

**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 19, 2013, 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 March 21, 2013, by APWU Local 229 in Aurora, Colorado.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that APWU LU 229 applied a meeting attendance requirement (at least three (3) of nine (9) union meetings prior to nominations) that disqualified more than 97 percent of the union's membership. Additionally, the union was inconsistent in applying the meeting attendance rule.

Apprised of these findings, APWU Local 229 agreed to conduct new nominations and a new election for the offices of clerk craft director, director of maintenance, maintenance trustee, and motor vehicle trustee under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on November 21, 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 APWU Local 229 on March 21, 2013, 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 November 21, 2013.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on March 21, 2013 is not warranted.

Signed this 4th day of March 2014.

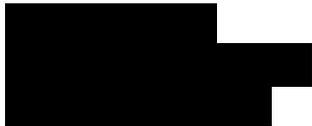
Patricia Fox  
Chief, Division of Enforcement

**U.S. Department of Labor**

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



March 5, 2014



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 5, 2014

Mr. John Ancona, President  
APWU Local 229  
15677 E. 17th Avenue  
Aurora, Colorado 80011-4603

Dear Mr. Ancona:

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  
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March 5, 2014

[REDACTED]  
American Postal Workers Union AFL-CIO  
1300 L Street, NW  
Moe Biller Building  
Washington, DC 20005

Dear Mr. Guffey:

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

Sincerely,

Patricia Fox  
Chief, Division of Enforcement

Enclosure