



August 31, 2021

Statement of Reasons  
For Dismissing a Complaint  
Alleging the Improper Imposition of a Trusteeship on  
California Federation of Interpreters Local 39000  
by the Communications Workers of America

This Statement of Reasons is in response to an October 18, 2018, complaint filed with the United States Department of Labor (the Department) by a member in good standing alleging that the trusteeship imposed by the Communication Workers of America (CWA), upon the California Federation of Interpreters Local 39000 (Local 39000) violated Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA or Act), 29 U.S.C. §§ 461-466. The complaint is dismissed for the following reasons.

The LMRDA permits a parent labor organization to impose a trusteeship on subordinate bodies for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization. 29 U.S.C. § 462. A trusteeship established by a parent body in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing is presumed valid for eighteen months from the date of its establishment and is not subject to attack during this period except by clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302 of the Act. 29 U.S.C. § 464(c). Once this period of eighteen months has expired, a trusteeship is presumed invalid unless clear and convincing proof is provided that continuation of the trusteeship is necessary for a purpose allowable under the LMRDA. *Id.*

The Department's investigation established that the trusteeship was initially imposed because CWA found that Local 39000 had failed to pay all the per capita dues payments that were owed. On December 2, 2016, because CWA and Local 39000 were unable to reach an agreement upon the amount owed, CWA imposed a trusteeship to correct financial malpractice and to enforce the per capita tax determination in accordance with the provisions of its Constitution and that of its intermediate body, The News Guild.

On January 3, 2017, CWA provided notice of the trusteeship to Local 39000, and on February 21, 2017, CWA provided Local 39000 with notice of the April 24, 2017 hearing on the trusteeship during which members were able to speak and submit evidence. Insofar as the trusteeship was imposed for an allowable purpose, in accordance with its

constitutional provisions and section 302 of the LMRDA, and ratified after a fair hearing, the trusteeship was presumed valid until June 2, 2018.

However, after June 2, 2018, the continuation of the trusteeship was presumed invalid unless CWA provided clear and convincing proof that continuation of the trusteeship was necessary for a purpose allowable under the LMRDA. The investigation of the October 2018 complaint revealed that Local 39000 had become current in its per capita dues payments by December 4, 2017, and that it had conducted new elections on March 29, 2018. According to CWA, newly elected officers must complete mandatory officer training prior to being installed. New officer training was scheduled to commence in the following weeks. During this time period, a member filed internal union charges against the winning candidates for president, vice president, secretary, and treasurer, after which the newly elected officers were not trained or installed as officers. These individuals were subsequently suspended from the union and eventually became ineligible to run for office due to loss of membership in the union. CWA kept Local 39000 under trusteeship without holding new elections or otherwise restoring autonomy to Local 39000.

On February 11, 2019, OLMS informed CWA that it had not provided clear and convincing proof that the continuation of the trusteeship was necessary for an allowable purpose, as required by section 304(c) of the LMRDA and advised CWA that it should instruct the trustee to install the elected officers or, in the event that the officers were ineligible to hold office, apply Local 39000's bylaw provisions governing vacancies in offices. CWA responded that in order to lift the trusteeship, a special election was necessary under the local's by-laws to fill executive board positions at Local 39000. The CWA also provided a timeline, which included local officer election procedures, officer training, and an approximate date of trusteeship termination.

Following the installation and training of the newly-elected officers, the ILA lifted the trusteeship over Local 39000, effective November 12, 2019. On February 14, 2020, the CWA filed Form LM-16 with the Department, confirming that the trusteeship was terminated and that autonomy had been fully restored to Local 39000. Because the trusteeship has been lifted, the allegations are moot.

Accordingly, the office has closed the file in this matter.

**U.S. Department of Labor**

Office of Labor-Management Standards  
Suite N-5119  
200 Constitution Ave., NW  
Washington, D.C. 20210  
(202) 693-0143



August 10, 2021

[REDACTED]

Dear [REDACTED]:

This is to advise you of the disposition of your 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 imposition of a trusteeship by the Communications Workers of America over California Federation of Interpreters Local 39000 in Santa Fe Springs, California.

Pursuant to Sections 304 and 601 of the LMRDA, an investigation was conducted by the Office of Labor-Management Standards. 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 file as of this date. The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

[REDACTED]

Tracy L. Shanker  
Chief, Division of Enforcement

Enclosure

cc: [REDACTED], Associate Solicitor  
Civil Rights and Labor-Management Division

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