

**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 March 23, 2016, 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 December 16, 2015, by National Association of Letter Carriers (NALC) Branch 496 in Richmond, Virginia.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union denied members the right to vote in that duplicate ballot requests were not honored. The investigation also found that the branch failed to maintain adequate safeguards to ensure a fair election in that voted ballots were picked up at the post office on multiple occasions and maintained at a private residence. Additionally, the branch denied a candidate the right to have an observer at the mailing of the ballots and during multiple visits to the post office to pick up returned ballots. Further, the branch failed to properly count the votes cast by members in that not all valid voted ballots were counted in the tally and ballots from eligible members were voided.

Apprised of these findings, NALC Branch 496 agreed to conduct a new 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 July 7, 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 NALC Branch 496 on December 16, 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 July 7, 2016.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 16, 2015 is not warranted.

Signed this 31<sup>st</sup> day of August, 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



September 1, 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

**U.S. Department of Labor**

Office of Labor-Management Standards  
Division of Enforcement  
Washington, DC 20210  
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September 1, 2016

Ms. Thelma Hunt, President  
National Association of Letter Carriers, Branch 496  
2416 Chamberlayne Avenue  
Richmond, VA 23222

Dear Ms. Hunt:

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**

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Division of Enforcement  
Washington, DC 20210  
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September 1, 2016

Mr. Fredric V. Rolando, National President  
National Association of Letter Carriers  
100 Indiana Avenue, NW  
Washington, D.C. 20001-2144

Dear Mr. Rolando:

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

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

Enclosure