

U.S. Department of Labor

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



June 8, 2011

[REDACTED]

Dear [REDACTED]

This Statement of Reasons is in response to your complaints filed on January 28, and February 9, 2011 alleging that a violation of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), 29 U.S.C. §§ 481-484, occurred in connection with the election of officers by acclamation by the Graphic Communications Conference, IBT, District Council No. 4 (District Council 4), AFL-CIO, in October 2010.

The Department of Labor conducted an investigation of your allegation. As a result of the investigation, the Department has concluded, with respect to your allegation that there was no violation of the LMRDA.

You challenged the requirement in the District Council's constitution that limits eligibility to run for District Council office to accredited local delegates to or officers of the District Council. Section 401(e) of the LMRDA provides that "[i]n any election required by this section which is to be held by secret ballot . . . every member in good standing shall be eligible to be a candidate and to hold office subject to reasonable qualifications uniformly imposed. . . ."

The investigation established that you were a member in good standing. The investigation further found that, while District Council 4 has a rule limiting nomination for officer positions to accredited local delegates and officers, you were permitted to run for nomination, even though you did not satisfy that rule. However, you were not selected as a nominee for the offices of Vice President or Recording Secretary. Because you were not prevented from running for nomination, it is not necessary for the Department to determine whether the District Council's rule limiting nominations

would be a reasonable restriction under Section 401(e), if it were applied. There was no violation of the LMRDA.

For the reasons set forth above, the Department has concluded that there was no violation of Title IV of the LMRDA. I have closed the file regarding this matter.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

cc: George Tedeschi, President
Graphic Communications Conference, IBT
25 Louisiana Avenue, N.W.
Washington, D.C. 20001

Robert S. Miller, Secretary-Treasurer
Graphic Communications, District Council No. 4
455 Kehoe Boulevard, Suite 102
Carol Stream, Illinois 60188

Beverly Dankowitz, Acting Associate Solicitor, Civil Rights and Labor-
Management Division