

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 April 22, 2020, 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 December 23, 2019, by Letter Carriers Branch 73 in Decatur, Georgia.


Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that Local 73 failed to treat candidates equally with respect to the distribution of candidate campaign literature when it failed to honor the request of a candidate for mailing labels. In addition, the investigation revealed that votes from one ballot with identifying information were improperly included in the vote totals.

Apprised of these findings, Letter Carriers Local 73 agreed to conduct a new election for treasurer and a runoff election for the third trustee position 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 21, 2020. 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 Letter Carriers Branch 73 on December 23, 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 21, 2020.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 23, 2019 is not warranted.

Signed February 4, 2021.

A solid black rectangular redaction box covering the signature of Tracy L. Shanker.

Tracy L. Shanker
Chief, Division of Enforcement



February 4, 2021

[REDACTED]

Dear [REDACTED]

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

Sincerely,

[REDACTED]

Tracy L. Shanker
Chief, Division of Enforcement

Enclosure



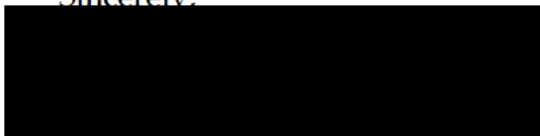
February 4, 2021

Mr. Regal Phillips, President
Letter Carriers Branch 73
1842 Candler Rd.
Decatur, GA 30032

Dear Mr. Phillips:

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

Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure



February 4, 2021

Mr. Frederic V. Rolando, National President
National Association of Letter Carriers, AFL-CIO
100 Indiana Ave. NW
Washington, DC 20001-2144

Dear Mr. Rolando:

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

Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure