

**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 July 31, 2019, 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 June 3, 2019, by IBEW Local 266 in Phoenix, Arizona.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union failed to preserve ballot secrecy when the election tellers processed voted ballots one by one, removing the secret ballot envelope from the return envelope and then immediately removing the ballot from the secret ballot envelope, without mixing together all the secret ballot envelopes first, as required by the IBEW Local 266 Bylaws.

Apprised of these findings, Local 266 agreed to conduct 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 December 20, 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 election conducted by IBEW Local 266 on June 3, 2019, 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 December 20, 2019.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on June 3, 2019 is not warranted.

Signed February 3, 2020.

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



January 30, 2020



Dear Mr. Iannacone:

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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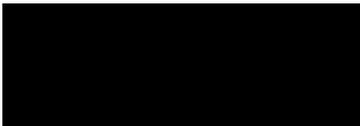
January 30, 2020

Mr. Jerry Long, Business Manager/Financial Secretary  
IBEW Local 266  
1650 North 36th Street  
Phoenix, AZ 85008

Dear Mr. Long:

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  
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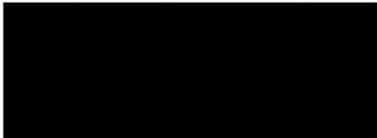
January 30, 2020

Mr. Lonnie R. Stephenson, International President  
International Brotherhood of Electrical Workers, AFL-CIO  
900 Seventh Street, N.W.  
Washington, DC 20001

Dear Mr. Stephenson:

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

Sincerely,



Brian A. Pifer  
Chief, Division of Enforcement

Enclosure