

**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 April 16, 2018, 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 December 15, 2017, by Amalgamated Transit Union Local 836 in Grand Rapids, MI.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that Local 836 failed to mail a proper notice of election to all members at their last known address, failed to comply with a candidate's reasonable request to distribute campaign literature, failed to provide proper notice of nominations in that the notice did not identify which officer positions would be nominated at the respective nomination meetings, and failed to provide members a reasonable opportunity to nominate candidates in that a member was denied access to a local nominations meeting. Additionally, the investigation established that employer funds were used to promote the candidacy of two winning candidates in that copies of their campaign literature were made at an employer facility using employer equipment.

Apprised of these findings, Amalgamated Transit Union Local 836 agreed to conduct new nominations and a new election for the offices of president/business agent, vice president, financial secretary, recording secretary, executive seat #1, executive seat #2, ITP maintenance shop steward, MV chief shop steward, and MV shop steward under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on September 25, 2018. 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 Amalgamated Transit Union Local 836 on December 15, 2017, 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 September 25, 2018.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 15, 2017 is not warranted.

Signed this 16th day of January, 2019.

Andrew Auerbach  
Acting Chief, Division of Enforcement



January 17, 2019

[REDACTED]

Dear [REDACTED]

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

Sincerely,

[REDACTED]

Andrew Auerbach  
Acting 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



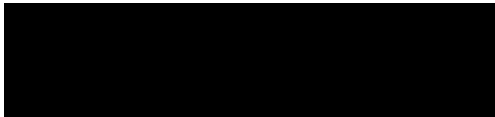
January 17, 2019

Mr. Richard Jackson, President  
Amalgamated Transit Union Local 836  
918 Benjamin Street NE  
Grand Rapids, MI 49503

Dear Mr. Jackson:

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

Sincerely,



Andrew Auerbach  
Acting Chief, Division of Enforcement

Enclosure

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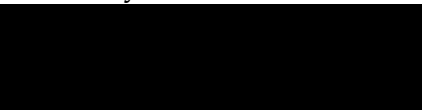
January 17, 2019

Mr. Lawrence J. Hanley, International President  
Amalgamated Transit Union AFL-CIO  
10000 New Hampshire Avenue  
Silver Spring, MD 20903

Dear Mr. Hanley:

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

Sincerely,



Andrew Auerbach  
Acting Chief, Division of Enforcement

Enclosure