

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

**DETERMINATION**

Determination of Complaints Filed under Title IV  
of the Labor-Management Reporting and Disclosure Act of 1959

On March 9, 2009 and March 11, 2009, the Secretary of Labor received complaints 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 October 26, 2008, by Service Employees Local 1984 in Concord, New Hampshire.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union acted in a discriminatory manner with respect to access to delegate contact information.

Apprised of these findings, Service Employees Local 1984 agreed to conduct a new election for the offices of president and 2nd vice president 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 24, 2009. 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 Service Employees Local 1984 on October 26, 2008, 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 October 24, 2009.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on October 26, 2008 is not warranted.

Signed this 19th day of November, 2009.

Patricia Fox  
Acting Chief, Division of Enforcement

**U.S. Department of Labor**

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



November 19, 2009


Dear |||||:

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

Sincerely,

Patricia Fox  
Acting Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

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



November 19, 2009

Mr. Gary E. Smith, President  
Service Employees Local 1984  
105 North State Street  
Concord, NH 03301

Dear Mr. Smith:

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

Sincerely,

Patricia Fox  
Acting Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

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



November 19, 2009

Mr. Andrew Stern, International President  
Service Employees International Union  
1313 L Street, N.W.  
Washington, D.C. 20005

Dear Mr. Stern:

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

Sincerely,

Patricia Fox  
Acting Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

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



November 19, 2009


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Sincerely,

Patricia Fox  
Acting Chief, Division of Enforcement

Enclosure