



August 10, 2016

[REDACTED]

Dear [REDACTED]:

This Statement of Reasons is in response to your complaint filed with the Department of Labor on January 15, 2016, alleging that violations of the election provisions of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), as made applicable to the elections of federal sector unions by the Civil Service Reform Act of 1978, occurred in connection with the election of officers conducted on September 15, 2015, by National Treasury Employees Union (NTEU), Chapter 270.

The Department of Labor conducted an investigation of your allegation. As a result of the investigation, the Department has concluded, with respect to your allegation, that there was no violation that may have affected the outcome of the election.

You protest that NTEU did not count the ballots in the race for executive vice president. The Department's investigation established that [REDACTED] and [REDACTED] were the only two candidates nominated for the position of executive vice president. At the time of nominations, [REDACTED] was on a non-bargaining unit management detail. Chapter 19 of the NTEU Chapter Manual provides that members who are detailed to a non-bargaining unit position are not eligible to run for office unless their detail will end before the beginning of the term of office. The investigation revealed that this qualification on candidacy was not unreasonable under section 401(e) of the Act. Section 401(e) of the LMRDA provides that every member in good standing shall be eligible to be a candidate and to hold office subject to reasonable qualifications uniformly imposed.

NTEU permitted [REDACTED] to be included on the ballot because it was not clear whether her detail would end before the new officer term would begin on October 1, 2015. However, the union decided to hold the executive vice president ballots unopened until September 30, 2015, to determine whether [REDACTED] detail would conclude prior to the beginning of the new term of office. [REDACTED] detail had not

ended by September 30, 2015, consequently, the union declared Stewart the winner by acclamation. As [REDACTED] had not satisfied a reasonable candidacy qualification, there was no need to count the ballots for the executive vice president's race. There was no violation.

For the reasons set forth above, I have closed the file regarding this matter.

Sincerely,

Sharon Hanley
Chief, Division of Enforcement

cc: Anthony M. Reardon, General President
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