

**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 September 21, 2023, 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 May 20, 2023, by American Federation of Government of Employees District 4.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that members were denied the right to vote when some local union delegates did not receive the proper number of ballots to vote in the American Federation of Government Employees District 4 national officer election.

Apprised of these findings, American Federation of Government Employees agreed to conduct new nominations and a new election for the office of District 4 National Vice President under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on March 23, 2024. 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 the American Federation of Government Employees District 4 on May 20, 2023, 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 March 23, 2024.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on May 20, 2023 is not warranted.

Signed August 5, 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



August 5, 2024

Christine Surrette, National Vice President, District 4
American Federation of Government Employees
66 Smith Graveyard Road
Asheville, North Carolina 28815

Dear Ms. Surrette:

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

Sincerely,



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



August 5, 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



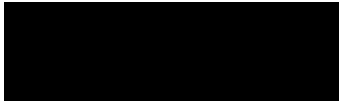
August 5, 2024

Everett Kelley, National President
American Federation of Government Employees
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,



Molly Wagoner
Acting Chief, Division of Enforcement

Enclosure

cc: Rushab B. Sanghvi, Deputy General Counsel
AFGE National Union
80 F Street, NW
Washington, DC 20001

U.S. Department of Labor

Office of Labor-Management Standards
Suite N-5119
200 Constitution Ave., NW
Washington, D.C. 20210



August 5, 2024



Dear [REDACTED]

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

Sincerely,



Molly Wagoner
Acting Chief, Division of Enforcement

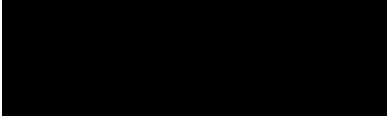
Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Suite N-5119
200 Constitution Ave., NW
Washington, D.C. 20210



August 5, 2024



Dear



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

Sincerely,



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



August 5, 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