

**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 July 6, 2015, 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 delegate election conducted on April 2, 2015, by Chemical Workers Union Council, Local Union 387C/UFCW in Albuquerque, New Mexico.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union failed to provide proper notice of nominations to its members, thereby denying members the opportunity to nominate.

Apprised of these findings, Chemical Workers Union Council of the United Food and Commercial Workers agreed to conduct new nominations and a new delegate election under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on January 12, 2016. 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 Chemical Workers Union Council, Local Union 387C/UFCW on April 2, 2015, 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 January 12, 2016.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on April 2, 2015 is not warranted.

Signed this 3<sup>rd</sup> day of March, 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



March 3, 2016

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

Sharon Hanley  
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



March 3, 2016

Mr. Vince Diaz, Vice-President/Regional Director  
Chemical Workers Union Council, Local Union 387C/UFCW  
4504 69th Street Court N.W.  
Gig Harbor, Washington 98335

Dear Mr. Diaz:

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

Sincerely,

Sharon Hanley  
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



March 3, 2016

Mr. Frank Cyphers, President  
ICWUC/UFCW  
1655 West Market Street  
Akron, Ohio 44313

Dear Mr. Cyphers:

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

Sincerely,

Sharon Hanley  
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



March 3, 2016

[REDACTED]

Dear [REDACTED]

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

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

Enclosure



March 3, 2016

Mr. Anthony M. Perrone, International President  
United Food & Commercial Workers International Union, AFL-CIO  
1775 K Street, NW  
Washington, DC 20006-1598

Dear Mr. Perrone:

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

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

Enclosure