

**U.S. DEPARTMENT OF LABOR  
OFFICE OF LABOR-MANAGEMENT STANDARDS  
WASHINGTON, DC 20210**

**DETERMINATION**

Determination of Complaints Filed under Section 458.63 of the Standards of Conduct Regulations (29 CFR 458.63) issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (5 U.S.C. 7120(d))

On March 26, 2018, and March 27, 2018, the Secretary of Labor received complaints alleging violations of Section 458.29 of the Standards of Conduct Regulations (Regulations) issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978, in the regularly scheduled election of officers conducted on December 15, 2017, by American Federation of Government Employees (AFGE) Local 2028, in Pittsburgh, Pennsylvania.

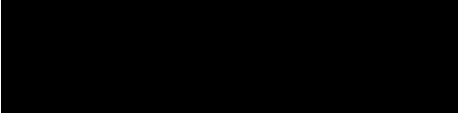
Pursuant to Section 458.50 of the Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted by the Department of Labor. The investigation disclosed that the conduct of the challenged election may have violated Section 458.29 of the Regulations in that the union failed to mail notice of election to all members when it did not mail ballot packages, which contained the notice of election, to approximately thirty-three members whose mailing addresses were known to be bad.

Apprised of these findings, AFGE Local 2028 agreed to conduct a new election for executive vice president, secretary-treasurer, and EEO officer under the supervision of the Chief of the Division of Enforcement, in accordance with Section 458.29 of the Regulations. The agreed upon remedial election was concluded on November 16, 2018. It is, therefore,

**DETERMINED**, that there is probable cause to believe that violations of Section 458.29 of the Regulations occurred which may have affected the outcome of the election conducted by AFGE Local 2028 on December 15, 2017, but that these violations have been remedied by the new election, conducted in accordance with Section 458.29, under the supervision of the Chief, Division of Enforcement, OLMS, on November 16, 2018.

Therefore, enforcement proceedings under Section 458.66 of the Regulations to set aside the election conducted on December 15, 2017, are not warranted.

Signed March 8, 2019.



Brian A. Pifer  
Chief, Division of Enforcement

**U.S. Department of Labor**

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



March 8, 2019

[Redacted]

Dear [Redacted]

The enclosed Determination represents the Department's final disposition of the matter mentioned therein.

Sincerely,

[Redacted]

Brian A. Pifer  
Chief, Division of Enforcement

Enclosure

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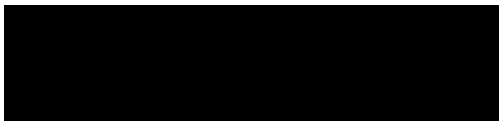
March 8, 2019

Mr. David Cox, Sr., National President  
American Federation of Government Employees  
80 F Street NW  
Washington, DC 20001

Dear Mr. Cox:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein.

Sincerely,



Brian A. Pifer  
Chief, Division of Enforcement

Enclosure

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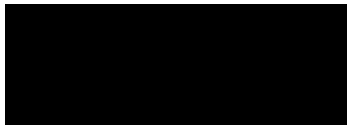
March 8, 2019



Dear Mr. Snyder:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein.

Sincerely,



Brian A. Pifer  
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



March 8, 2019

[Redacted]

Dear [Redacted]:

The enclosed Determination represents the Department's final disposition of the matter mentioned therein.

Sincerely,

[Redacted]

Brian A. Pifer  
Chief, Division of Enforcement

Enclosure