

**U.S. DEPARTMENT OF LABOR
OFFICE OF LABOR-MANAGEMENT STANDARDS
WASHINGTON, DC 20210**

DETERMINATION

Determination of Complaint Filed under Title IV
of the Labor-Management Reporting and Disclosure Act of 1959

On August 11, 2021, the Secretary of Labor received 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 April 15, 2021, by United Steelworkers (USW) Local 8-495 in Radford, Virginia.


Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union denied members in good standing the right to be candidates and hold office when it imposed an unreasonable candidacy requirement which required that a member attend one-third of the membership meetings in the twenty-four month period prior to nominations in violation of Section 401(e) of the LMRDA.

Apprised of these findings, USW Local 8-495 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 15, 2021. 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 USW Local 8-495 on April 15, 2021 but 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 15, 2021.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on April 15, 2021 is not warranted.

Signed January 19, 2022.



Tracy L. Shanker
Chief, Division of Enforcement

U.S. Department of Labor

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



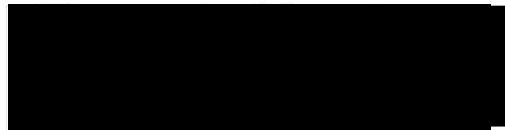
January 19, 2022



Dear [REDACTED]:

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

Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
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200 Constitution Ave., NW
Washington, D.C. 20210
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January 19, 2022

[Redacted]

Dear [Redacted]:

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

Sincerely,

[Redacted Signature]

Tracy L. Shanker
Chief, Division of Enforcement

Enclosure

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January 19, 2022



Dear [REDACTED]:

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Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure