



March 4, 2019

[Redacted]

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), 29 U.S.C. §§ 461 – 466, as made applicable to federal sector unions by the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7120(d) and 29 C.F.R. § 458.26, occurred with respect to a trusteeship imposed by the American Federation of Government Employees (AFGE), over Local 12, in Washington, D.C.

Pursuant to Sections 304 and 601 of the LMRDA, the Office of Labor-Management Standards conducted an investigation. After carefully reviewing the investigative findings, and after consulting with the Office of the Solicitor, we have determined that legal action is not warranted in this case. Therefore, we are closing our file as of this date.

The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,

[Redacted Signature]

Brian A. Pifer,
Chief, Division of Enforcement

Enclosure

cc: Bev Dankowitz, Associate Solicitor

U.S. Department of Labor

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



March 4, 2019

[REDACTED]

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), 29 U.S.C. §§ 461 – 466, as made applicable to federal sector unions by the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7120(d) and 29 C.F.R. § 458.26-28, occurred with respect to a trusteeship imposed by the American Federation of Government Employees (AFGE), over Local 12, in Washington, D.C.

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Sincerely,

[REDACTED]

Brian A. Pifer,
Chief, Division of Enforcement

Enclosure

cc: Bev Dankowitz, Associate Solicitor

U.S. Department of Labor

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



March 4, 2019



Dear Mr. McCarron:

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), 29 U.S.C. §§ 461 – 466, as made applicable to federal sector unions by the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7120(d) and 29 C.F.R. § 458.26-28, occurred with respect to a trusteeship imposed by the American Federation of Government Employees (AFGE), over Local 12, in Washington, D.C.

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The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,



Brian A. Pifer,
Chief, Division of Enforcement

Enclosure

cc: Bev Dankowitz, Associate Solicitor

U.S. Department of Labor

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



March 4, 2019

Mr. J. David Cox, Sr., National President
American Federation of Government Employees
80 F Street, NW
Washington, D.C. 20001-1583

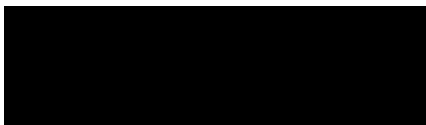
Dear Mr. Cox:

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), 29 U.S.C. §§ 461 – 466, as made applicable to federal sector unions by the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7120(d) and 29 C.F.R. § 458.26-28, occurred with respect to a trusteeship imposed by the American Federation of Government Employees (AFGE), over Local 12, in Washington, D.C.

Pursuant to Sections 304 and 601 of the LMRDA, the Office of Labor-Management Standards conducted an investigation. After carefully reviewing the investigative findings, and after consulting with the Office of the Solicitor, we have determined that legal action is not warranted in this case. Therefore, we are closing our file as of this date.

The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,



Brian A. Pifer,
Chief, Division of Enforcement

Enclosure

cc: Bev Dankowitz, Associate Solicitor

**Statement of Reasons
Dismissing a Complaint
Concerning the Trusteeship Imposed
Over Local 12 of the American Federation of Government Employees (AFGE)
Washington, D.C.**

This Statement of Reasons is in response to an October 17, 2017 complaint filed with the United States Department of Labor alleging that the American Federation of Government Employees (AFGE) violated Title III of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), 29 U.S.C. §§ 461 – 466, as made applicable to federal sector unions by the Civil Service Reform Act of 1978, 5 U.S.C. § 7120(c), by improperly imposing a trusteeship upon the Local. *See* 29 C.F.R. § 458.26-28. For the following reason, the complaint is dismissed.

Title III of the LMRDA permits parent labor organizations to impose a trusteeship on subordinate bodies for the purposes of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization. 29 U.S.C. § 462. A trusteeship established by a parent body in conformity with the procedural requirements of its constitution and bylaws is presumed valid for eighteen months from the date of its establishment and is not subject to attack during such 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).

Complainants alleged that AFGE improperly placed Local 12 under trusteeship because AFGE failed to follow the procedures outlined in the AFGE Constitution and did not impose the trusteeship for an allowable purpose. The Department conducted an investigation of the allegation. The investigation revealed that AFGE placed Local 12 in trusteeship on October 4, 2017, pursuant to the expedited trusteeship provisions at Art. IX, Sec. 5(b)(4) of the AFGE Constitution. Pursuant to Art. IX, Sec. 5(b)(5) of the AFGE Constitution, a hearing was conducted on December 1, 2017, before a trusteeship panel. On December 28, 2017, the panel issued a decision upholding the trusteeship.

The Department's investigation found that Local 12 conducted a new officer election on June 7, 2018, with a run-off election for the positions of President and Executive Vice-President being held on July 6, 2018. The newly-elected officers were installed on July 10, 2018. AFGE lifted the trusteeship over Local 12, effective August 10, 2018. On March 4, 2019, the AFGE filed Form LM-16 with the Department, confirming that the trusteeship was terminated and that autonomy had been fully restored to Local 12. Because the trusteeship has been lifted, the allegations are moot. Accordingly, the office has closed the file in this matter.