



January 25, 2017



Dear [REDACTED]

This Statement of Reasons is provided in response to the complaint you filed with the Department of Labor on July 25, 2016, alleging that violations of Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA) occurred in connection with the election of union officers for the Communications Workers of America (CWA) Local 9421, conducted on October 21, 2014.

The Department conducted an investigation of your allegations. As a result of the investigation, the Department has concluded that no violation occurred that may have affected the outcome of the election. The following is an explanation of this conclusion.

You alleged that the Local failed to provide proper notice of the election and that, as a result members were denied the right to vote. Specifically you alleged that you and 25 other members did not receive notice of the election because the Local did not post notice on union bulletin boards as it had in the past. Section 401(e) of the LMRDA provides that every member in good standing shall have the right to vote in a union election. Section 401(e) also provides that a union must provide notice of a union election by mail at least 15 days prior to the election.

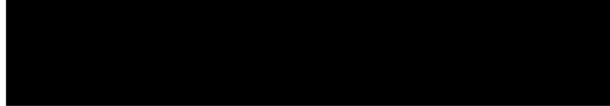
The mail ballot package served as the election notice and was mailed on September 25, 2014, 26 days prior to the election. The investigation revealed the Local updated its mailing list and mailed 1,445 ballots. Seventeen ballots were returned undeliverable; six were re-mailed to updated addresses. The Local received 27 duplicate ballot requests and fulfilled 25. Of the two that were not fulfilled, one was from an individual who was not on the membership list, and the other was from an individual who did not return calls to confirm the correct mailing address. In addition, several members identified as not having received the ballot confirmed that the ballot had been mailed to the correct address. The mailed notice satisfied the requirements of the statute.

The investigation further revealed that, while the union did not post a notice on the union bulletin boards due to past issues concerning use of the bulletin boards, the Local created an election page on its website. There, the union posted the nominations notice, candidates meeting notice, ballot mailing information, election notice, duplicate ballot procedures, tentative results and certified results. A link to the election page was conspicuously displayed on the union's website

homepage. Finally, the investigation revealed that although you are a union steward, you did not attend steward meetings held in August and September 2014 when the election was discussed. There was ample notice of the election. There was no violation.

For the reasons set forth above, there is insufficient evidence that any violation may have occurred that affected the outcome of the election. Accordingly, the office has closed the file on this matter.

Sincerely,



Sharon Hanley
Chief, Division of Enforcement

cc: John Miller, President
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