

**U.S. DEPARTMENT OF LABOR  
OFFICE OF LABOR-MANAGEMENT STANDARDS  
WASHINGTON, DC 20210**

**DETERMINATION**

Determination of Complaint Filed under Section 458.63 of the Assistant Secretary's  
Standards of Conduct Regulations (29 CFR 458.63) Issued pursuant to  
Section 7120(d) of the Civil Service Reform Act of 1978 (5 U.S.C. 7120(d))

On July 29, 2014, the Secretary of Labor received a complaint alleging violations of Section 458.29 of the Rules and Regulations of the Assistant Secretary issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (CSRA), in the regularly scheduled election of officers conducted on March 27, 2014, by American Federation of Government Employees (AFGE) AFGE Local 2206 in Birmingham, Alabama.

Pursuant to Section 458.50 of the Rules and Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted by the Department of Labor. The investigation disclosed that the conduct of the challenged election may have violated Section 458.29 of the Rules and Regulations in that Local 2206 failed to provide proper notice of election, denied members the right to vote, permitted ineligible members to vote, and failed to provide adequate safeguards when instructions were not included with the ballot and when candidates were listed on the ballot for races for which not all members were eligible to vote.

Apprised of these findings, AFGE Local 2206 agreed to conduct new nominations, if necessary, and a new election (for vice president of grievances, vice president - COS, vice president - section 1, vice president - section 2, and secretary) under the supervision of the Chief of the Division of Enforcement, in accordance with Section 458.29 of the Rules and Regulations of the Assistant Secretary. The agreed upon remedial election was concluded on April 16, 2015. It is, therefore,

**DETERMINED**, that there is probable cause to believe that violations of Section 458.29 of the Rules and Regulations occurred which may have affected the outcome of the election conducted by AFGE Local 2206 on March 27, 2014, but that these violations have been remedied by the new election, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on April 15 and 16, 2015.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations of the Assistant Secretary to set aside the election conducted on March 27, 2014 are not warranted.

Signed this 27th day of July 2015.

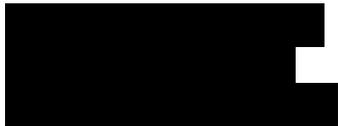
Stephen J. Willertz  
Acting Chief, Division of Enforcement

**U.S. Department of Labor**

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



July 27, 2015



Dear [REDACTED]:

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

Sincerely,

Stephen J. Willertz  
Acting 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



July 27, 2015

Mr. Anthony Young, President  
AFGE Local 2206  
1200 Rev. Abraham Woods Jr. Blvd.  
Birmingham, Alabama 35202

Dear Mr. Young:

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

Sincerely,

Stephen J. Willertz  
Acting Chief, Division of Enforcement

Enclosure

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



July 27, 2015

Mr. David J. Cox, National President  
American Federation of Government Employees  
80 F Street, N.W.  
Washington, D.C. 20001

Dear Mr. Cox:

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

Sincerely,

Stephen J. Willertz  
Acting 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



July 27, 2015

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

Stephen J. Willertz  
Acting Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

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Division of Enforcement  
Washington, DC 20210  
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July 27, 2015

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

Stephen J. Willertz  
Acting Chief, Division of Enforcement

Enclosure