

**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 March 19, 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 December 8, 2013, by National Association of Letter Carriers (NALC), Branch 116 in Fort Wayne, Indiana.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the Branch failed to comply with a reasonable request to mail out campaign literature; failed to follow the NALC Regulations when observers were not notified when undelivered ballot packages would be picked up from the post office box; placed improper restrictions on observers during the tally; improperly counted ballots returned from unidentified individuals; and failed to maintain election tally sheets.

Apprised of these findings, Letter Carriers Branch 116 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 July 13, 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 Letter Carriers Branch 116 on December 8, 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 July 13, 2014.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 8, 2013 is not warranted.

Signed this 9th day of September, 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



September 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

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



September 10, 2014

Mr. Harbert M. Davis IV, President
National Association of Letter Carriers (NALC), Branch 116
2612 Taylor Street
Fort Wayne, IN 46802

Dear Mr. Davis:

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



September 10, 2014

November 18, 2014

Mr. Fredric V. Rolando, National President
National Association of Letter Carriers
100 Indiana Ave., N.W.
Letter Carriers Bldg., Room 712
Washington, DC 20001

Dear Mr. Rolando:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure