

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 November 30, 2022, 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 August 20, 2022, by the Special Deputy Marshals of America (SDMOA) in Washington, D.C.

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 LMRDA by failing to install the winning candidate for president into office as required by the SDMOA Constitution & Bylaws. The union's failure to install also resulted in the former president holding office for more than three years in violation of Section 401(b) of the LMRDA.

Apprised of these findings, SDMOA agreed to install the winning candidate as president under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon installation was concluded on February 6, 2023. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Title IV of the LMRDA occurred which affected the outcome of the election conducted by SDMOA on August 20, 2022, but that these violations have been remedied by the installation conducted in accordance with Title IV of the LMRDA, under the supervision of the Secretary of Labor, on February 6, 2023.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on August 20, 2022 is not warranted.

Signed February 16, 2023.

A large black rectangular redaction box covering the signature and name of the official.

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

[REDACTED], President  
Special Deputy Marshals of America  
P.O. Box 678  
Purcellville, VA 20134

Dear [REDACTED]:

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

Sincerely,

[REDACTED]

Tracy L. Shanker  
Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

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February 16, 2023

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

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Tracy L. Shanker  
Chief, Division of Enforcement

Enclosure