



February 11, 2009

[REDACTED]

Dear [REDACTED]:

This is to advise you of the disposition of your complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred with respect to the trusteeship imposed by the Fraternal Order of Police (FOP), District of Columbia (DC) Lodge 1, over FOP National Labor Council (NLC) 2 (currently known as the Postal Police Officers Association), located in Centereach, New York.

Pursuant to Sections 304 and 601 of the LMRDA, an investigation was conducted by the Office of Labor-Management Standards. After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we have determined that legal action is not warranted in this case. We are, therefore, closing our file as of this date.

The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

Cynthia M. Downing
Chief, Division of Enforcement



February 11, 2009

Mr. Marcello Muzzatti
Lodge President
Fraternal Order of Police
DC Lodge 1
711 4th Street, NW
Washington, D.C. 20001

Dear Mr. Muzzatti:

This is to advise you of the disposition of a complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred with respect to the trusteeship imposed by the Fraternal Order of Police (FOP), District of Columbia (DC) Lodge 1, over FOP National Labor Council (NLC) 2 (currently known as the Postal Police Officers Association), located in Centereach, New York.

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The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia M. Downing". The signature is written in a cursive style with a large, looped "g" at the end.

Cynthia M. Downing
Chief, Division of Enforcement



February 11, 2009

Mr. Ed Barry
President
Postal Police Officers Association
P.O. Box 612
Centereach, New York 11720

Dear Mr. Barry:

This is to advise you of the disposition of a complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred with respect to the trusteeship imposed by the Fraternal Order of Police (FOP), District of Columbia (DC) Lodge 1, over FOP National Labor Council (NLC) 2 (currently known as the Postal Police Officers Association), located in Centereach, New York.

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The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

Cynthia M. Downing
Chief, Division of Enforcement

Statement of Reasons
for Dismissing the Complaint
Concerning the Trusteeship Imposed on
Fraternal Order of Police National Labor Council 2

On February 14, 2008, a member of Fraternal Order of Police National Labor Council 2 (NLC 2) filed a complaint with the Department of Labor, alleging that Fraternal Order of Police District of Columbia Lodge 1 (DC Lodge 1) violated Title III of the Labor Management Reporting and Disclosure Act (LMRDA), 29 U.S.C. §§ 461-66, by imposing a trusteeship on NLC 2. Specifically, the complaint alleged that DC Lodge 1 imposed the trusteeship on NLC 2 without a proper hearing.

The Department's investigation established that, on January 31, 2008, DC Lodge 1 imposed a trusteeship on NLC 2 in order to respond to allegations of misappropriated funds, to provide authority for the bargaining representative during contract negotiations, and to restore democratic procedures. The investigation also revealed that, pursuant to a July 22, 2008 order of the U.S. District Court for the District of Columbia, the trusteeship was dissolved. Further, the investigation disclosed that NLC 2 disaffiliated from DC Lodge 1 as of September 4, 2008. NLC 2, which is now known as the Postal Police Officers Association, is running its own affairs.

For the reasons stated above, any questions of whether proper procedures were followed in imposing the trusteeship and whether that trusteeship was valid under the LMRDA are moot. Accordingly, this matter does not require any further action on the part of the Department and the file on this matter has been closed.