

**U.S. DEPARTMENT OF LABOR
OFFICE OF LABOR-MANAGEMENT STANDARDS
WASHINGTON, DC 20210**

DETERMINATION

Determination of a Complaint Filed under Title IV
of the Labor-Management Reporting and Disclosure Act of 1959

On April 20, 2012, the Secretary of Labor received a complaint alleging violations of Section 401 of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), in the regularly scheduled election of officers conducted on December 23, 2011, by Teamsters Local 631 in Las Vegas, Nevada.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union allowed ineligible members to vote when the balloting company it hired failed to exclude from the ballot tally over 220 ballots cast by members who were not current in dues.

Apprised of these findings, Teamsters Local 631 agreed to conduct a new election of officers under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on October 25, 2012. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Title IV of the LMRDA occurred which may have affected the outcome of the election conducted by Teamsters Local 631 on December 23, 2011, but that these violations have been remedied by the new election, conducted in accordance with Title IV of the LMRDA, under the supervision of the Secretary of Labor, on October 25, 2012.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 23, 2011 is not warranted.

Signed this 28th day of November, 2012.

Patricia Fox
Chief, Division of Enforcement

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



November 28, 2012



Dear [REDACTED]:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



November 28, 2012

Ms. Cheryl Schmit, President
Teamsters Local 631
700 North Lamb Boulevard
Las Vegas, Nevada 89110

Dear Ms. Schmit:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



November 28, 2012

Mr. James P. Hoffa, General President
International Brotherhood of Teamsters
25 Louisiana Avenue, N.W.
Washington, DC 20001

Dear Mr. Hoffa:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure