

**U.S. DEPARTMENT OF LABOR
OFFICE OF LABOR-MANAGEMENT STANDARDS
WASHINGTON, DC 20210**

DETERMINATION

Determination of a Complaint Filed under Section 458.63 of the Assistant Secretary's
Standards of Conduct Regulations (29 CFR 458.63) Issued pursuant to
Section 7120(d) of the Civil Service Reform Act of 1978 (5 U.S.C. 7120(d))

On April 24, 2015, the Secretary of Labor received a complaint alleging violations of Section 458.29 of the Rules and Regulations of the Assistant Secretary issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (CSRA), in that the National Association of Government Employees Local R5-150 in Charleston, South Carolina, failed to conduct a regularly scheduled election of officers within the past three years.

Pursuant to Section 458.50 of the Rules and Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted by the Department of Labor. The investigation disclosed that the union violated Section 458.29 of the Rules and Regulations in that it failed to hold an election of officers in at least three years.

Apprised of these findings, the National Association of Government Employees agreed that Local R5-150 would conduct nominations and an election of officers under the supervision of the Chief of the Division of Enforcement, in accordance with Section 458.29 of the Rules and Regulations of the Assistant Secretary. The agreed upon remedial election was concluded on September 18, 2015. It is, therefore,

DETERMINED, that there is probable cause to believe that a violation of Section 458.29 of the Rules and Regulations occurred when National Association of Government Employees Local R5-150 failed to conduct a regular election of officers in at least three years, but that this violation has been remedied by the election, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on September 18, 2015.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations of the Assistant Secretary are not warranted.

Signed this 11th day of January 2016.

Sharon Hanley
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 11, 2016

[REDACTED]

Dear [REDACTED]

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

Sincerely,

Sharon E. Hanley
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 11, 2016

Ms. Kate Smith, President
National Association of Government Employees Local R5-150
109 Bee Street, Room B5-105
Charleston, South Carolina 29401

Dear Ms. Smith:

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

Sincerely,

Sharon Hanley
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 11, 2016

Mr. David J. Holway, President
National Association of Government Employees
159 Burgin Parkway
Quincy, Massachusetts 02169

Dear Mr. Holway:

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

Sincerely,

Sharon Hanley
Chief, Division of Enforcement

Enclosure