U.S. Department of Labor

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

June 2, 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 Title III 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 a trusteeship imposed by the American Federation of Government Employees (AFGE) imposed over AFGE Local 1228 in Des Moines, Iowa.

After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we determined that legal action was not warranted in this case. In addition, AFGE restored Local 1228's autonomy in March 2024. As a result, the complaint under Title III is moot and the case has been closed.

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

June 2, 2026

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

Dear Dr. Kelley:

This is to advise you of the disposition of your complaint filed with the Secretary of Labor alleging that violations of Title III 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 a trusteeship imposed by the American Federation of Government Employees (AFGE) imposed over AFGE Local 1228 in Des Moines, Iowa.

After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we determined that legal action was not warranted in this case. In addition, AFGE restored Local 1228's autonomy in March 2024. As a result, the complaint under Title III is moot and the case has been closed.

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

Statement of Reasons Dismissing a Complaint Concerning the Trusteeship Imposed by the American Federation of Government Employees (AFGE) over Local 1228 of Des Moines, IA

This Statement of Reasons is in response to a complaint filed with the Department of Labor (Department) on May 18, 2021, alleging that the American Federation of Government Employees (AFGE) violated Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), 29 U.S.C. §§ 461 – 466, as made applicable to federal sector unions by the Civil Service Reform Act of 1978, 5 U.S.C. § 7120(c), by improperly imposing a trusteeship upon Local 1228 (or "the Local"). *See* 29 C.F.R. § 458.26-28. For the following reasons, the complaint is dismissed.

Section 302 of the LMRDA permits parent labor organizations to impose a trusteeship over subordinate bodies only in accordance with its constitution and bylaws and for the purposes of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization. 29 U.S.C. § 462. The AFGE Constitution authorizes the national president with the approval of the national executive committee to place a local under trusteeship when, "(1) The affiliate cannot function autonomously because: . . . (iii) There has been an unexpected loss of leadership[.]" Art. IX, Sec. 5(a)(1)(iii).

The Department's investigation revealed that on January 27, 2022, AFGE filed a "Form LM-15 Trusteeship Report" that indicated that the trusteeship had been established due to "loss of leadership." More specifically, the Form LM-15 explained that AFGE had established the trusteeship because "[a]t the last scheduled election . . . the local primary officers of president and 1st vice-president were not elected due to lack of candidates for said positions."

The investigation confirmed that during the February 26, 2020, local officer election, there were no nominations for the offices of president and 1st vice president, and only one nomination for each of the other offices. Consequently, the offices of president and 1st vice president were left vacant, and the remaining officers were elected by acclamation. Further, Local 1228's constitution and bylaws did not provide a means for these two vacancies to be filled. According to the bylaws, a vacancy in the office of president would be filled by the 1st vice-president. In the case of a vacancy in the office of 1st vice president, only the executive board may fill the vacancy, but only the president has the authority to call a meeting of the executive board. Thus, the investigation found that the February 26, 2020, election resulted in vacancies in the top two officer positions that were critical to the functioning of the local, but that could not be filled under Local 1228's constitution and bylaws.[1] Accordingly, the Department's investigation established that AFGE imposed the trusteeship for an allowable purpose.

The investigation revealed that in response to this situation, District 8 National Vice-President Gregg James arranged for National Representative Lonnie Brackett to work informally with 2nd Vice President Annette Sage and Treasurer [redacted] to carry out the duties of the Local in a role that Brackett described as a "pseudo-trustee." Brackett provided "nearly daily assistance" to the Local and was performing duties of the Local's president, handling policy issues, conducting meetings with management, and providing representation. While the two Local 1228 officers performed most of the day-to-day business of the local, they understood that they were required to keep Brackett "in the loop" and to check with him before doing anything, including obtaining his approval before accruing expenses. To the extent that the investigation established that a *de facto* trusteeship had been imposed upon the local, no member filed a complaint at that time.

Subsequently, in February 2021, Local 1228 officers [redacted] and Sage, and Brackett and James, participated in a phone conference during which there was a disagreement between Brackett and the two officers over aspects of running the Local's affairs. Subsequently, James recommended to AFGE National President Everett Kelley that the Local be placed under trusteeship. On April 15, 2021, President Kelley notified the members that he had placed Local 1228 under trusteeship due to loss of leadership, effective March 31, 2021, which he later amended to April 15, 2021. President Kelley explained that the Local had been operating for approximately one year without a president and it was necessary to restore financial control and democratic principles. On May 18, 2021, a member filed a complaint alleging that the trusteeship was improperly imposed.

Section 304 of the LMRDA states 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 eighteen months from the date of its establishment. 29 U.S.C. § 464(c). The trusteeship is not subject to attack during this period except by clear and convincing evidence that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302 of the LMRDA, 29 U.S.C. § 462. 29 U.S.C. § 464(c). Under AFGE's Constitution, "In situations where there is: . . . (3) confirmed loss of leadership," . . . [t]he National President shall . . . give notice of the imposition of the trusteeship to the membership of the local . . . within five days, providing the time, date, and place of the trusteeship hearing." AFGE Constitution, Section 5(b)(4) and (5). In addition, under the AFGE Constitution, Article

[1] The investigation revealed that the constitution permitted a special meeting to be called by petition signed by eight percent of the members, Local 1228 Bylaws, Sec. 4. (p.8), which might have been a means to call for and arrange for a special election, but no members initiated such a petition.

IX, 5(b)(5), the hearing must be held within sixty days of the imposition of the trusteeship.

The investigation found that AFGE failed to establish the trusteeship in accordance with the time limits described above from its constitution in violation of Title III of the LMRDA. The investigation revealed that President Kelley informed the members of Local 1228 by letter dated May 24, 2021, that a hearing would take place on July 9, 2021, via Zoom. The notice was given more than five days after the April 15, 2021, imposition of the trusteeship and the hearing was scheduled over sixty days after the imposition of the trusteeship. Accordingly, AFGE was not entitled to the presumption of validity and was required to show that the trusteeship was established and being maintained in good faith for a purpose allowable under Section 302. *See Int'l Bhd. of Elec. Workers Loc. 1186 v. Eli*, 307 F. Supp. 495, 502 (D. Haw. 1969) (Noncompliance disentitles trusteeship to presumption of validity which section would otherwise confer upon it.).

Despite this failure to meet the two notice period requirements, the investigation found that the trusteeship was ratified after a fair hearing. The investigation showed that AFGE and the Local presented witness testimony and had the opportunity to cross-examine witnesses. The hearing panel's report concluded that the trusteeship was properly imposed due to loss of leadership created by the two vacancies, which left the Local unable to operate officially without a President; it recommended that President Kelley ratify its establishment, which he subsequently did. Accordingly, clear and convincing evidence uncovered during the investigation showed that AFGE established the trusteeship in good faith for a purpose allowable purpose under section 302 of the LMRDA.

Although various circumstances caused delays, ultimately, AFGE lifted the trusteeship on March 24, 2024. On May 1, 2025, AFGE filed a "Form LM-16 Trusteeship Report" with the Department that indicated that AFGE held an election of officers, included a list of the names and titles of the new officers, restored autonomy to the union, and had terminated the trusteeship.

Accordingly, the office has closed the file in this matter.