

**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 June 22 and 23, 2015, the Secretary of Labor received complaints 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 March 9, 2015, by American Federation of Government Employees (AFGE) Local 2779 in Gainesville, Florida.

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 failed to provide proper notice of nominations. The investigation also disclosed that the union failed to adhere to Section 13 of the AFGE Local 2779 Bylaws (most recently updated in February 2015), which states that officer nominations shall be held in February, and that elections and installations shall be held in March after proper notice is made to members.

Apprised of these findings, AFGE Local 2779 agreed to conduct new nominations, a new election, and installation for the positions of President, [Executive] Vice President, Secretary/Treasurer, First Vice President, Second Vice President, and three (3) Delegates 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 failure to provide proper notice of nominations may have affected all officer positions and the three delegates, since all candidates who attended the March 9, 2015 nominations meeting ran unopposed and won by acclamation. The agreed upon remedial election was concluded on March 2, 2016. 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 Local 2779, 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 March 2, 2016.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations of the Assistant Secretary to set aside the election conducted on March 9, 2015 are not warranted.

Signed this 12th day of April 2016.

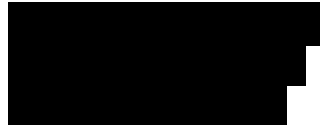
Sharon Hanley  
Chief, Division of Enforcement

**U.S. Department of Labor**

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



April 12, 2016



Dear [REDACTED]:

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

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

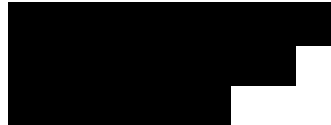
Enclosure

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April 12, 2016



Dear [REDACTED]:

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Sharon Hanley  
Chief, Division of Enforcement

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April 12, 2016

Ms. Muriel Newman, President  
AFGE Local 2779  
1601 SW Archer Rd., T-3, Room 102  
Gainesville, FL 32608

Dear Ms. Newman:

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

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

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Washington, DC 20210  
(202) 693-0143 Fax: (202) 693-1343



April 12, 2016

[REDACTED]  
American Federation of Government Employees  
[REDACTED]  
Washington, D.C. 20005

Dear [REDACTED]:

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

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

Enclosure