

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

DETERMINATION

Determination of a Complaint Filed under Title IV  
of the Labor-Management Reporting and Disclosure Act of 1959

On July 18, 2016, the Secretary of Labor received a complaint alleging violations of Section 401 of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), in the regularly scheduled election of officers conducted on October 22, 2014, by Communications Workers of America (CWA) Local 2336 in Washington, D.C.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union failed to provide adequate safeguards to ensure a fair election in that it failed to secure unused ballots and returned undeliverable ballots, and that those ballots were accessible to candidates and members in violation of Section 401(c) of the LMRDA.

Apprised of these findings, CWA Local 2336 agreed to conduct a new election under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on November 30, 2017. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Title IV of the LMRDA occurred which may have affected the outcome of the election conducted by CWA Local 2336 on October 22, 2014, but that these violations have been remedied by the new election, conducted in accordance with Title IV of the LMRDA, under the supervision of the Secretary of Labor, on November 30, 2017.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on October 22, 2014 is not warranted.

Signed this 16<sup>th</sup> day of March, 2018.



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



March 12, 2018

[Redacted]

Dear [Redacted]

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

Sincerely,

[Redacted Signature]

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



March 12, 2018

Terry Garner  
CWA Local 2336  
151 Riggs Road, NE  
Washington, DC 20011

Dear Mr. Garner:

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



March 12, 2018

Christopher Shelton, President  
Communications Workers of America  
501 3rd Street, NW  
Washington, DC 20001

Dear Mr. Shelton:

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  
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March 12, 2018

[Redacted]

Dear [Redacted]

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

Sincerely,

[Redacted Signature]

Sharon Hanley  
Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

Office of Labor-Management Standards  
Division of Enforcement  
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March 12, 2018

[Redacted]

Dear [Redacted]

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

Sincerely,

[Redacted Signature]

Sharon Hanley  
Chief, Division of Enforcement

Enclosure