with Captain [ACCOMPLICE - REDACTED], allegedly on behalf of Captain [ACCUSED - REDACTED] and possibly other Executive Board members, raising questions about First Officer [VICTIM - REDACTED]'s role, suggesting in the public election group chat that [VICTIM - REDACTED] was a “management pilot” due to his role as a [POSITION - REDACTED]. The National Labor

Relations Act (NLRA) clearly defines “supervisor” and “management” roles; [VICTIM - REDACTED]’s duties fall outside of the scope of either a legal supervisor or manager. As a function of their fiduciary and representative duty to their members, This misrepresentation led to confusion among union members, with some mistakenly believing that [VICTIM - REDACTED] was illegally endorsing a candidate or accepting additional or improper compensation for his duties. This strategic misinformation campaign was crucial in setting the tone for subsequent actions against [VICTIM - REDACTED] to discredit or force withdrawal of his support for the Transparency 2024 slate.

Targeting through Misinformation:

Captain [ACCOMPLICE - REDACTED]’s actions, likely influenced by the discussions and atmosphere in the group chat, constituted a direct interference with [VICTIM - REDACTED]’s rights as a union member. His efforts to question and discredit [VICTIM - REDACTED]’s union standing and subsequent communications to company management align with the initial motive to diminish [VICTIM - REDACTED]’s influence and participation in the union election.

Email Escalation and attempted coercion of Allegiant Air management:

Captain [ACCOMPLICE - REDACTED] escalated the situation by emailing the company's Chief Operating Officer (COO) and System Chief Pilot, with the Executive Board and Stewards being aware of the majority of these discussions taking place. In these emails, he attempted to coerce company management to make [VICTIM -

REDACTED] retract his endorsement or remain silent. This was a direct attempt to silence [VICTIM - REDACTED]'s support for the Transparency Slate, a violation of federal law, and thereby influencing the union election.

Impact:

These events represent clear violations of the Teamster Oath of Office by weakening the integrity of our union's democracy and our member's rights, with sworn union officers not taking any steps to defend a member's interest in dealing with an employer. Actions taken by union leadership to suppress a member's voice and influence in a union election, through misrepresentation and direct interference, violates both the International Constitution and federal law, specifically the LMRDA. It underscores the need for transparency and accountability in union operations, especially during critical times like elections.

Conclusion:

These actions collectively represent a violation of LMRDA, as they constitute improper interference and reprisal against a member for exercising his right to support candidates of his choice. The concerted effort to misrepresent [VICTIM - REDACTED]'s role and the direct approach to the COO to silence him suggest a systematic attempt to undermine member voting rights and democratic participation within the union.