



August 20, 2015

[REDACTED]

Dear [REDACTED]

This is to advise you of the disposition of your complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), occurred with respect to the imposed by the Amalgamated Transit Union (ATU) over Local 241 in Chicago, Illinois.

The Department conducted an investigation of the allegations. In August 2014, ATU [REDACTED] advised OLMS that ATU planned to conduct an election and lift the trusteeship. That election was held on January 27, 2015, followed by a runoff election on February 10, 2015. ATU restored Local 241's autonomy effective March 1, 2015. As a result, your complaint under Title III is moot. *See, e.g., Air Line Stewards & Stewardesses Ass'n, Local 550, TWU, AFL-CIO v. Transp. Workers Union of Am.*, 334 F.2d 805, 808 (7th Cir. 1964); *Conway v. Int'l Ass'n of Heat & Frost Insulators & Asbestos Workers*, No. 1:00 CV 2897, 2001 WL 1867701, at \*5 (N.D. Ohio Oct. 18, 2001).

A statement of reasons setting forth the basis for this decision is enclosed.

Sincerely,

Steven J. Willertz  
Acting Chief, Division of Enforcement

Enclosure

cc: Christopher Wilkinson, Associate Solicitor  
Civil Rights and Labor-Management Division

**U.S. Department of Labor**

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



August 20, 2015

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August 20, 2015

Mr. Lawrence J. Hanley, International President  
Amalgamated Transit Union  
5025 Wisconsin Ave., NW  
Washington, DC 20016

Dear Mr. Hanley,

This is to advise you of the disposition of a complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), occurred with respect to the imposed by the Amalgamated Transit Union (ATU) over Local 241 in Chicago, Illinois.

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Sincerely,

Steven J. Willertz  
Acting Chief, Division of Enforcement

Enclosure

cc: Christopher Wilkinson, Associate Solicitor  
Civil Rights and Labor-Management Division

Statement of Reasons  
For Dismissing the Complaint of Members  
Concerning the Trusteeship imposed on  
Local 241, Amalgamated Transit Union, AFL-CIO,  
in Chicago, Illinois

Members in good standing of the Amalgamated Transit Union, Local 241 filed complaints on April 29, 2014 and June 4, 2014, with the Secretary of Labor concerning the imposition of a trusteeship imposed by the International Amalgamated Transit Union (ATU International) on August 9, 2012. The complaints alleged that the trusteeship had continued for more than the 18 months period of presumed validity, and that ATU International had not provided clear and convincing proof that the continuation of the trusteeship was necessary for a purpose allowable under the LMRDA.

The LMRDA allows trusteeships for the purpose of "correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization." 29 U.S.C. § 462. A trusteeship established by a parent body in conformity with the procedural requirements of its constitution and bylaws is presumed valid for eighteen months from the date of its establishment and is not subject to attack during such period except by clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302 of the LMRDA. 29 U.S.C. § 464 (c).

The Department's investigation established that although the trusteeship was properly imposed for valid reasons in accordance with Section 302 of the LMRDA, the continuing trusteeship over Local 241 was invalid as the trusteeship had continued for more than 18 months and ATU International had failed to rebut the presumption of invalidity that applies once the 18 month period has been exceeded. Specifically, ATU had not provided clear and convincing proof that the continuation of the trusteeship was necessary for an allowable purpose, as required by Section 304(c) of the LMRDA. Thereafter, ATU informed the Department of its plans to terminate the trusteeship.

The Department has been informed that Local 241 conducted an officer election on January 27, 2015 and a run-off election on February 10, 2015. Accordingly, the ATU International restored Local 241's autonomy effective March 1, 2015. Inasmuch as the trusteeship has been lifted, and Local 241's autonomy has been restored, this matter does not require further action on the part of the Secretary.

For the reasons set forth above, I have closed the file regarding this matter.