

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

DETERMINATION

Determination of Complaints Filed under Section 458.63 of the
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 July 18, 2017, August 8, 2017 and August 10, 2017, the Secretary of Labor received complaints alleging violations of Section 458.29 of the Rules and Regulations issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (CSRA), in the regularly scheduled election of officers conducted on May 25, 2017, by American Federation of Government Employees Local 2206 in Birmingham, Alabama.

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 conduct of the challenged election may have violated Section 458.29 of the Rules and Regulations in that the union failed to provide adequate safeguards to ensure a fair election as there was evidence some ballots were cast fraudulently; the electronic voting system did not preserve ballot secrecy or permit candidates to fully observe the election process; and the union failed to preserve all election records for a one year period.

Apprised of these findings, American Federation of Government Employees Local 2206 agreed to conduct new nominations and a new 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. The agreed upon remedial election was concluded on July 10, 2018. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Section 458.29 of the Rules and Regulations occurred which may have affected the outcome of the election conducted by American Federation of Government Employees Local 2206 on May 25, 2017, but that these violations have been remedied by the new election, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on July 10, 2018.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations to set aside the election conducted on May 25, 2017 are not warranted.

Signed this 17th day of October 2018.



Sharon Hanley
Chief, Division of Enforcement



October 17, 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



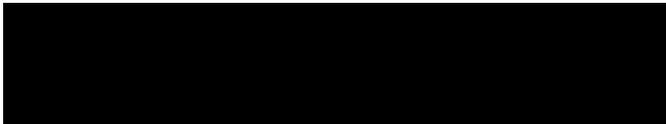
October 17, 2018

Ms. Celestine Hood, President
American Federation of Government Employees Local 2206
1200 Reverend Abraham Woods Jr. Boulevard
Birmingham, Alabama 35285

Dear Ms. Shore:

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

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Division of Enforcement
Washington, DC 20210
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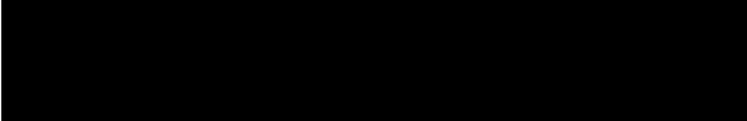
October 17, 2018

Mr. J. David Cox, National President
American Federation of Government Employees
80 F Street NW
Washington, DC 20001

Dear Mr. Cox:

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



October 17, 2018

[REDACTED]

Dear [REDACTED]

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

Sincerely,

[REDACTED]

Sharon Hanley
Chief, Division of Enforcement

Enclosure



October 17, 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