



March 9, 2018



Dear [REDACTED]:

This Statement of Reasons is in response to the complaint you filed with the Department of Labor on July 13, 2017, alleging that a violation of Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA), occurred in connection with the election of union officers conducted by the International Brotherhood of Electrical Workers (IBEW), Local 130, on June 10, 2017.

The Department of Labor conducted an investigation of your allegation. As a result of the investigation, the Department has concluded, with respect to the specific allegation, that there was no violation of the LMRDA. Following is an explanation of this conclusion.

You alleged that the union improperly ruled you ineligible for candidacy. Section 401(e) of the LMRDA provides that every member in good standing is eligible to be a candidate, subject to reasonable candidacy qualifications. 29 C.F.R. § 452.35. The investigation disclosed that the IBEW constitution and the Local 130 bylaws require a member to have been in "continuous good standing" for the two years immediately preceding the nominations meeting to qualify for candidacy. The investigation showed that the nominations meeting was held on May 11, 2017, and, thus, the two-year qualifying period was from May 2015 to May 2017. The investigation revealed that you were on disability from October 1, 2010 to September 30, 2016. While on disability, you did not and were not required to pay union dues to retain membership in Local 130. However, neither the IBEW constitution nor the Local 130 bylaws relieve a disabled member of the responsibility of paying union dues to remain in continuous good standing to qualify for candidacy. The continuous good standing requirement prescribed in the union's governing documents is based on the punctual payment of union dues. Because you did not make such payments during the two-year qualifying period you did not satisfy the continuous good standing requirement. Thus, you were ineligible for candidacy. The union therefore acted reasonably when it disqualified you as a candidate for failing to meet that requirement. The LMRDA was not violated.

For the reasons set forth above, the Department has concluded that there was no violation of Title IV of the LMRDA, and I have closed the file in this matter.

Sincerely,



Chief, Division of Enforcement

cc: Lonnie R. Stephenson, International President
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