

**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 August 24, 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 in April and May 2018, by AFSCME Council 4 in New Britain, Connecticut.

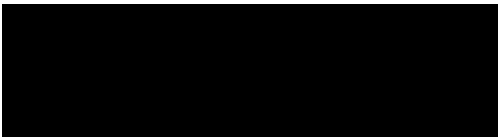
Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that Council 4 failed to provide adequate safeguards to ensure a fair election in its application of an unlawful restriction that denied qualified nominees their right to run for office and also denied delegates the opportunity to vote between qualified nominees for the same office.

Apprised of these findings, AFSCME agreed to conduct new nominations and a new election for all Council 4 officer positions under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election concluded on March 15, 2019. 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 elections conducted by AFSCME Council 4 in April and May 2018, 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 March 15, 2019.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the elections conducted in April and May 2018 is not warranted.

Signed May 3, 2019.



Brian A. Pifer
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



April 2, 2019

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

[REDACTED]

Brian A. Pifer
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



April 2, 2019

Mr. Jody Barr, Executive Director
AFSCME Council 4
444 East Main Street
New Britain, Connecticut 06051

Dear Mr. Barr:

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

Sincerely,



Brian A. Pifer
Chief, Division of Enforcement

Enclosure

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Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



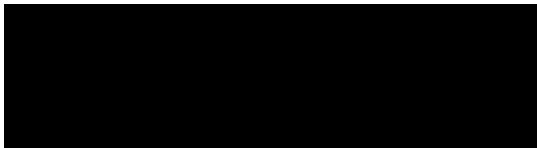
April 2, 2019

Mr. Lee Saunders, President
AFSCME
1625 L Street, NW
Washington, DC 20036

Dear Mr. Saunders:

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

Sincerely,



Brian A. Pifer
Chief, Division of Enforcement

Enclosure

cc: Judith Rivlin, General Counsel
AFSCME