

**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 June 3, 2010, the Secretary of Labor received a complaint alleging a violation of Section 401 of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), in that the Union Insular de Trabajadores Industriales y Construcciones Electricas, Inc. in Guaynabo, Puerto Rico, had failed to conduct a secret ballot election of officers within the last three years.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the Union had not conducted an officer election since at least 1998 in violation of Section 401(b) of the LMRDA which requires every local labor organization to elect its officers not less often than once every three years by secret ballot among the members in good standing.

Apprised of these findings, Union Insular de Trabajadores Industriales y Construcciones Electricas, Inc. agreed to conduct nominations and 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 October 29, 2010. It is, therefore,

DETERMINED, that there is probable cause to believe that a violation of Title IV of the LMRDA occurred when the Union Insular de Trabajadores Industriales y Construcciones Electricas, Inc. failed to hold a secret ballot election of officers as required by Section 401(b) of the LMRDA, but that this violation has been remedied by the election, conducted in accordance with Title IV of the LMRDA, under the supervision of the Secretary of Labor, that concluded on October 29, 2010.

Therefore, civil action under Section 402(b) of the LMRDA is not warranted.

Signed this 21st day of December, 2010.

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



December 21, 2010

[REDACTED]

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



December 21, 2010

Mr. Francisco Reyes Santos, President
Union Insular de Trabajadores Industriales y Construcciones Electricas, Inc.
Post Office Box 2038
Guaynabo, Puerto Rico 00969

Dear Mr. Reyes-Santos:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure