



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdc.wa.gov • Website: www.pdc.wa.gov

November 8, 2018

Sent electronically to Dana King @ dana@ufcw1439.org and ewan@workerlaw.com

Subject: United Food & Commercial Workers Local 1439, PDC Case - 33377

Dear Ms. Ewan:

Enclosed is a copy of a letter sent to Glen Morgan concerning a complaint he filed with the Public Disclosure Commission (PDC).

As noted in the letter to Mr. Morgan, the PDC has dismissed this matter in accordance with RCW 42.17A.75591), and will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

Pursuant to WAC 390-37-060(1)(b), this letter is a formal written warning to United Food and Commercial Workers Local 1439 concerning the importance of filing timely contribution and expenditures reports as required by the law. The PDC will not be conducting a more formal investigation into the allegations listed in the complaint, but the PDC will consider this formal written warning in the future if United Food and Commercial Workers Local 1439 ABC violates any PDC laws or rules.

Accordingly, the PDC has dismissed the complaint in accordance with RCW 42.17A.755 (1).

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov.

Sincerely,

Endorsed by:

Erick Agina
PDC Compliance Officer

Peter Lavellee
PDC Executive Director



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November 8, 2018

Sent electronically to Glen Morgan at glen@wethegoverned.com

Subject: United Food & Commercial Workers Local 1439 ABC Fund, PDC Case - 33377

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on March 28, 2018 against the above referenced committee. The complaint alleged that the United Food & Commercial Workers Local 1439 ABC Fund, violated RCW 42.17A.235 by failing to timely file the Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports).

PDC staff reviewed the allegations and as a result of staff's review, we found the following:

- On January 22, 2014, the United Food & Commercial Workers Local 1439 ABC filed a Political Committee Registration (C1pc) report, selecting the Full Reporting Option and listing Dana King and Ron Banka as Campaign Manager and Treasurer respectively.

Allegation: Failure to timely file the C-3 contribution and C-4 expenditure reports for the 2015, 2016 and 2017 election years.

- The committee filed 12, 49, and 52 late C-3 reports in 2015, 2016 and 2017 respectively. Out of 113 total late C-3 reports, 49 reports should have been reported during the critical window prior to the Primary and General elections, and therefore deprived the public of critical information.
- Of the seven C-4 reports alleged to have been filed late in 2015, 2016 and 2017, staff determined that six out of the seven C-4 reports, were filed two to 14 days late. The remaining C-4 report identified was filed timely.
- Although there were multiple late C-3 and a few C-4 reports, almost half (about 24) of the 55 reports identified as late were filed two weeks late or less and 46 of the 55 reports filed one month late or less. Staff's review of the late reports also found that the dollar amounts involved were small.
- The committee also stated in their response that they have undergone substantial changes in policy and protocol to prevent late filings in the future, including additional training for staff responsible for filing with the PDC.

Based on these findings, staff has determined that in this instance, the failure to file all reports timely does not appear to support a finding of an actual material violation warranting further investigation. However, pursuant to WAC 390-37-060(1)(b), United Food and Commercial Workers Local 1439 ABC Fund will receive a formal written warning concerning its failure to timely report its contribution and expenditure activities. The formal written warning conveys our expectation that the United Food and Commercial Workers Local 1439 ABC Fund will fully comply with the requirement to timely file contribution and expenditure reports. The Commission will consider the formal written warning if there are any future PDC law or rule violations by United Food and Commercial Workers Local 1439 ABC Fund.

Based on the above, the PDC has dismissed your complaint in accordance with RCW 42.17A.755(1)(a).

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov.

Sincerely,

Erick Agina
PDC Compliance Officer

Endorsed by:

Peter Lavellee
PDC Executive Director

cc: United Food & Commercial Workers Local 1439 ABC Fund

