

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

**DETERMINATION**

Determination of a Complaint Filed under Section 458.63 of the  
Standards of Conduct Regulations (29 CFR 458.63) issued pursuant to  
Section 7120(d) of the Civil Service Reform Act of 1978 (5 U.S.C. 7120(d))

On July 21, 2022, the Secretary of Labor received a complaint alleging violations of Section 458.29 of the Standards of Conduct Regulations (Regulations) issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978, in the regularly scheduled election of officers conducted on March 19, 2022, by American Federation of Government Employees (AFGE) District Council 59 in Carrollton, Michigan.

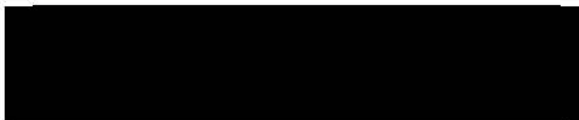
Pursuant to Section 458.50 of the Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted by the Department of Labor. The investigation disclosed that the conduct of the challenged election may have violated Section 458.29 of the Regulations in that the union allowed an ineligible delegate to cast a ballot in the District Representative race, in violation of section 401(e) of the LMRDA.

Apprised of these findings, AFGE District Council 59 agreed to conduct a new election for District Representative under the supervision of the Chief of the Division of Enforcement, in accordance with Section 458.29 of the Regulations. The agreed upon remedial election was concluded on January 18, 2023. It is, therefore,

**DETERMINED**, that there is probable cause to believe that violations of Section 458.29 of the Regulations occurred which may have affected the outcome of the election conducted by American Federation of Government Employees (AFGE) District Council 59 on March 19, 2022, but that these violations have been remedied by the new election, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on January 18, 2023.

Therefore, enforcement proceedings under Section 458.66 of the Regulations to set aside the election conducted on March 19, 2022 are not warranted.

Signed February 16, 2023.



Tracy L. Shanker  
Chief, Division of Enforcement

**U.S. Department of Labor**

Office of Labor-Management Standards  
Suite N-5119  
200 Constitution Ave., NW  
Washington, D.C. 20210  
(202) 693-0143



February 16, 2023



Dear [REDACTED]:

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

Sincerely,



Tracy L. Shanker  
Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

Office of Labor-Management Standards  
Suite N-5119  
200 Constitution Ave., NW  
Washington, D.C. 20210  
(202) 693-0143



February 16, 2023

Stephanie Threatt, President  
AFGE District Council 59  
P.O. Box 304  
Carrollton, MI 47824

Dear Ms. Threatt:

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

Sincerely,



Tracy L. Shanker  
Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

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Washington, D.C. 20210  
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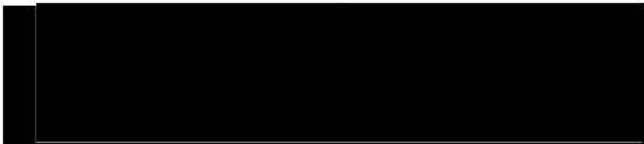
February 16, 2023

Everett Kelley, National President  
AFGE National Union  
80 F Street NW  
Washington, DC 20001

Dear Dr. Kelley:

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

Sincerely,



Tracy L. Shanker  
Chief, Division of Enforcement

Enclosure