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

<u>DETERMINATION</u>

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

On August 3, 2012, the Secretary of Labor received complaints 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 24, 2012, by Laborers Local 81 in Valparaiso, Indiana.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union violated its constitution when it improperly imposed a meeting attendance rule that was not listed as a candidate eligibility requirement in the LIUNA Uniform Local Union Constitution. The improper imposition of this meeting attendance requirement resulted in several nominees being ruled ineligible to run for office, and may have deterred other members from nominating or seeking nomination for an officer position.

Apprised of these findings, Laborers Local 81 agreed to conduct new nominations and 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 November 3, 2012. It is, therefore,

<u>DETERMINED</u>, 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 Laborers Local 81 on April 24, 2012, 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 November 3, 2012.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on April 24, 2012 is not warranted.

Signed this 14th day of December, 2012.

Patricia Fox
Chief, Division of Enforcement

December 17, 2012

██████████
███████████████

Dear ████████ :

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

mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

December 17, 2012

Mr. John Regal, President
Laborers Local 81
253 South Washington Street
Valparaiso, Indiana 46383

Dear Mr. Regal:

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

mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

December 17, 2012

Mr. Terry O'Sullivan, General President
Laborers' International Union of North America
905 16th Street, N.W.
Washington, DC 20006

Dear Mr. O'Sullivan:

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

mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

December 17, 2012

███████████
███████████

Dear ████████

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

mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

December 17, 2012

████████
████████████

Dear ████████:

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

mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343

December 17, 2012

Dear

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

mentioned therein.

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure