

**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 August 31, 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 April 24, 2012, by Steelworkers Local 13 in Independence, Missouri.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that Local 13 did not adequately update member address information; did not use an accurate voter eligibility list; failed to verify members voted only once; failed to keep a record of why some ballots were not opened or counted; imposed a candidacy requirement but did not notify candidates of this requirement until after nominations; and, improperly voided five ballots in their entirety instead of voiding the affected races.

Apprised of these findings, Steelworkers District 11 agreed to conduct new nominations for vice president and a new election for the offices of president, vice president, financial secretary, guide and two guard positions under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on February 12, 2013. 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 Steelworkers Local 13 on April 24, 2012, 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 February 12, 2013.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on April 24, 2012 is not warranted.

Signed this 25th day of March, 2013.

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



March 25, 2013

[REDACTED]

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



March 25, 2013

Ms. Janet Kirk, President
Steelworkers Local 13
624 South Cottage
Independence, Missouri 64050

Dear Ms. Kirk:

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

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



March 25, 2013

Mr. Leo W. Gerard, International President
United Steelworkers
Five Gateway Center
Pittsburgh, Pennsylvania 15222

Dear Mr. Gerard:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure