

Statement of Reasons
Dismissing a Complaint
Concerning the Continuation of a Trusteeship
Over Local 387
International Association of Bridge, Structural,
Ornamental and Reinforcing Iron Workers
in Atlanta, Georgia

A member in good standing of Local 387 (local or Local 387), International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers (International), filed a complaint with the Secretary of Labor alleging a violation of Title III of the Labor-Management Reporting and Disclosure Act of 1959 (Act), 29 U.S.C. §§ 461-466, with respect to the International's continuation of a trusteeship imposed over the local on July 7, 2005. For the following reasons, the complaint is dismissed.

The complaint alleged that the July 7, 2005 trusteeship has continued for a period greater than eighteen months from the date of its establishment, in violation of the Act, and that the International has failed to show by convincing evidence a valid reason for its continuation. Specifically, the complaint alleged that the local has not held an election of officers since January 2004, and that the trustee, appointed by the International upon the imposition of the trusteeship, continued to manage the local's affairs. The complaint sought the remedy of an election of officers to remove the local from trusteeship and restore the local's autonomy.

Section 304(c) of the Act provides, in relevant part, that a trusteeship imposed in excess of eighteen months from the date of its establishment shall be presumed invalid and its discontinuance shall be decreed unless the union shows by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302 of the Act. 29 U.S.C. § 464.

During the course of the Department's investigation, the International held an election of officers on July 21, 2007. Those officers were installed on August 16, 2007. As a result of the election and installation of those newly elected officers, the International lifted the trusteeship. Local 387's autonomy has been fully restored. Consequently, the validity of the continuation of the July 7, 2005 trusteeship beyond the eighteen month period is moot.

Accordingly, we are closing our file on this matter.