DETERMINATION

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

On October 7, 2018, 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 June 13, 2018, by Amalgamated Transit Union (ATU) LDIV 757 in Portland, Oregon.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that LDIV 757 denied members the right to vote when it failed to provide the correct ballot type for certain members, in violation of Section 401(e) of the LMRDA. In some instances this occurred despite the members’ attempt to obtain a corrected duplicate ballot.

Apprised of these findings, Amalgamated Transit Union LDIV 757 agreed to conduct a new election for the position of TriMet Light Rail Transportation Executive Board Officer under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on February 27, 2019. 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 LDIV 757 on June 13, 2018, 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 February 27, 2019.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on June 13, 2018 is not warranted.

Signed this 1st day of April, 2019.

Brian A. Pifer
Chief, Division of Enforcement
April 1, 2019

Dear [redacted]:

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

Sincerely,

[redacted]

Brian A. Pifer  
Chief, Division of Enforcement

Enclosure
April 1, 2019

Ms. Shirley Block, President
Transit Union LDIV 757
1801 NE Couch Street
Portland, Oregon 97232

Dear Ms. Block:

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

Sincerely,

Brian A. Pifer
Chief, Division of Enforcement

Enclosure
April 1, 2019

Mr. Larry Hanley, International President
Amalgamated Transit Union
10000 New Hampshire Avenue
Silver Spring, MD  20903

Dear Mr. Hanley:

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

Sincerely,

[Redacted]

Brian A. Pifer
Chief, Division of Enforcement

Enclosure
April 1, 2019

Dear [Redacted]

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

Sincerely,

[Redacted]

Brian A. Pifer
Chief, Division of Enforcement

Enclosure
April 1, 2019

Dear [Redacted]

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

Sincerely,

[Redacted]

Brian A. Pifer
Chief, Division of Enforcement

Enclosure
April 1, 2019

Dear [Redacted],

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

Sincerely,

Brian A. Pifer
Chief, Division of Enforcement

Enclosure