

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

DETERMINATION

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

On March 26, 2018, the Secretary of Labor received complaints 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 12, 2017, by Office and Professional Employees Union Local 50, Hawaii Nurses Association in Honolulu, Hawaii.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the local failed to provide eligible members the opportunity to vote when new members were not mailed ballots and undelivered ballot packages, with better addresses, were not resent; the union failed to provide adequate safeguards to ensure a fair election when voted ballots were returned to the voter, not the post office box for voted ballots; and the union failed to follow the constitution and bylaws when it did not reopen nominations for president, treasurer and trustee after certain candidates had become ineligible because they were suspended from membership.

Apprised of these findings, Office and Professional Employees Union Local 50, Hawaii Nurses Association agreed to conduct new nominations and a new election of officers 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 16, 2018, and November 26, 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 Office and Professional Employees Union Local 50, Hawaii Nurses Association on December 12, 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 November 16, 2018, and November 26, 2018.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 12, 2017 is not warranted.

Signed February 13, 2019.



Andrew Auerbach
Acting 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



January 9, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear [REDACTED]

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

[REDACTED]

Andrew Auerbach
Acting Chief, Division of Enforcement

Enclosure



January 9, 2019

Mr. Daniel Ross, President
Office and Professional Employees Union Local 50, Hawaii Nurses Association
3375 Koapaka Street, Suite 100
Honolulu, Hawaii 96819

Dear Mr. Ross:

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

Sincerely,

[Redacted signature]

Andrew Auerbach
Acting Chief, Division of Enforcement

cc: Wade C. Zukeran, Esq.
Gill, Zukeran, & Sgan
707 Richards Street, Suite 100
Honolulu, Hawaii 96813

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 9, 2019

Mr. Richard Lanigan, President
Office and Professional Employees, AFL-CIO
80 Eighth Street, 20th Floor
New York, NY 10011

Dear Mr. Lanigan:

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

Sincerely,


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

[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

[Redacted]

Dear [Redacted]

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

Sincerely,

[Redacted Signature]

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

[Redacted]

Dear [Redacted]

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

Sincerely,

[Redacted Signature]

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

[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

[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