



May 27, 2022



Dear Mr. [REDACTED]:

This Statement of Reasons is in response to your August 24, 2021, complaint filed with the United States Department of Labor (Department) alleging that violations of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred because the American Postal Workers (APWU), Local 1125 failed to hold its regular officer election in January 2021.

Section 401(b) of the LMRDA requires that local unions hold officer election not less often than once every three years. 29 U.S.C. § 481(b). The Local 1125 Constitution and Bylaws provides that “[o]fficers shall be elected annually (or for periods up to three years) by secret ballot [...] in January.” Art. VI, Sec. 2. In your complaint, you alleged that Local 1125 last conducted an officer election in 2018, and therefore, was required to conduct its next regular officer election in January 2021. The Department’s investigation established that the union began its election process in February 2021, but encountered many logistical hurdles due to the COVID-19 pandemic, which led to a flawed election process. For example, ballot packages were mailed without secret ballot envelopes and without instructions identifying when the election tally would occur, ineligible candidates were included on the ballot, members stated that they did not receive ballot packages, and ballots were maintained in an unsecured area. Given these issues, Local 1125 contacted APWU’s National Secretary-Treasurer who stated that Local 1125’s election process was invalid and would need to be rerun. Local 1125’s 2021 election was never conducted, which violated the Act.

During the course of the Department’s investigation, however, it was established that Local 1125’s membership was in the process of dissolving the local union and merging with the APWU North Carolina Council. The Department found that at a September 12, 2021, Local 1125 meeting the membership voted unanimously to dissolve the local union and merge with the APWU North Carolina Council. Consistent with the APWU Constitution, this dissolution and merger was approved by the APWU National Secretary-Treasurer on September 28, 2021.

Because Local 1125 has dissolved, it is no longer covered by Title IV of the LMRDA and cannot be required to conduct an officer election. As such, the allegation in your complaint is now moot, and for the reasons stated above, the office has closed the file regarding this matter.

Sincerely,

[REDACTED]

Tracy L. Shanker
Chief, Division of Enforcement

cc: [REDACTED], Secretary-Treasurer
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