



November 2, 2018

[REDACTED]

Dear [REDACTED]

This Statement of Reasons is in response to your complaint filed on January 31, 2018, alleging that a violation of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), 29 U.S.C. §§ 481-484, occurred in connection with the election of officers conducted by the National Postal Mail Handlers Union (NPMHU), Local 303 (Local or Union), AFL-CIO, on October 3, 2017.

The Department of Labor (Department) conducted an investigation of your allegation. As a result of the investigation, the Department has concluded, with respect to your allegation, that there was no violation that may have affected the outcome of the election.

You alleged that candidate [REDACTED] was not eligible to run for the office of California State Executive Board because he was receiving workers compensation at the time of the nominations. Section 401(e) of the LMRDA provides that every member in good standing is eligible to be a candidate for office subject to reasonable qualifications uniformly imposed.

Article V, Section 2, of the NPMHU Uniform Local Union Constitution provides that no person shall be eligible to hold office in this local if he has not been regularly employed during the two years prior to nominations. It further provides that "working at the calling includes ... (D) regular members who can prove they were unable to work because of illness or disability." The Department's investigation revealed that [REDACTED] has been "unable to work because of illness or disability" and has been receiving workers' compensation benefits. The Department's investigation established that the local judges of election certified that a search of the union records confirmed that [REDACTED] had 2 years continuous good standing immediately prior to the nomination and was current in dues. There was no violation.

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

Sincerely,



Sharon Hanley, Chief
Division of Enforcement

cc: Paul V. Hogrogian, President
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