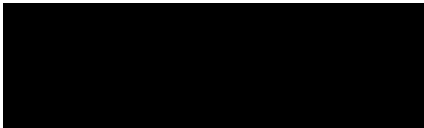




January 30, 2017



Dear [REDACTED]

This Statement of Reasons is in response to your November 13, 2015 complaint filed with 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 conducted by the International Brotherhood of Electrical Workers Local Union No. 1186 (Local) that was completed in July 2015.

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.

In your complaint, you made multiple allegations regarding the display of banners on an employer's property. The Department's investigation established that this conduct occurred prior to the first, June 2014 election. As the results of that election were set aside and a new election conducted, the events of the vacated, June 2014 election are not properly before the Department.

Similarly, the Department investigated your allegations regarding the distribution of campaign flyers on members' windshields during working hours. The Department's investigation revealed that this distribution occurred between June 3 and June 5, 2014, and related to the first election - not the re-run, second election - and is thus not properly before the Department. Even if it were, however, timesheet evidence confirms that the individual you alleged to have distributed such materials was on vacation time during those dates, and thus there would have been no violation of the LMRDA.

You also alleged that candidates affiliated with the incumbent slate were improperly given advance notice of the union decision to vacate the June 2014 election results and conduct a re-run, which gave the incumbent slate an unfair opportunity to campaign on July 14, 2014. The investigation did not support this allegation. The investigation

found that on July 10, 2014, candidates on both slates received emails informing them of the decision to vacate and rerun the election, and the entire membership was notified on July 11, 2014. In addition, evidence showed that both slates planned campaign activity for July 14, 2014. As such, there was no violation of the LMRDA.

Your complaint included an allegation that the election judge improperly required campaign materials to be prescreened. The investigation did not corroborate this allegation. The official local policy only required candidates to provide two working days' notice of their desire to mail campaign literature to members so that the Local could make appropriate arrangements to prepare materials for the mailing. This is a reasonable, non-discriminatory rule, which does not violate the LMRDA. Moreover, the policy's requirement that campaign mailings be provided already stuffed into sealed envelopes would prevent any pre-screening.

For the reasons set forth above, it is concluded that no violation of the LMRDA occurred that may have affected the outcome of the election. As to allegations in your complaint to the Department not addressed in this Statement of Reasons, these issues, even if true, would not constitute violations of the LMRDA. Accordingly, the office has closed the file on this matter.

Sincerely,

A solid black rectangular redaction box covering the signature of Sharon Hanley.

Sharon Hanley, Chief
Division of Enforcement

cc: Beverly Dankowitz, Associate Solicitor for Civil Rights and Labor-Management

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