

**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 29, 2006, 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 June 5, 2006, by Carpenters Local 102 in Livermore, California.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that due to the polling hours, certain members were denied the right to vote.

Apprised of these findings, Carpenters Local 102 agreed to conduct nominations and an election under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon election was concluded on June 1, 2009. It is, therefore,

DETERMINED, that there is probable cause to believe that a violation of Title IV of the LMRDA occurred which may have affected the outcome of the election conducted by Carpenters Local 102 on June 5, 2006, 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, on June 1, 2009.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on June 5, 2006 is not warranted.

Signed this 29th day of September, 2009.

Cynthia M. Downing
Chief, Division of Enforcement

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Washington, DC 20210



September 29, 2009

Dear |||||:

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

Sincerely,

Cynthia M. Downing
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Washington, DC 20210



September 29, 2009

Mr. Don Morkal
Carpenters Local 102
3095 Independence Drive
Fremont, California 94551

Dear Mr. Morkal:

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

Sincerely,

Cynthia M. Downing
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Washington, DC 20210



September 29, 2009

Mr. Douglas McCarron, General President
United Brotherhood of Carpenters
101 Constitution Avenue, N.W.
Washington, D.C. 20001

Dear Mr. McCarron:

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

Sincerely,

Cynthia M. Downing
Chief, Division of Enforcement

Enclosure