

**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 January 9, 2015, 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 November 8, 2014, by Sheet Metal, Air, Rail & Transportation Workers Local 1715 in Charlotte, North Carolina.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that Local 1715 failed to provide adequate safeguards and violated the SMART Constitution when it allowed incumbent officers to control access to the post office box containing returned ballots. The post office box key should have been held by the postmaster.

Apprised of these findings, Sheet Metal, Air, Rail & Transportation Workers agreed to conduct a new election for the office of secretary under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on May 29, 2015. 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 Sheet Metal, Air, Rail & Transportation Workers Local 1715 on November 8, 2014, 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 May 29, 2015.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on November 8, 2014 is not warranted.

Signed this 30th 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 30, 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

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



July 30, 2015

[REDACTED]
Sheet Metal, Air, Rail & Transportation Workers Local 1715

[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

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July 30, 2015

Mr. Joseph Sellers, Jr., General President
Sheet Metal, Air, Rail & Transportation Workers
1750 New York Avenue, NW, 6th Floor
Washington, DC 20006

Dear Mr. Sellers:

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

Sincerely,

Stephen J. Willertz
Acting Chief, Division of Enforcement

Enclosure