

**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 14, 2014, 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 25, 2014, by American Postal Workers Union Local 199 in Richmond, Virginia.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union denied members the right to vote in that ballots received from eligible members prior to the return ballot deadline were not counted in violation of Section 401(e) of the LMRDA.

Apprised of these findings, APWU Local 199 agreed to conduct a new installation of the Director of Legislation, in accordance with Title IV of the LMRDA. The agreed upon remedial installation of the Director of Legislation was concluded on November 4, 2014. 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 American Postal Workers Union Local 199 on April 25, 2014, but that these violations have been remedied by the new installation conducted on November 4, 2014.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on April 25, 2014 is not warranted.

Signed this 10th day of November 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



November 10, 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

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November 10, 2014

Mr. Mark Dimondstein, President
American Postal Workers Union
1300 L Street, NW
Washington, DC 20005

Dear Mr. Dimondstein:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure