

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

DETERMINATION

Determination of a trusteeship complaint Filed under Section 458.53 of the Assistant Secretary's Standards of Conduct Regulations (29 CFR 458.53) Issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (5 U.S.C. 7120(d))

On June 17, 2009, the Secretary of Labor received a trusteeship complaint alleging violations of Section 458.28 of the Rules and Regulations of the Assistant Secretary issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (CSRA), in that the trusteeship imposed on Federation of Indian Service Employees Local 4524, American Federation of Teachers, Albuquerque, New Mexico, by the American Federation of Teachers had exceeded its 18-month presumption of validity.

Pursuant to Section 458.50 of the Rules and Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted by the Department of Labor. The investigation disclosed that the trusteeship was no longer valid pursuant to Section 458.28 of the Rules and Regulations of the Assistant Secretary.

Apprised of these findings, American Federation of Teachers agreed to conduct new nominations and a new election of officers under the supervision of the Chief of the Division of Enforcement, in accordance with Section 458.29 of the Rules and Regulations of the Assistant Secretary. The agreed upon election was concluded on May 25, 2010 and the trusteeship was dissolved. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Section 458.28 of the Rules and Regulations occurred but that these violations have been remedied by the new election of Local 4524 officers, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on May 25, 2010.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations of the Assistant Secretary are not warranted.

Signed this 12th day of July, 2010.
for

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



July 12, 2010

Dear |||||:

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

Sincerely,

for

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



July 12, 2010

Ms. Lahoma Parton, President
Federation of Indian Service Employees Local 4524, American Federation of Teachers,
2309 Renard Place, SE, Suite 202
Albuquerque, New Mexico 87106

Dear Ms. Parton:

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

Sincerely,

for

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



July 12, 2010

Mr. David J. Strom, General Counsel
American Federation of Teachers, AFL-CIO
555 New Jersey Avenue, N.W.
Washington, D.C. 20001

Dear Mr. Strom:

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

Sincerely,
for

Patricia Fox
Chief, Division of Enforcement

Enclosure