

**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 3, 2009, 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 10, 2009, by Hanford Atomic Metal Trades Act (HAMTC) in Richland, Washington.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union violated section 401(e) of the Act when it allowed a non-delegate to run for office in violation of the Council's bylaws and where some delegates who voted in the election were appointed not elected by secret ballot.

Apprised of these findings, HAMTC agreed to conduct new nominations and a new election for three Trustees under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on May 12, 2010. 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 Hanford Atomic Metal Trades Act (HAMTC) on June 10, 2009, 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 May 12, 2010.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on June 10, 2009 is not warranted.

Signed this 11th day of June, 2010.

Cynthia M. Downing
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



June 11, 2010

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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

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



June 11, 2010

Mr. David Molnaa, President
Hanford Atomic Metal Trades Act (HAMTC)
1305 Knight Street
Richland, Washington 99352

Dear Mr. Molnaa:

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

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
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June 11, 2010

Mr. Ron Ault, President
Metal Trades Department, AFL-CIO
815 16th Street, N.W.
Washington, D.C. 20006

Dear Mr. Ault:

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

Sincerely,

Cynthia M. Downing
Chief, Division of Enforcement

Enclosure