

**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 6, 2010, 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 April 21, 2009, by Steelworkers Local 12-766 in La Puente, California.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the local improperly imposed its meeting attendance requirement by relying on records that did not accurately reflect attendance and did not follow its rules in distributing and collecting absentee ballots.

Apprised of these findings, Steelworkers Local 12-766 agreed to conduct new nominations and election for the offices of president, vice president, and financial secretary under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on May 21, 2010. 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 Steelworkers Local 12-766 on April 21, 2009, 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 May 21, 2010.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on April 21, 2009 is not warranted.

Signed this 2nd day of August 2010.

Patricia Fox
Chief, Division of Enforcement

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



August 2, 2010

Dear |||||:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein. The Department is aware that the officers elected in the remedial election were not installed because the local has been put under administratorship due to the closure of the workplace and discharge of all members.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure



August 2, 2010

Dear |||||:

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Sincerely,

Patricia Fox
Chief, Division of Enforcement

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August 2, 2010

Mr. Leo W. Gerard, International President
Steelworkers
Five Gateway Center
Pittsburgh, Pennsylvania 15222

Dear Mr. Gerard:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein. The Department is aware that the officers elected in the remedial election were not installed because the local has been put under administratorship due to the closure of the workplace and discharge of all members.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure