



March 8, 2013



Dear [REDACTED]

This Statement of Reasons is in response to your October 24, 2012 complaint filed with the U.S. Department of Labor alleging that a violation of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred in connection with the election of officers of SEIU Local 221, conducted on July 10, 2012.

The Department 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.

Section 401(c) of the LMRDA requires unions to provide adequate safeguards to ensure a fair election. You alleged that SEIU Local 221 violated the LMRDA by permitting ineligible members to vote. You based your allegation on the fact that the number of ballots mailed exceeded the number of union members stated on the union's LM-2 report for the period covering January 1, 2011 through December 31, 2011.

The investigation confirmed that the union had 6,920 active members as of March 22, 2012, and that the union only sent ballot packages to eligible members. The Department reviewed the eligibility list and found that all of the named individuals were eligible to vote. No evidence was presented of any ineligible person voting or any eligible voters casting multiple ballots. Moreover, the investigation revealed no other evidence of ballot tampering or substitution. There was no violation.

For the reasons set forth above, it is concluded that no violation of the LMRDA that may have affected the outcome of the election occurred. Accordingly, the office has closed the file on this matter.

Sincerely,

Patricia Fox  
Chief, Division of Enforcement

cc: Mary Kay Henry, President  
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