

**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 July 2, 2019, 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 American Postal Workers Union (APWU) Local 83 conducted on April 29, 2019, in New Orleans, Louisiana.

Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation concluded that the union failed to provide adequate safeguards and denied members the right to vote by not issuing replacement ballots to members who requested them, and by failing to re-mail ballot packages returned as undeliverable. The union also failed to make reasonable efforts to maintain and update its membership address list. The investigation further found that not all ballots were mailed directly by members to the post office box designated for returned, voted ballots. Additionally, the union failed to mail a notice of election to each member's last known home address at least 15 days prior to the election. Lastly, the union failed to adhere to the APWU National Constitution and Bylaws, which requires the ballot receipt deadline to be no less than twenty (20) days from the date of ballot mailing.

Apprised of these findings, APWU Local 83 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 November 8, 2019. 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 APWU Local 83 officers on April 29, 2019, 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 November 8, 2019.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on April 29, 2019 is not warranted.

Signed this 2nd day of January, 2020.



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



January 2, 2020

[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

U.S. Department of Labor

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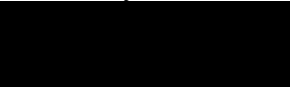
January 2, 2020

Leroy Chapman, President
American Postal Workers Union Local 83
4072-74 Old Gentilly Road
New Orleans, LA 70126

Dear Mr. Chapman:

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




January 2, 2020

Mark Dimondstein, President
American Postal Workers Union
1300 L Street, N.W.
Washington, D.C. 20005

Dear Mr. Dimondstein:

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

Sincerely,


Brian A. Pifer
Chief, Division of Enforcement

Enclosure