

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

DETERMINATION

Determination of a Complaint Filed under Section 458.63 of the Assistant Secretary's
Standards of Conduct Regulations (29 CFR 458.63) Issued pursuant to
Section 7120(d) of the Civil Service Reform Act of 1978 (5 U.S.C. 7120(d))

On September 9, 2014, the Secretary of Labor received a complaint alleging violations of Section 458.29 of the Rules and Regulations of the Assistant Secretary issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (CSRA), in the regularly scheduled election of officers conducted on May 9, 2014, by American Federation of Government Employees (AFGE) Council 227 in Pineville, Louisiana.

Pursuant to Section 458.50 of the Rules and Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted by the Department of Labor. The investigation disclosed that the conduct of the challenged election may have violated Section 458.29 of the Rules and Regulations in that the union did not elect its officers by secret ballot vote, in violation of the AFGE Constitution, when delegate voting entitlement appeared on the voted ballots and it was possible to identify voters.

Apprised of these findings, AFGE Council 227 agreed to conduct a new election of officers under the supervision of the Chief of the Division of Enforcement, in accordance with Section 458.29 of the Rules and Regulations of the Assistant Secretary. The agreed upon remedial election was concluded on June 9, 2015. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Section 458.29 of the Rules and Regulations occurred which may have affected the outcome of the election conducted by AFGE Council 227 on May 9, 2014, but that these violations have been remedied by the new election, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on June 9, 2015.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations of the Assistant Secretary to set aside the election conducted on May 9, 2014 are not warranted.

Signed this 22nd day of July 2015.

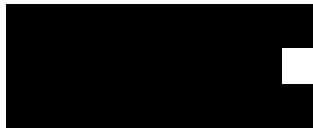
Stephen J. Willertz
Acting Chief, Division of Enforcement

U.S. Department of Labor

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



July 22, 2015



Dear [REDACTED]:

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

Sincerely,

Stephen J. Willertz
Acting Chief, Division of Enforcement

Enclosure

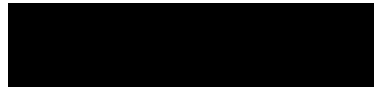
U.S. Department of Labor

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(202) 693-0143 Fax: (202) 693-1343



July 22, 2015

Mr. Ben Johnson, President
AFGE Council 227



Dear Mr. Johnson:

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

Sincerely,

Stephen J. Willertz
Acting 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



July 2015

Mr. J. David Cox, Sr.
National President, AFGE
80 F Street, NW
Washington, DC 20001

Dear Mr. Cox:

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

Sincerely,

Stephen J. Willertz
Acting Chief, Division of Enforcement

Enclosure