

**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 September 27, 2009, 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 June 12, 2009, by the American Association of University Professors Assembly of State Conferences (ASC) in Washington, DC.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that all ASC members did not have an opportunity to nominate and elect by secret ballot delegates to participate in the challenged June 12, 2009 election.

Apprised of these findings, American Association of University Professors agreed to conduct new nominations, a new election, and the installation of the Assembly of State Conferences (ASC) Chairperson under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on June 28, 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 American Association of University Professors Assembly of State Conferences (ASC) on June 12, 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 June 28, 2010.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on June 12, 2009 is not warranted.

Signed this 3rd day of January, 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



January 3, 2011

Dear |||||:

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



January 3, 2011

Mr. Cary Nelson, President
American Association of University Professors Assembly of State Conferences (ASC)
1133 Nineteenth Street, NW, Suite 200
Washington, DC 20036-3655

Dear Mr. Nelson:

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



January 3, 2011

Ms. Donna L. Potts
AAUP ASC Chair
Kansas State University
Manhattan, KS 66506-0701

Dear Ms. Potts:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

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