

**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 January 11, 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 September 10, 2022, by the Farm Labor Organizing Committee ("FLOC"), located in Toledo, Ohio.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that FLOC violated Section 401(e) of the LMRDA by denying members a reasonable opportunity to nominate candidates, and by denying the right to vote by holding nominations and the election at a time and place when and where many members were not able to travel.

Apprised of these findings, FLOC agreed to conduct new nominations and a new election for the offices of president, vice president, secretary-treasurer, and four general executive board members under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on September 26, 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 FLOC on September 10, 2022, 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 September 26, 2024. Although the election supervised by the Secretary of Labor resulted in violations, including violations of Section 401(g) of the LMRDA, which prohibits the use of union resources to promote the candidacy of any person in union officer elections, which occurred at a July 2023 event in Virginia organized and publicized by FLOC, as well as a September 2024 campaign event at a Toledo, Ohio union hall utilized by a candidate without paying rent for the space, the number of eligible voters in attendance at the events was not sufficient to have affected the outcome of the election due to the margins.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on September 10, 2022, is not warranted.

Signed November 14, 2024



Brian A. Pifer  
Director of Field Operations



November 14, 2024

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

[REDACTED]

Brian A. Pifer  
Director of Field Operations

Enclosure

**U.S. Department of Labor**

Office of Labor-Management Standards  
Division of Enforcement  
Washington, DC 20210



November 14, 2024

Baldemar Velasquez, President  
Farm Labor Organizing Committee  
1221 Broadway Street  
Toledo, Ohio 43609

Dear Mr. Velasquez:

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

Sincerely,



Brian A. Pifer  
Director of Field Operations

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards  
Division of Enforcement  
Washington, DC 20210



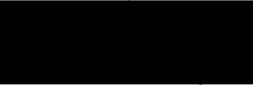
November 14, 2024

Timothy Gallagher  
Fusco Gallagher & Porcaro LLP  
812 Huron Road East, Suite 690  
Cleveland, Ohio 44115

Dear Mr. Gallagher:

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

Sincerely,



Brian A. Pifer  
Director of Field Operations

Enclosure