

Statement of Reasons  
Dismissing a Complaint Alleging the Improper Imposition of a Trusteeship on  
Local 1 by the International Union of Security, Police and  
Fire Professionals of America

This Statement of Reasons is in response to a June 5, 2015 complaint filed with the U.S. Department of Labor (the Department). The complaint alleges that the trusteeship imposed by the International Union, Security, Police and Fire Professionals of America (SPFPA) upon SPFPA Local 1 (Local 1) violated Title III of the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), 29 U.S.C. §§ 461-466 and 29 C.F.R. § 458.26. For the following reasons, the complaint is dismissed.

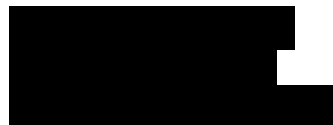
The LMRDA permits a parent labor organization to impose a trusteeship on a subordinate body for the purpose of correcting corruption or financial malpractice, assuring the performance of negotiated agreements or other duties of a representative of employees, restoring democratic procedures, or otherwise carrying out the legitimate objects of the union. 29 U.S.C. § 462. A trusteeship established by a parent body in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing is presumed valid for eighteen months from the date of its establishment and is not subject to attack during this period except by clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302 of the LMRDA. 29 U.S.C. § 464 (c).

By letter, dated February 3, 2016, the Department determined that the “administrative maintenance” imposed upon Local 1 by the SPFPA constituted a *de facto* trusteeship. The letter stated that the Department’s investigation disclosed that Local 1 did not have control of its bank account - the International controlled the local’s funds, keeping them in an escrow account. Further, the International removed two officers and appointed its own choice for president of the Local. The letter also stated that the investigation had disclosed evidence of financial malpractice and that a fair hearing had been conducted, such that it appeared that the *de facto* trusteeship had been imposed for an allowable purpose under the LMRDA and was presumed valid until September 6, 2016. Thereafter, the trusteeship was presumed invalid.

As indicated in its terminal report, required under 29 C.F.R. § 402.5, and its terminal financial report, required under 29 C.F.R. § 403.5, the SPFPA terminated the trusteeship on February 27, 2017, stating in its Terminal Trusteeship Report that all of the units within Local 1 had been merged into other locals as of that day, such that no members remained. Accordingly, allegations concerning the validity of the trusteeship are moot. Accordingly, the Department has closed its files on this matter.



August 22, 2017



Dear [REDACTED]

This is to advise you of the disposition of your complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), occurred with respect to the trusteeship imposed by the International Union of Security, Police and Fire Professionals of America (SPFPA) over Local 1 in Torrance, California.

Pursuant to Sections 304 and 601 of the LMRDA, an investigation was conducted by the Office of Labor-Management Standards. After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we have determined that legal action is not warranted in this case. We are, therefore, closing our file as of this date. The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

Enclosure

**U.S. Department of Labor**

Office of Labor-Management Standards  
Division of Enforcement  
Washington, DC 20210  
(202) 693-0143 Fax: (202) 693-1343



August 22, 2017

Mr. David L. Hickey, International President  
International Union of Security, Police and Fire Professionals of America  
25510 Kelly Road  
Roseville, Michigan 48066

Dear Mr. Hickey:

This is to advise you of the disposition of a complaint filed with the Secretary of Labor alleging that violations of Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), occurred with respect to the trusteeship imposed by the International Union of Security, Police and Fire Professionals of America (SPFPA) over Local 1 in Torrance, California.

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Sincerely,

Sharon Hanley  
Chief, Division of Enforcement

Enclosure