



August 17, 2017

[REDACTED]

Dear [REDACTED]:

This Statement of Reasons is in response to your complaint filed on April 25, 2017, with the United States Department of Labor alleging that violations of Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA or Act) occurred in connection with the election of officers of Local 304 (Local 304 or Union), conducted on December 6, 2016.

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

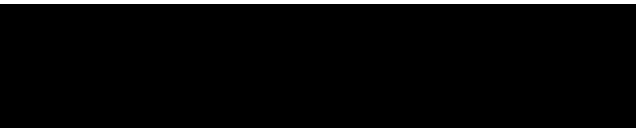
You alleged that Local 304's President and Vice President used union funds, equipment, or supplies to campaign while visiting postal facilities to conduct union business in or around November 2016. Section 401(g) of the LMRDA prohibits the use of union resources to promote the candidacy of any person in union officer elections. Specifically, you alleged that the officers campaigned while attending the Cleveland postal facility's health fair and district meeting, and while visiting the Cincinnati Network Distribution Center. The investigation did not reveal any evidence of campaign speeches or distribution of campaign materials at these facilities.

Further, Article IV, Section 5(A)(18) of the Union's constitution and bylaws provides that the Local President or their designee "shall visit each branch of this Local at least once every six (6) month . . . [and] tour the workroom floors of the branch office." There was insufficient evidence that the officers solicited votes from members during these routine tours of the workroom floors. The investigation also established that the officers did not attend the November 21, 2016 health fair but were actually visiting the Louisville, Kentucky branch that day. There was no violation of the Act.

Your complaint to the Department contained additional allegations that were not timely filed under Section 402(a)(2) of the LMRDA. These allegations are not properly before the Department and were not investigated.

In sum, as a result of the investigation, the Department has concluded that there was no violation of the Act affecting the outcome of the election in connection with your allegation that was properly filed. Accordingly, I have closed the file on this matter.

Sincerely,



Sharon Hanley
Chief, Division of Enforcement

cc: Paul V. Hogrogian, National President
National Postal Mail Handlers Union
1101 Connecticut Avenue, NW, Suite 500
Washington, DC 20036

Williams "Bip" McLemore, President
Mail Handlers Local 304
6509 Montgomery Road
Cincinnati, OH 45213

Donald Mooney, Esq.
3406 Manor Hill Drive
Cincinnati, OH 45220

Beverly Dankowitz, Associate Solicitor
Civil Rights and Labor-Management Division