

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

DETERMINATION

Determination of a Complaint Filed under Title IV
of the Labor-Management Reporting and Disclosure Act of 1959

On March 14, 2018, the Secretary of Labor received a complaint alleging violations of Section 401 of the Labor-Management Reporting and Disclosure Act (LMRDA), in the election of officers of Amalgamated Transit Union (ATU) Local 1764 conducted on December 9, 2017, in Silver Spring, Maryland.

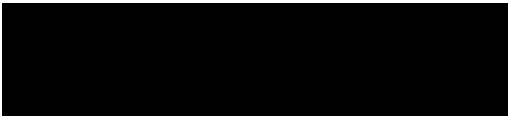
Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation concluded that the union failed to properly apply a candidate qualification when it afforded some candidates an opportunity to perfect their eligibility prior to a second nomination meeting after they had previously been ruled ineligible at an earlier nomination meeting. The investigation also disclosed that the union denied one member the right to vote and failed to provide proper notice of election in that a ballot package (containing an election notice) that was returned as undeliverable was not re-mailed to the address on the U.S. Postal Service's forwarding address label.

Apprised of these findings, ATU Local 1764 agreed to conduct a new election under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on August 20, 2018. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Title IV of the LMRDA occurred which may have affected the outcome of the election of ATU Local 1764 officers on December 9, 2017, but that these violations have been remedied by the new election, conducted in accordance with Title IV of the LMRDA, under the supervision of the Secretary of Labor, on August 20, 2018.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 9, 2017 is not warranted.

Signed this 4th day of February, 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



February 4, 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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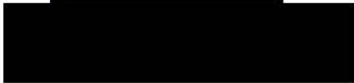
February 4, 2019

Aaron Duffy, President
Amalgamated Transit Union Local 1764
10000 New Hampshire Avenue
Silver Spring, MD 20903

Dear Mr. Duffy:

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




February 4, 2019

Lawrence J. Hanley, International President
Amalgamated Transit Union
10000 New Hampshire Avenue
Silver Spring, MD 20903

Dear Mr. Hanley:

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


Brian A. Pifer
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

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February 4, 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