

**U.S. DEPARTMENT OF LABOR
OFFICE OF LABOR-MANAGEMENT STANDARDS
WASHINGTON, DC 20210**

DETERMINATION

Determination of a Complaint Filed under Section 458.63 of the Assistant Secretary's Standards of Conduct Regulations (29 CFR 458.63) Issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (5 U.S.C. 7120(d))

On April 11, 2011, the Secretary of Labor received a complaint alleging violations of Section 458.29 of the Rules and Regulations of the Assistant Secretary issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (CSRA), in the regularly scheduled election of officers conducted on January 11, 2011, by American Federation of Government Employees Local 1224 in Las Vegas, Nevada.

Pursuant to Section 458.50 of the Rules and Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted. The investigation disclosed that the conduct of the challenged election may have violated Section 458.29 of the Rules and Regulations in that the union denied at least six members in good standing the right to vote. The president position was the only contested office and was decided by a two vote margin.

Apprised of these findings, the American Federation of Government Employees agreed to conduct a new election for president under the supervision of the Chief of the Division of Enforcement, in accordance with Section 458.29 of the Rules and Regulations of the Assistant Secretary. The agreed upon remedial election was concluded on October 7, 2011. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Section 458.29 of the Rules and Regulations occurred which may have affected the outcome of the election conducted by American Federation of Government Employees Local 1224 on January 11, 2011, but that these violations have been remedied by the new election, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on October 7, 2011.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations of the Assistant Secretary to set aside the election conducted on January 11, 2011 are not warranted.

Signed this 23rd day of December, 2011.

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



December 28, 2011



Dear [REDACTED]

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

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



December 28, 2011

Mr. Jerry L. Collins, President
American Federation of Government Employees Local 1224
950 West Owens Avenue, Room 117
Las Vegas, Nevada 98127

Dear Mr. Collins:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

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



December 28, 2011

Mr. John Gage, National President
American Federation of Government Employees
80 F Street, NW
Washington, DC 20001

Dear Mr. Gage:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure