

**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 January 24, 2012, 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 February 26, 2010, by National Postal Mail Handlers Union Local 307 in Detroit, Michigan.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that a December 2009 union newsletter contained material promoting an incumbent officer and critical of one of his opponents; the union failed to properly count ballots that were not enclosed in the secret ballot envelope and ballots that were challenged for unknown reasons; and, the union erroneously omitted the name of a nominee from the ballot.

Apprised of these findings, National Postal Mail Handlers Union Local 307 agreed to conduct its next regularly-scheduled election of officers, including nominations, under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on February 28, 2013. 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 National Postal Mail Handlers Union Local 307 on February 26, 2010, 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 February 28, 2013.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on February 26, 2010 is not warranted.

Signed this 5th day of September 2013.

Patricia Fox
Chief, Division of Enforcement

U.S. Department of Labor

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



September 5, 2013

[REDACTED]

Dear [REDACTED]:

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



September 5, 2013

Mr. Jim Haggarty, President
National Postal Mail Handlers Union Local 307
2441 West Grand Blvd., Suite 201
Detroit, Michigan 48202

Dear Mr. Haggarty:

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



September 5, 2013

Mr. John F. Hegarty, National President
National Postal Mail Handlers Union
1101 Connecticut Avenue, N.W. Suite 500
Washington, D.C. 20036

Dear Mr. Hegarty:

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

Sincerely,

Patricia Fox
Chief, Division of Enforcement

Enclosure