

**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 September 7, 2023, 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 May 20, 2023, by Government Employees, AFGE Leadership Council 259 in Swisher, Iowa.

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 multiple ineligible members from Local 3669 were permitted to serve as delegates and vote. Additionally, there was a lack of partitions and privacy between voters, which could have affected the ability for delegates to cast a secret ballot in violation of the AFGE Constitution.

Apprised of these findings, AFGE Leadership Council 259 agreed to conduct a new election for the office of president 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 May 6, 2024. 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 Government Employees, AFGE Leadership Council 259 on May 20, 2023, 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 May 6, 2024.

Therefore, enforcement proceedings under Section 458.66 of the Regulations to set aside the election conducted on May 20, 2023 are not warranted.

Signed July 10, 2024.



Molly Wagoner  
Acting 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



July 10, 2024

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

[REDACTED]

Molly Wagoner  
Acting 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



July 10, 2024

Barb Galle, President  
AFGE Leadership Council 259  
303 2nd Street SW  
Swisher, IA 52338

Dear Ms. Galle:

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

Sincerely,

[Redacted signature]

Molly Wagoner  
Acting 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



July 10, 2024

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

Dear Mr. Kelley:

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

Sincerely,

[Redacted signature]

Molly Wagoner  
Acting Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

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200 Constitution Ave., NW  
Washington, D.C. 20210  
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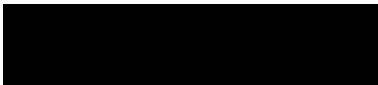
July 10, 2024

John Evanson, President  
AFGE Local 3884  
5430 Justice Drive South  
Fargo, ND 58104

Dear Mr. Evanson:

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

Sincerely,



Molly Wagoner  
Acting Chief, Division of Enforcement

Enclosure