



June 11, 2014

[REDACTED]

[REDACTED]

Dear [REDACTED]:

This Statement of Reasons is in response to your complaints filed on January 8 and 9, 2014, with the U.S. Department of Labor alleging that a violation of Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA) occurred in connection with the Teamsters Local 177 election of officers concluded on October 8, 2013.

The Department of Labor conducted an investigation of your allegations. As a result of the investigation, the Department has concluded, with respect to each of your allegations, that there was no violation of the LMRDA.

You alleged that Local 177 improperly ruled you ineligible to run for office, on the ground that you did not maintain continuous good standing regarding dues payments. You do not challenge the reasonableness of the union's good standing requirement. You assert that you met the requirement as you were on dues check-off and any delinquency in dues payments was attributable to the failure of your employer to deduct dues from your respective prepaid vacation pay and sick leave.

The investigation did not support your allegation. The Department's investigation found an interruption in dues payment for [REDACTED] in July 2013 and for [REDACTED] in February 2013. The investigation further found that those interruptions in dues payments occurred because there were no earnings from which dues could be deducted.

The investigation found that [REDACTED] was on unpaid FMLA leave for the entire month of July 2013, and therefore did not receive pay from which July dues could have been deducted. Furthermore, the investigation revealed that [REDACTED] took unpaid leave on February 1, 2013, and was on vacation for the entire remainder of February.

Accordingly, because [REDACTED] received advance vacation pay for February in the month of January, he did not receive any payment during the month of February from which dues could have been deducted.

Although, you assert that, in the past, the union had deducted dues from vacation and other leave-related pay for other union members, the Department's investigation revealed that in several of the examples you provided, the members referenced had dues deducted because they had received actual wages during the periods for which they were ruled eligible. Additionally, the Department's investigation of your remaining examples revealed that the member referenced had received some form of payment from which the union could deduct dues in the absence of actual wages. You were properly ruled ineligible to run for office. There was no violation of the LMRDA.

The investigation failed to disclose any violation of the LMRDA. Accordingly, the office has closed the file on this matter.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

cc: James P. Hoffa, General President
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Victor Palumbo, Secretary-Treasurer
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Christopher Wilkinson, Associate Solicitor for Civil Rights and Labor-
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