

**U.S. Department of Labor**

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



January 28, 2026

[REDACTED]

Dear [REDACTED]:

This is to advise you of the disposition of your complaint filed with the Secretary of Labor alleging that violations of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), as made applicable to federal sector unions by the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7120(d) and 29 C.F.R. § 458.26, occurred with respect to the imposition of a trusteeship by American Federation of Government Employees (AFGE) over AFGE Local 342 in Wilmington, DE.

Pursuant to Sections 304 and 601 of the LMRDA, an investigation was conducted by the Office of Labor-Management Standards (OLMS). After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we have determined that legal action is not warranted in this case. We are therefore closing our file as of this date. The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

[REDACTED]

Chief, Division of Enforcement

Enclosure

cc: [REDACTED], Associate Solicitor  
Civil Rights and Labor-Management Division

**U.S. Department of Labor**

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



January 28, 2026

Everett Kelley, National President  
American Federation of Government Employees  
80 F Street, NW  
Washington, DC 20001

Dear President Kelley:

This is to advise you of the disposition of a complaint filed with the Secretary of Labor alleging that violations of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), as made applicable to federal sector unions by the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7120(d) and 29 C.F.R. § 458.26, occurred with respect to the imposition of a trusteeship by American Federation of Government Employees (AFGE) over AFGE Local 342 in Wilmington, DE.

After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we have determined that legal action is not warranted in this case. We are therefore closing our file as of this date. The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

  
Chief, Division of Enforcement

Enclosure

cc: , Associate Solicitor  
Civil Rights and Labor-Management Division

Statement of Reasons for Dismissing a Complaint  
Alleging the American Federation of Government Employees  
Improperly Imposed a Trusteeship on its Subordinate, Local 342

This Statement of Reasons is in response to a March 17, 2025 complaint filed with the United States Department of Labor (Department) by a member in good standing alleging that the trusteeship imposed by the American Federation of Government Employees (AFGE) upon Local 342 violated Title III of the Labor Management Reporting and Disclosure Act of 1959 (LMRDA), 29 U.S.C. §§ 461-66, as made applicable to labor organizations subject to the requirements of the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7120, by 29 C.F.R §§ 458.26-28. Specifically, the complaint alleges that AFGE failed to follow the proper procedures for imposing the trusteeship and that the trusteeship was imposed for the improper purpose of removing the Local 342 President. The complaint is dismissed for the reasons explained below.

Section 458.28 of the Department's regulations provides that a trusteeship established by a parent body in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing is presumed valid for 18 months from the date of its establishment. The trusteeship is not subject to attack during this period except by clear and convincing proof that it was not established or maintained in good faith for a purpose allowable under the regulations. 29 C.F.R. § 458.28. Section 458.26 allows trusteeships for the purpose of "(a) correcting corruption or financial malpractice; (b) assuring the performance of collective bargaining agreements or other duties of a bargaining representative; (c) restoring democratic procedures; or (d) otherwise carrying out the legitimate objects of such labor organization." 29 C.F.R. § 458.26.

The Department's investigation determined that AFGE imposed the trusteeship for an allowable purpose. The AFGE Constitution authorizes the National President to place a local under trusteeship when an affiliate cannot function autonomously because there has been an unexpected loss of leadership. Art. IX, Sec. 5(a)(1)(iii). In the "Form LM-15 Trusteeship Report" filed on May 29, 2025, AFGE stated that the trusteeship was established due to a "loss of leadership." The Department's investigation revealed that, after the Local 342 President was suspended on January 16, 2025, there was only one remaining officer, the Chief Steward, who did not wish to assume the duties of local president. Thus, there was no other elected officer to step in and take over the necessary functions of the Local. Accordingly, the investigation confirmed that the trusteeship was necessary to restore democratic procedures to the Local and to carry out the "legitimate objective" of running the Local. Based on these findings, the trusteeship was imposed for an allowable purpose under the regulations.

The Department's investigation also determined that the trusteeship was imposed in accordance with AFGE's Constitution and Bylaws. Article IX, Section 5(a)(1)(iii) of the

AFGE Constitution authorizes the National President of AFGE with the approval of the National Executive Council (NEC) to place any local under trusteeship to restore democratic procedures or carry out the legitimate objectives of the Federation when the local cannot function autonomously because there has been an unexpected loss of leadership. AFGE National Constitution, Art. IX, Sec. 5(a)(1)(iii). Article IX, Section 5(b)(4) through (6) of the AFGE Constitution prescribes the procedures for imposing an expedited trusteeship in a situation where there is a confirmed loss of leadership. Under these procedures, the National President must remove incumbent officers and give notice of the imposition of trusteeship to the members of the local within five days, providing the time, date, and place of the trusteeship hearing. AFGE National Constitution, Art. IX, Sec. 5(b)(5).

On February 27, 2024, the NEC approved the imposition of the trusteeship, and on the following day, the National President mailed a notice to all Local 342 members, which informed the members that the trusteeship had been imposed, effective immediately, due to a confirmed loss of leadership. The notice also informed the members of the date, time and place of the trusteeship hearing. The Complainant alleged that AFGE failed to provide the local with 30 days to improve prior to the imposition of the trusteeship pursuant to Section 5(b)(1)(1). However, this requirement explicitly does not apply to trusteeships imposed due to loss of leadership. Accordingly, AFGE imposed the trusteeship in accordance with its constitution and bylaws.

The Department's investigation also disclosed that the trusteeship was ratified after a fair hearing. Section 5(b)(5) of AFGE's Constitution requires the union to hold a hearing before a three-member hearing panel within 60 days of the imposition of the trusteeship; Section 5(b)(6) requires the hearing panel to issue its decision within thirty days of the hearing. AFGE Constitution, Art. IX, Sec. 5(b)(6). National President Everett Kelley appointed a three-member hearing panel as required and the hearing took place on April 15, 2025, well within 60 days of the imposition of the trusteeship. In the February 28, 2024, notice, Kelley provided instructions for members to attend the hearing, and they were thus given the opportunity to appear and give evidence and testimony at the hearing. By decision dated April 19, 2025, the hearing panel unanimously voted to ratify the trusteeship within the 30 days required.

Accordingly, the trusteeship was imposed in accordance with the constitution and bylaws and was ratified after a fair hearing. Therefore, the trusteeship is presumed valid for 18 months from its imposition on February 27, 2025. The investigation did not find, nor did the complainant furnish clear and convincing proof, that the trusteeship was not established or maintained in good faith for a purpose allowable under the regulations to overcome the trusteeship's 18-month presumption of validity.

For the reasons stated above, there was no violation of the LMRDA in the imposition of the trusteeship. Accordingly, we are closing our file in this matter.

Sincerely,

[REDACTED]

Chief, Division of Enforcement

cc: [REDACTED], Associate Solicitor  
Civil Rights and Labor-Management Division