



November 1, 2016



Dear [REDACTED]:

This Statement of Reasons is in response to your June 16, 2015 complaint to the U.S. Department of Labor alleging that violations of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred in connection with the election of officers of Local 78 (local or Local 78), Laborers' International Union of North America (International), that was held on June 20, 2015.

The Department conducted an investigation of your allegations. As a result of the investigation, the Department concluded that there were no violations that may have affected the outcome of the election.

You alleged that the local improperly disqualified you when it determined that you were not in good standing for the two years immediately prior to nominations. Section 401(e) of the LMRDA provides, in relevant part, that every member in good standing shall be eligible to be a candidate, subject to reasonable qualifications. The local's candidate eligibility requirements are contained in the International's Uniform Local Union Constitution (ULUC), including the good standing requirement. Article V, section 1 of the ULUC requires a member to have been in good standing for two years immediately prior to nominations and current in the payment of dues. Article VIII, section 4 describes good standing as ending, and the member being automatically suspended, where monthly dues, which are due on the first day of the month, are not paid on or before the last day of the following month.

The investigation disclosed that you were not in good standing for several months within the two-year qualification period. You did not pay your dues for January, February and March 2014 within the prescribed time frames, and you were thereafter suspended from membership. The local properly disqualified you because you were suspended from membership during the two years prior to nominations, and therefore you were not in good standing for the requisite two-year period immediately preceding the May 5-6, 2015 nominations meeting. There was no violation.

For the reasons set forth above, your complaint to the Department is dismissed, and I have closed the file in this matter.

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

cc: Terry O'Sullivan, General President  
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