



November 5, 2014

[REDACTED]

Dear [REDACTED]

This Statement of Reasons is in response to your July 29, 2014 complaint filed with the U.S. Department of Labor alleging that violations of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), occurred in connection with the election of officers of the United Food and Commercial Workers Union (UFCW) Local 648, conducted on December 6, 2013.

The Department conducted an investigation of your allegation. As a result of the investigation, the Department has concluded that there was no violation of the LMRDA affecting the outcome of the election.

You alleged that UFCW Local 648 failed to properly count the ballots because the ballot tally and results varied for the Vice President #2 position. Section 401(c) of the LMRDA requires unions to provide adequate safeguards to ensure a fair election.

[REDACTED]

Pursuant to a post-election protest filed by another candidate, the UFCW International conducted another ballot recount on April 3, 2014 for all the Local 648 races. The International's recount mirrored the first ballot tally with you losing the election by four (4) votes. The Department reviewed the election records and recounted the ballots. This recount confirmed that you lost the election but by a margin of three (3) votes instead of four (4).

You also alleged that Local 648 failed to properly secure the ballots following the election. The investigation disclosed that after Local 648's recount, the ballots were stored within a locked file room in a file cabinet. Only the office manager had a key to this file cabinet. The investigation did not uncover any evidence of ballot tampering, fraud, or discrepancies in the number of ballots. There was no violation of the LMRDA.

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

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