

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Washington, DC 20210



July 14, 2009

John Wilhelm, President
275 Seventh Avenue
New York, New York 10001-6708

Dear Mr. Wilhelm:

This is to advise you of the disposition of a complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred with respect to the trusteeship imposed by Unite Here over an affiliated local union, Local 355 in Miami, Florida.

Pursuant to Sections 304 and 601 of the LMRDA, the Office of Labor-Management Standards conducted an investigation. After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we have determined that legal action is not warranted in this case. We are, therefore, closing our files as of this date.

The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

Cynthia M. Downing
Chief, Division of Enforcement

Enclosure

cc: Wendi Walsh, President
Unite Here Local 355
1525 NW 167th Street, Suite 350
Miami, Florida 33169

Katherine E. Bissell, Associate Solicitor for Labor Management Laws

Statement of Reasons
For Dismissing the Complaint of a member of
Local 355, UNITE HERE
Concerning the Imposition of a Trusteeship
in Miami, Florida

A member in good standing of Local 355 (local), UNITE HERE (National), AFL-CIO, filed a complaint with the Secretary of Labor on January 28, 2009, concerning the validity of the trusteeship imposed on the local by the National.

The Department of Labor ("Department") investigation established that on April 5, 2007, the National imposed a trusteeship on Local 355 because of a confirmed loss of leadership with the removal of the financial secretary, treasurer and president from their respective offices.

However, the investigation further revealed that the National lifted the trusteeship on May 26, 2009, following an election of officers on April 28, 2009. Inasmuch as the trusteeship has been lifted and the local's autonomy has been restored, this matter does not require further action on the part of the Secretary.

For the reasons set forth above, I have closed the file regarding this matter.