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May 16, 2025

**JUDICIAL PANEL CASE NO. 25-025**  
**Local 2806 Election Protest**

GREETINGS:

Please find enclosed Judicial Panel member Gerard Jolly's decision in the above-referenced case.

In Solidarity,

Carla Insinga  
Judicial Panel Chairperson

CI:spp

cc: Lee Saunders, President  
Elissa McBride, Secretary-Treasurer  
Roberta Lynch, Executive Director, Council 31  
Erin Young, Central Regional Director, O&FS  
Dreadless Stubbs, AFSD  
Kito Lester, Appellant  
Rebecca El  
Piere Davis  
Natalia Diaz  
Terrence Roberts  
Dana Burnett  
Amber Eastling  
Vernita Brunt  
Eric King  
Tracy Bell  
Sheilah Gamble  
Kito Parker

**American Federation of State, County and Municipal Employees, AFL-CIO**

Jacqueline Moore  
Kenneth Allen  
Angelic Boyd  
Lenita Winding  
Jessitta Felton  
Kenyatta Mason  
Eddie Rogers  
Dennis Hehir  
Amadi Walker  
Verlonda Davis  
Therolyn Rogers  
Leon Harriel  
Jeniffer Jones  
Larita Brown

**JUDICIAL PANEL CASE NO. 25-025**  
**Local 2806 Election Protest**

This case results from a protest arising out of the nominations and elections of officers at the January 27, 2025, meeting of Local 2806. South Chicago State Human Services Employees Local 2806 is affiliated with Illinois Public Employees Council Number 31; the Illinois State AFL-CIO; and the Chicago Federation of Labor and Industrial Union Council, AFL-CIO.

Brother Kito Lester filed a timely protest with the Local's election committee on February 3, 2025. He was informed on March 3, 2025, that there would be a meeting held to make a decision on his protest, and on April 2, 2025, the membership voted to deny the protest. Brother Lester then filed a timely appeal of this action to the Judicial Panel on April 7, 2025.

The case was assigned to Judicial Panel Member Gerard Jolly for investigation and decision. After giving due notice to all parties concerned, an investigative hearing on Brother Lester's protest was held virtually on April 28, 2025, via Zoom.

**THE PROTEST**

(See attached)

**THE RESULTS**

(See attached)

### **REPORT OF THE INVESTIGATING OFFICER**

Brother Kito Lester, the protesting party, was an unsuccessful candidate for an executive board position in the January 27, 2025, Local 2806 election. Brother Lester's original protest cites four violations of AFSCME's Elections Code that occurred during the meeting where nominations and elections took place that he believes affected the outcome of the election. The first protest item asserts that individuals who attended the January 27, 2025, meeting did not have their membership status verified, so any person who came into the meeting was allowed to participate and vote. The second protest item asserts that there was not an official sign-in sheet to account for attendance, and the backs of campaign flyers were used as sign-in sheets. The third protest item asserts that the ballots that were handed out to voters contained two ballots. The fourth protest item asserts that after the voting period ended, additional ballots were allowed to be cast.

At the hearing, Brother Lester reiterated all four protest items. He explained that because the nominations and elections took place at the same meeting, the ballots were blank and had to be filled in. The ballots that members received were in fact two ballots which could permit someone to cast multiple ballots. He alleged that the Local's president declared the election over, and after declaring the election over, members were permitted to keep voting. He added that over 90 ballots were cast, but there were approximately only 80 members in attendance.

Brother Leon Harriel, the election committee chair, spoke at the hearing. He noted that at 7:46 p.m., it appeared that those in attendance were done voting, so voting

was declared closed. He added that voting was supposed to go until 8:00 p.m., and there was one member who was still in the process of filling out her ballot at 7:46 p.m., who was allowed to cast that ballot. No one else cast a ballot following that member. Brother Harriel was asked, and he explained that an e-mail sent to the membership regarding the election provided a start time but did not give an end time, the end time was established at the meeting where the election was held.

Regarding the ballots, Brother Harriel informed the undersigned that after the ballots were passed out, they realized that there were two ballots on one page; members were instructed to split the ballots in two and the election committee made sure that no double ballots were cast. The ballot issue was discovered before any members cast a vote. Voters were asked to bring the unused ballots up to the election committee. Voters who arrived after the election began were only given a single ballot. Brother Harriel informed the undersigned that members were notified of the election via mail and the notice was mailed by the council.

Sister Larita Brown, the Local's president, spoke in opposition to the protest. She stated that two ballots were printed on each sheet of paper, when members received their ballots they were instructed to tear the ballots in half. She noted that 84 members signed the sign-in sheet, and 92 ballots were cast, the difference between the ballots cast and the names on the sign-in sheet did not affect the outcome of the election. The election in question went to a run-off and Brother Lester did not obtain enough votes in the initial election to advance to the run-off.

Natalia Diaz, the Local's vice-president, also spoke in opposition to the protest. She confirmed the information regarding the double ballots. She added that the room where voting took place in was small which helped the election committee to be heard, and their instructions followed.

Sister Elice Smith-Mitchell spoke in favor of the protest. She stated that there was no election committee member assigned to check off that members were signing the sign-in sheet. She noted that individuals not on the election committee handed out ballots and she received a double ballot.

Brother Eddie Rogers concurred with Sister Smith-Mitchell. He stated that he arrived four minutes after the announced start of the nominations meeting and some nominations had already closed. He raised the possibility that due to the ballot layout issue and general disorder some members did not cast their own ballots. The election committee did not tear or separate the double ballots themselves.

Sister Rebecca El spoke in favor of the protest. She stated that the proper process was not followed. She noticed the ballot error and brought it to the attention of the election committee and saw members cast ballots for other members. She also confirmed that there was not a set time to close the election.

Other members spoke at the hearing, their statements largely affirmed the statements as reported above. There was also information provided on matters unrelated to Brother Lester's February 3, 2025, election protest, this information was not considered in this investigation.

After reviewing the facts and statements made at the hearing, the undersigned renders the following decision on Brother Lester's election protest:

Brother Kito Lester's first and second protest items call into question the security and integrity of the January 27, 2025, election. He asserts that individuals who attended the January 27, 2025, meeting did not have their membership status verified, any person who came into the meeting was allowed to participate and vote, and there was not an official sign-in sheet to account for attendance, further the backs of campaign flyers were used as sign-in sheets.

The statements heard and evidence submitted confirm that there was no official sign-in sheet used during the election. While 84 members signed the sheet, 92 votes were cast. The AFSCME Elections Code – Appendix D of the International Constitution contains two basic requirements for the conduct of an AFSCME election under Appendix D, Section 2F. These requirements are that (1) elections be conducted by secret ballot, and (2) all local union members be afforded a reasonable opportunity to vote. The Local Union Election Manual explains what these requirements mean regarding the reasonable opportunity to vote. The election manual states on pages 15-16,

It is essential, of course, that a record be kept of which members voted — both to avoid having someone vote twice and to avoid giving ballots to nonmembers. To avoid these problems, it is necessary to work from an up-to-date membership listing and require each voter to (1) provide identification and (2) sign for their ballot.

For the ballots that were cast to outnumber the signatures on the sign-in sheet is concerning and indicates that there was a lack of control implemented to ensure that the

election committee had the ability to verify the eligibility of voters. Individuals were able to enter the meeting/ voting area without first verifying their membership, and multiple sign-in sheets were passed around the room outside the control of the election committee. These issues risk the integrity of an AFSCME election because not verifying a member's identity and eligibility using an updated roster opens the door for non-members or members who are not eligible to vote.

There are several ways to verify a voter's eligibility at meetings at which both nominations are taken, and an election is held. One such way would be to staff the entrance to the room with election committee members and require that members provide a form of identification and sign their name next to their name which appears on a membership roster before being permitted entry to the room in which the election is set to take place. Doing so would ensure that only members are permitted entry, eligible voters are given ballots, and the number of ballots cast equals the number of verified voters. Brother Lester's first and second protest items are upheld.

Brother Lester's third protest item asserts that the ballots that were handed out to voters contained two ballots. As was explained by the members present at the hearing, each sheet of paper that the ballots were printed on contained two ballots. This was done to save on the amount of paper used in the election. Prior to the meeting the paper ballots were not cut, so voters received two ballots and not one when the ballots were distributed. Election committees have the general responsibility for the conduct of elections. The Local Union Election Manual sets forth eight basic duties of an election committee that fall under this general responsibility; one of these responsibilities is to



“prepare or supervise the preparation of the ballots” and another of these responsibilities is to “to supervise the issuance, return and counting of the ballots.”

It was a procedural violation that was not proven to have affected the outcome of the election to have passed out the sheets of paper containing two ballots to the voters at the start of the election. What was more problematic than this action were the methods employed by the election committee in attempting to fix this issue. The statements made by members present during the investigative hearing suggest that when the issue was discovered, the election committee instructed members to split or cut the ballots themselves and return any extras to the election committee. While it does not appear that anything improper occurred after giving this instruction, that instruction lead to allegations of elections code violations that could have been better avoided had the election committee themselves gathered the uncut ballot from the voters, cut the ballot, and then redistributed the ballots. Because proper control was not exercised over the ballots in issuing them, this protest item is upheld.

Brother Lester’s fourth protest item asserts that after the voting period ended, additional ballots were allowed to be cast. From the statements heard at the hearing, this assertion does not reflect what occurred at the January 27, 2025, meeting where the election took place. It is unclear whether the notice established the voting period, or the election committee established the voting period at the meeting, but it appears that 8:00 p.m. was the scheduled time when voting would end. At approximately 7:45 p.m., those present at the meeting, believing that no other members would come to cast ballots attempted to end the voting period. A member who was present and still in the process

of voting at this time announced that she was still voting. This member was permitted to cast her ballot. Permitting this member to cast her ballot was proper because the election had not ended, she was present at the voting site, and in the process of voting. There was no further proof offered to support that any member was denied the opportunity to cast a ballot or that ballots were cast after 8:00 p.m. Because the notice of nominations and elections was not provided, a definite conclusion cannot be drawn regarding whether voting times were established through the notice or by the election committee at the meeting. To be clear, a voting period with a beginning and ending time must be communicated in the notice of elections and the voting period must be adhered to. It was improper to have attempted to close the voting period before the agreed voting period ended but because no one else was reported to have tried to vote or was denied the opportunity to vote this action did affect the outcome of the election. This protest item is dismissed.

### DECISION

The election protest appeal of the January 27, 2025, election of Local 2806 officers is upheld. Local 2806 is ordered to rerun the original election of officers within 45 calendar days of this decision. Because no violations were found regarding the nominations of officers, only a rerun of the election is required.

May 16, 2025  
Grove City, OH

Gerard Jolly  
Judicial Panel Member  
AFSCME, AFL-CIO

Subject: Appeal to Afsome Judiciary Board Regarding Local 2806 election results and subsequent vote on election committee's report acceptance.

Good afternoon, I am writing to seek relief regarding the outcome of the protest of the local 2806 election held on January 27<sup>th</sup>, 2025. A meeting and vote regarding the contest of the results of the original vote was not held until April 2<sup>nd</sup>, 2025. I am seeking neutral intervention due to the following incidents that occurred on April 2<sup>nd</sup>. Before I get into specifics of what occurred, and did not occur on 4-2-2025, I must state that Robert's Rules of Order were not followed. The meeting was not appropriately opened. In addition, the recording secretary was absent from the meeting to document what took place.

Prior to the 2<sup>nd</sup> vote, the Ms. Brown went through several agenda items, with the vote being the last item. During the first agenda items, the Ms. Brown berated several membership members. Specifically, statements were made that managers (who are union members), are in collaboration with non-union administration to attempt to get workers terminated.

- 1) During the financial report, members who wanted to ask questions and requested to see the financial books were shut down, and no further discussion regarding the financials were allowed, other than to send an email.
- 2) Regarding the vote to see if the election needed to be redone, membership inquired to see if there were more viable ways to conduct elections in general, as the current location of the meetings is inconvenient for a large portion of the membership. Alternate methods of voting were immediately dismissed. When the election committee representative Mr. Harriel gave his report and answers to the charges against the results of the original election, the representative stated that there were more votes cast, than membership that voted. It seems this would immediately invalidate the results of the vote in and of itself. In addition, once again no attendance was taken at this 2<sup>nd</sup> meeting, so I am unsure if any of the numbers were accurate. Unfortunately, members were not given the opportunity to ask clarifying questions at the conclusion of the election committee report, and the Ms. Brown of the meeting became combative when concerns were voiced.
- 3) When the vote to accept or reject the election committee response occurred, multiple hands up/hands down as well as a stand-up vote were conducted before the Ms. Brown declared there would be no re-election would be held. I was under the impression the local president was to facilitate the meeting, but not the actual vote itself. This repetition, along with differing numbers being announced each time raised questions about the integrity of the process.
- 4) During the entire meeting the current local 2806 leadership shouted down any issues raised that were contrary to the current leadership staff that clearly wanted the original vote results to remain. Even more egregious, at the conclusion of the meeting, the Ms. Brown mocked a member's appearance and called her a derogatory name. This behavior raised more questions about the integrity of the current local leadership, and casts serious doubts as to whether the local leadership intended on their being a fair vote.

Given these instances, that were witnessed by several members, I am requesting guidance on potential avenues to nullify the original election results and to have the entire election process reviewed by a neutral party. I believe a thorough and impartial examination is warranted to restore confidence in the process and ensure fairness.

Thank you for your attention to this matter. I look forward to your guidance and assistance.

Sincerely,

Kito Lester

## Shaun Plum

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**From:** Kito Lester <rapacious1@hotmail.com>  
**Sent:** Tuesday, March 4, 2025 8:23 PM  
**To:** Sheilah N. Gamble; beckbeck6@aol.com  
**Cc:** Shaun Plum  
**Subject:** Fw: Request to contest election results of Afsme 2806 election held on 1-27-2025

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This message is from an external sender.

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Good evening. Please see the response I received from local 2806 late last evening regarding my request to hold a revote of the recent election. Based on this received response I am still unclear as to whether or not another election will be held. I already previously alerted local 2806 of the numerous voting irregularities that occurred, and offered to provide multiple statements from various voting members to corroborate what I witnessed. I truly hope a re-vote occurs.

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**From:** 2806 Local Vote <2806electionvote@gmail.com>  
**Sent:** Monday, March 3, 2025 8:23:51 PM  
**To:** Kito Lester <rapacious1@hotmail.com>  
**Subject:** Re: Request to contest election results of Afsme 2806 election held on 1-27-2025

Email Received. Per the Union Manual, A Membership meeting will be held. The Committee will present the information to the Membership and the Union Members will be allowed to decide if they want another election. Information will be forthcoming.

Thank you

On Mon, Feb 3, 2025 at 8:14 PM Kito Lester <rapacious1@hotmail.com> wrote:  
I am writing to formally contest the results of the recent Afsme election held on 1-27-25

As a member in good standing, I have identified several concerns that I believe compromised the integrity and fairness of the election process:

1. Upon arrival to the polling place, no one's status as a union member in good standing was checked. Any and everyone who walked into the room was allowed to vote.
2. There was no official sign in sheet, to account for attendance. Several campaign flyers were circulated as the sign in sheets, as well as a ballot.
3. Each ballot sheet had double entries for the same positions, so in effect each ballot was actually 2 votes.
4. After the vote was declared over, addition ballots were allowed to be entered into the ballot box.

For these reasons, I am formally requesting the vote held on 1-27-25 be invalidated, and another vote held.

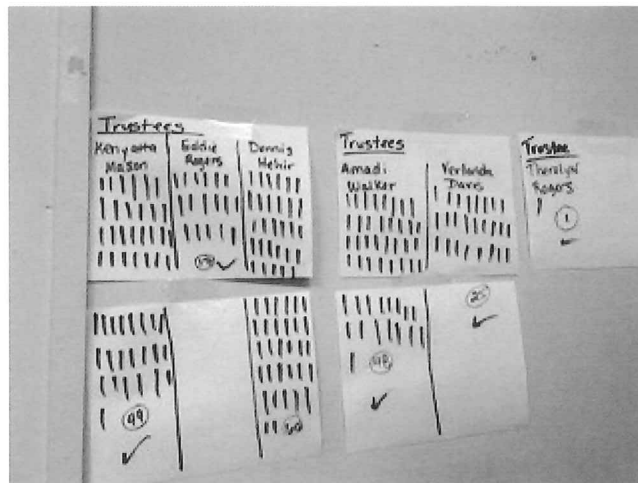
I am prepared to provide any further information or evidence required to support this challenge and am willing to cooperate fully with any investigative procedures deemed necessary.

Kito Lester, member in good standing with local 2806

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[illegible]





Carolyn  
Rogers  
Declined  
Nomination

Trustees		
Anaglic Boyd	Lenita Winding	Jessita Feltow
	⑬	④
✓	✓	✓