



October 22, 2019

[REDACTED]

Dear [REDACTED]:

This Statement of Reasons is in response to your complaint, received by the United States Department of Labor (Department) on February 11, 2019. The complaint alleged that the International Brotherhood of Teamsters, Local 135 violated Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA).

The Department conducted an investigation of your allegation. As a result of the investigation, the Department has concluded, with respect to your allegation, that there was no violation of the LMRDA.

Section 401(b) of the LMRDA provides that every local labor organization must elect its officers not less often than once every three years. 29 U.S.C. § 481(b). Additionally, Section 401(e) of the LMRDA requires that elections be conducted in accordance with the union's constitution and bylaws. 29 U.S.C. § 481(b). Consistent with Section 401(b) of the LMRDA, Article XXII, Section 3(a) of the IBT Constitution provides, "The term of office of Local Union officers . . . shall be no longer than . . . that provided for by law and shall not be for a lesser period than three (3) years."

You alleged that Local 135 has failed to hold regular officer elections in violation of the LMRDA and Article XXII, Section 3(a) of the constitution. The Department's investigation revealed that Local 135's most recent election concluded on October 10, 2016, and the next regularly scheduled election is to be held in October 2019 – three years following the prior election. Records from the 2016 election demonstrated that Local 135 mailed a newsletter containing a combined nomination and election notice to members on June 13, 2016. This notice informed members that the nominations meeting would be held on September 3, 2016, and explained the process whereby members could nominate candidates for office. Local 135 also used "Certificates of Posting" to verify that nominations and election notices were posted at member worksites. Records from the September 3, 2016 nominations meeting indicate

56 members attended the meeting, and the incumbent members of the “[REDACTED] Proven Leadership Slate” were nominated. No other written or oral nominations were submitted. At the close of the meeting, no positions were contested; thus, these nominees were elected to office by acclamation.

For the reasons set forth above, the Department has concluded that there was no violation of the LMRDA. Accordingly, the office has closed the file on this matter.

Sincerely,

[REDACTED]

Brian A. Pifer
Chief, Division of Enforcement

cc: James P. Hoffa, General President
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