



September 19, 2016



Dear [REDACTED]:

This Statement of Reasons is in response to your March 27, 2016, complaint filed with the U.S. Department of Labor. In your complaint, you alleged that a violation of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA) occurred in the officer election conducted by the International Brotherhood of Teamsters Local 553 in 2015. Local 553 held the election by mail with ballots due on December 14, 2015.

The Department conducted an investigation of your allegation. As a result of the investigation, the Department concluded that no violation of the LMRDA occurred during the election. The following is an explanation of this conclusion.

You alleged that the union violated the LMRDA because many members' voted ballots were not included in the ballot count even though the ballots arrived at the designated post office box by December 14, 2015. You stated that several members told you that they voted, but you did not see their names checked off as having returned a ballot when you viewed the list at the tally.

Section 401(c) of the LMRDA requires unions to provide adequate safeguards to ensure a fair election. Section 401(e) further provides that every member of a union in good standing has the right to vote in local elections.

The Department's investigation revealed that Local 553 engaged Global Election Services (GES) to handle, among others things, the preparation, mailing, and tallying of ballots for the election. The investigation showed that the same number of pieces of Business Reply Mail were charged to the account for the designated post office box as were reported received by GES at that box prior to the deadline which was 9:00 a.m. on December 14, 2015. You provided the names of no members who allegedly voted but whose ballots were not counted. Moreover, your observer who attended the December 14 collection of ballots at the Garden City Post Office reported no irregularities. Although 44 ballots arrived in the post office box after the deadline, these ballots were

appropriately not counted in the election results. Thus, your allegation was not substantiated.

For the reasons set forth above, the Department has concluded that no violation of the LMRDA occurred. Accordingly, the office has closed the file on this matter.

Sincerely,

Sharon Hanley, Chief
Division of Enforcement

cc: James P. Hoffa, President
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