

May 26, 2016

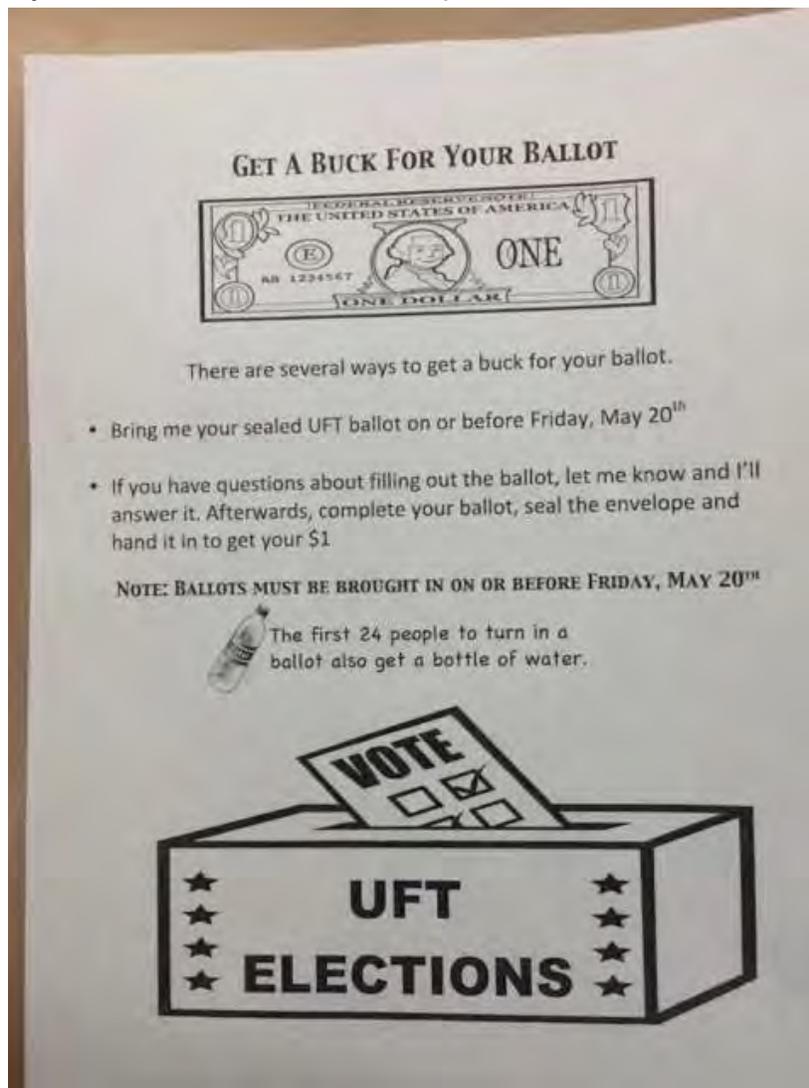
## **UFT ELECTION 2016 COMPLAINTS**

Dear UFT Secretary Emil Pietromonaco,

Please see a response to your questions regarding our election complaints below:

1. **MASS COLLECTION OF BALLOTS BY UNION MEMBERS IN EXCHANGE FOR GOODS OR SERVICES-** It has come to our attention that UFT members advertised, and engaged in, providing goods, and sometimes money, in return for being given UFT 2016 election ballots.

Please see the flyer from PS 97 Bronx UFT representative:



a) ***The full name of the school is PS 97 located at 1375 MACE AVENUE, BRONX, NY 10469 PHONE: 718-655-4446. Witnessed by entire staff who***

***visited the staff lounge at PS 97 as the flyer was posted on the bulletin board by Chapter Leader [REDACTED]. It was also distributed by Chapter Leader [REDACTED] in every member's mailbox. Chapter Leader [REDACTED] was also the one who was giving out \$1 bills and water to all those who gave in their UFT 2016 election ballot.***

***b) This exact flyer above was not observed in any other school to our knowledge.***

Please also see flyer from Curtis HS UFT rep where it is alleged that UFT umbrellas were distributed.

UFT Members:

You will receive ballots in the mail for UFT elections in the next day or so.

PLEASE VOTE!! TURNOUT IS IMPORTANT!!!

According to your preference:

1. Return the ballot by mail immediately!!!

Or,

2. Bring your completed and sealed ballots to the teachers' cafeteria this Wednesday, May 11<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, or 11<sup>th</sup> periods so we can mail them out together!!! There will be a raffle with prizes for those who choose this option.

If you have any questions, see me ASAP!!!

- a) ***Curtis HS, Staten Island. We understand that by the writing of this response, you have already visited the school in question and perhaps have investigated and collected more information than we originally had. In Any case, UFT President Michael Mulgrew visited the school on May 4, 2016. Following the visit, Chapter Leader [REDACTED] states that he will be giving out UFT umbrellas to all those who hand him UFT 2016 election ballots. The above flyer was posted, so we assume it was witnessed by a majority of the school.***

2. **UFT Ballot Rules 2016 were changed from 2013 in that a clearer “Non slate vote” instruction was omitted.**

UNITED FEDERATION OF TEACHERS

OFFICIAL BALLOT

AMERICAN ARBITRATION ASSOCIATION, ADMINISTRATOR

2013 ELECTION OF OFFICERS, EXECUTIVE BOARD MEMBERS, DELEGATES TO THE AMERICAN FEDERATION OF TEACHERS CONVENTION, NEW YORK STATE UNITED TEACHERS REPRESENTATIVE ASSEMBLIES, AND NATIONAL EDUCATION ASSOCIATION CONVENTION

THE ELECTION ISSUES OF THE NEW YORK TEACHER HAVE BEEN MAILED SEPARATELY

INSTRUCTIONS

Your ballot must reach the American Arbitration Association, 1633 Broadway, New York, New York 10019 no later than 5:00 P.M., WEDNESDAY, APRIL 24, 2013. Ballots will be counted Thursday, April 25, 2013

- 1. Read this ballot carefully before marking.
2. Candidates' positions on the ballot were determined by a drawing.
3. The number before the name has no electoral significance. It serves the purpose of facilitating the count.
4. If you vote for a slate, TEAR OFF AND RETURN THE FRONT PAGE ONLY.
5. If you are NOT voting for a slate, mark a cross mark [X] in the box at the side of each candidate of your choice and RETURN THE ENTIRE BALLOT INCLUDING THE FRONT PAGE. A ballot book returned without the front page will not be counted.
6. Your vote will be VOID for an office if you vote for more candidates than are authorized for the office.
7. You must use the return envelope provided with your ballot to cast a valid vote in this election.
8. After you have marked your ballot, place it in the Secret Ballot envelope and seal the envelope. Place the sealed Secret Ballot envelope inside the return envelope addressed to the American Arbitration Association.
9. Any return envelope on which the control number or barcode is mutilated will void the ballot. YOUR VOTE IS SECRET. The control number and barcode serve the purpose of checking eligibility.
10. All ballots will be tabulated and the count certified by the American Arbitration Association.
11. Any member who fails to receive a ballot or receives an incorrect ballot should notify the American Arbitration Association, 1633 Broadway, 10th floor, New York, NY 10019 (Telephone: 1-800-529-5218 Fax: 212-246-2150 Email: zainoj@adr.org) NO LATER THAN 5:00 P.M. WEDNESDAY, APRIL 17, 2013.

DO NOT SIGN THIS BALLOT

HIGH SCHOOL LEVEL (ACADEMIC, COMPREHENSIVE/VOCATIONAL, TECHNICAL SECONDARY SCHOOL)

IF YOU VOTE FOR A SLATE IN ONE OF THE SLATE BOXES BELOW, NO OTHER MARK ON THE BALLOT WILL COUNT. IF YOU RECORDED A SLATE VOTE, TEAR OFF AND RETURN THE FRONT PAGE ONLY.

MORE
You may vote for the entire slate by marking a cross mark here.
[Arrow pointing to a box]

NEW ACTION
You may vote for the entire slate by marking a cross mark here.
[Arrow pointing to a box]

UNITY
You may vote for the entire slate by marking a cross mark here.
[Arrow pointing to a box]

**UNITED FEDERATION OF TEACHERS**  
**OFFICIAL BALLOT**  
**AMERICAN ARBITRATION ASSOCIATION, ADMINISTRATOR**

2016 ELECTION OF OFFICERS, EXECUTIVE BOARD MEMBERS, DELEGATES TO THE AMERICAN FEDERATION OF TEACHERS CONVENTIONS,  
NEW YORK STATE UNITED TEACHERS REPRESENTATIVE ASSEMBLIES, AND NATIONAL EDUCATION ASSOCIATION CONVENTIONS

THE ELECTION ISSUES OF THE NEW YORK TEACHER HAVE BEEN MAILED SEPARATELY

**INSTRUCTIONS**

Your ballot must reach the American Arbitration Association, 120 Broadway, New York, NY 10269-0100, no later than **5:00 P.M., WEDNESDAY, MAY 25, 2016**. Ballots will be counted Thursday, May 26, 2016.

1. Read this ballot carefully before marking.
2. Candidates' positions on the ballot were determined by a drawing.
3. The number before the name has no electoral significance. It serves the purpose of facilitating the count.
4. You may vote for a slate by marking an "X" in the appropriate slate box below. If you only vote for a slate, **TEAR OFF AND RETURN THE FRONT PAGE ONLY**.
5. If you vote for a slate that is not running a candidate for a particular office, you may also vote for an individual for any such office by marking the box next to the individual candidate's name on the inside of the ballot.
6. If you vote for a slate that is not running the full number of candidates to be elected to a given position, you may also vote for one or more individual candidates (that are not on the slate you voted for) for that position by marking the box next to the candidates' names on the inside of the ballot. However, if the number of candidates running on the slate for that position plus the number of individual candidates for that position for whom you cast a vote exceeds the number of persons to be elected to that office, your slate vote(s) for that position will be counted, but your votes for individual (non-slate) candidates for that position will not be counted.
7. In all cases, in the event of a conflict between a slate vote and a vote for an individual, the slate vote will be counted, and the vote for the individual will not be counted.
8. If a voter casts a vote for a slate and also casts a vote separately for an individual on that slate, the slate vote will be counted, but the vote cast for the member of that slate individually will not be counted.
9. You must use the return envelope provided with your ballot to cast a valid vote in this election.
10. After you have marked your ballot, place it in the Secret Ballot envelope and seal the envelope. Place the sealed Secret Ballot envelope inside the return envelope addressed to the American Arbitration Association.
11. Any return envelope on which the control number or barcode is mutilated will void the ballot. **YOUR VOTE IS SECRET**. The control number and barcode serve the purpose of checking eligibility only.
12. All ballots will be tabulated and the count certified by the American Arbitration Association.
13. Any member who fails to receive a ballot or receives an incorrect ballot should notify the American Arbitration Association, 120 Broadway, 21st floor, New York, NY 10269-0100 (Telephone: 1-800-529-5218 Fax: 212-246-2150 E-mail: [hoswells@adr.org](mailto:hoswells@adr.org)) **NO LATER THAN 5:00 P.M., WEDNESDAY, MAY 18, 2016**.

**DO NOT SIGN THIS BALLOT**

**ELEMENTARY LEVEL**

**MORE/NEW ACTION**

You may vote for the entire slate by marking a cross mark here.

**UNITY**

You may vote for the entire slate by marking a cross mark here.

**3. The DOL OLMS TITLE 4 Chapter 13 rules on union election observers were violated.** The rules state that any candidate can pick an observer to oversee aspects of the ballot handling. This includes non union members unless the union's constitution states otherwise. Our UFT constitution does not reference observers.

On May 25, 2016, UFT presidential candidate Francesco Portelos requested that non UFT member Christina Vickers observe the handling, and pick up, of UFT ballots and was denied the right by UFT Election Chair Amy Arundell and was denied.



Francesco Portelos

to Amy, boswells@adr.org, Howard,...

[Hide details](#)

From: Francesco Portelos [mrportelos@gmail.com](mailto:mrportelos@gmail.com)  
To: Amy Arundell [AArundell@uft.org](mailto:AArundell@uft.org)  
Cc: [boswells@adr.org](mailto:boswells@adr.org)  
Howard Solomon [hsolomon1116@gmail.com](mailto:hsolomon1116@gmail.com)  
David Hickey [dhickey@uft.org](mailto:dhickey@uft.org)  
Ellie Engler [eengler@uft.org](mailto:eengler@uft.org)  
Adam Ross [ARoss@uft.org](mailto:ARoss@uft.org)  
Date: May 25, 2016, 9:33 AM

Christina Vickers will be coming. She's not a UFT member anymore being that she was discontinued and the UFT didn't help her get back in the system.

Unless you can show us why she can't be an observer, I don't see why she should be denied access.

Francesco A. Portelos  
Educator  
[www.EducatorFightsBack.org](http://www.EducatorFightsBack.org)

UFT Presidential Candidate 2016  
[www.UFT2016.com](http://www.UFT2016.com)

UFT Solidarity Caucus

Response:



Amy Arundell

to me, boswells@adr.org, Howard,...

[Hide details](#)

From: Amy Arundell [AArundell@uft.org](mailto:AArundell@uft.org)  
To: Francesco Portelos [mrportelos@gmail.com](mailto:mrportelos@gmail.com)  
Cc: [boswells@adr.org](mailto:boswells@adr.org)  
Howard Solomon [hsolomon1116@gmail.com](mailto:hsolomon1116@gmail.com)  
David Hickey [dhickey@uft.org](mailto:dhickey@uft.org)  
Ellie Engler [eengler@uft.org](mailto:eengler@uft.org)  
Adam Ross [ARoss@uft.org](mailto:ARoss@uft.org)  
Date: May 25, 2016, 10:39 AM

As you were previously informed, all observers must be a member of the UFT in good standing. This rule is in place to keep the process transparent for the membership who is affected by the election. A non-member will not be permitted to observe, but there is still time for you to designate a current member (active or retired) who is still welcome.

Amy Arundell

Also on May 25, 2016, candidate Francesco Portelos himself went to observe the ballot handling at the AAA and was made to wait over twenty minutes despite having spoken to UFT Election Chair Amy Arundell on the phone. Instead of calling AAA to grant access, she instead stated she has other things to take care of and has to “talk to people.” She then arrived with UFT General Counsel Adam Ross and entrance was finally granted.

#### **4. Use of union resources granted to some candidates and not others.**

On May 13, 2016, the email below was sent by incumbent candidates, using union resources, discussing voting in the UFT election. The same access was not afforded to other candidates.

From: "Janella Hinds and Sterling Roberson, High School Vice Presidents" <noreply@uft.org>  
Date: May 13, 2016 at 9:05:34 PM EDT  
To: [REDACTED]  
Subject: Team High School Newsletter - May 2016

**TEAM HIGH SCHOOL UFT**

**VOTE! And make your voice heard**

Dear [REDACTED]

By now, you should have received your ballot to vote in the UFT elections. The American Arbitration Association, which is administering the election, mailed out confidential ballots to members' homes on May 5. The envelope containing the ballot said "Urgent – Official U.F.T. Ballot Enclosed."

**If you did not receive a ballot or received an incorrect ballot, please notify the American Arbitration Association at 1-800-529-5218 (Monday through Friday, 9 a.m. – 5 p.m. only) no later than 5 p.m. on May 18.**

In your ballot, you will be voting for UFT president, 11 other officer positions, 90 Executive Board members, AFT regular and special convention delegates, NYSUT regular and special RA delegates, NEA regular and special convention delegates, and AFT and NYSUT Retiree Council convention delegates.

Your ballot *must* reach the American Arbitration Association no later than 5 p.m. on Wednesday, May 25. Ballots will be counted on Thursday, May 26. Do not sign your name on the ballot.

Thanks for the work you do.

In solidarity,

Janella Hinds, Vice President for Academic High Schools  
Sterling Roberson, Vice President for Career and Technical Education

UNION  
HIGH SCHOOL MEMBERS  
CONTRACT  
NEWS  
EVENTS  
CONNECTED  
UNION LOUD AND PROUD  
JOIN THE FIGHT

**5. Union staffers went to schools to discuss union issues and in doing so, during union paid time stated in sum and substance “We need to support our elected union representatives.”**

One specific instance was at Curtis HS by [REDACTED] and [REDACTED] in or around February 2016.

- a) ***The date of the UFT rep’s visit to Curtis HS was on February 5, 2016. The speech was witnessed by UFT members who attended [REDACTED] and [REDACTED]’s speech on the “Friedrich’s Supreme Court Case.” In speaking about the attacks on unions, it was stated that “We need to support our elected union representatives.”***
- b) ***We have currently not heard about any other school where this alleged activity transpired.***

**6. Bronx UFT staffers were involved in collecting nomination petition signatures for incumbent caucus during union work hours, specifically at the front desk of the UFT Bronx office on February 23, 2016.**

- a) **The staffers alleged to have engaged in this behavior are the ones who were working the front desk and greet incoming members. This allegedly transpired on the afternoon of February 23, 2016.**
- b) **What guarantee do we have that the member will not be retaliated against?**

**7. The UFT Election Committee is chosen in a way that it does not give a fair weight to vote on issues or come to a consensus.**

For all relative times, this was the breakdown of the incumbent selected UFT Election Committee by name and representative caucus:

COMMITTEE:

Amy Arundell UNITY  
Paul Egan UNITY  
Ellen Driesen. UNITY  
Washington Sanchez. UNITY  
Mary Vaccaro UNITY  
Howard Sandau. UNITY  
Dwayne Clark. UNITY  
David Hickey UNITY  
Ray Frankel UNITY  
Howard Solomon UNITY  
Quinn Zannoni SOLIDARITY  
Kit Wainer MORE  
Jonathan Halabi NEW ACTION

Sincerely,



Francesco Portelos  
UFT Solidarity