

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

DETERMINATION

Determination of a Complaint 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 11, 2020, the Secretary of Labor received a complaint 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 2, 2019, by American Federation of Government Employees Local 1218 in Honolulu, Hawaii.

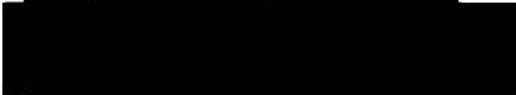
Pursuant to Section 458.50 of the Regulations, the Chief of the Division of Enforcement of the Office of Labor Management Standards (OLMS) caused an investigation to be conducted by the Department of Labor. The investigation disclosed that the conduct of the challenged election may have violated Section 458.29 of the Regulations in that the union failed to provide proper notice of nominations and failed to provide proper notice of election.

Apprised of these findings, American Federation of Government Employees Local 1218 agreed to conduct new nominations and a new election of officers 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 December 18, 2020. 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 American Federation of Government Employees Local 1218 on December 2, 2019, 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 December 18, 2020.

Therefore, enforcement proceedings under Section 458.66 of the Regulations to set aside the election conducted on December 2, 2019 are not warranted.

Signed February 4, 2021.


Tracy L. Shanker
Chief, Division of Enforcement



February 4, 2021

[REDACTED]

Dear [REDACTED]:

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

Sincerely,

[REDACTED]

Tracy L. Shanker
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210



February 4, 2021

Mr. Michael Meserve, President
AFGE, Local 1218
PO Box 30671
Honolulu, Hawaii 96820

Dear Mr. Meserve:

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

Sincerely,

[REDACTED]
Tracy L. Shanker
Chief, Division of Enforcement

Enclosure



February 4, 2021

Dr. Everett Kelley, National President
American Federation of Government Employees
80 F Street, NW
Washington, DC 20001

Dear Dr. Kelley:

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

Sincerely,

[REDACTED]
Tracy L. Shanker
Chief, Division of Enforcement

Enclosure