



January 26, 2021

[REDACTED]

Dear [REDACTED]

This Statement of Reasons is in response to your October 26, 2019, complaint to the Department of Labor alleging that violations of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), occurred in connection with the Screen Actors Guild-American Federation of Television and Radio Artists (SAG-AFTRA) convention election of national vice presidents that concluded on October 11, 2019.

The Department of Labor conducted an investigation of your allegation. As a result of the investigation, the Department concluded that there were no violations of the LMRDA.

You alleged that the union failed to provide adequate safeguards to ensure a fair election in violation of Section 401(c) of the LMRDA. 29 U.S.C. § 481(c). Specifically, you alleged that the union unlawfully permitted non-delegate candidate [REDACTED] access to the delegate welcome reception at the convention on October 10, 2019, and access to the convention floor for the election the following day. You asserted that, in doing so, the union treated [REDACTED] disparately from his opponent and, further, violated the Convention Rules that restricted non-delegates from accessing the convention. [REDACTED] was elected vice president, actor category, by a 68-vote margin over [REDACTED], his only opponent.

The Department's investigation confirmed that [REDACTED] attended the October 10, 2019, delegate welcome reception, and was present on the convention floor for the October 11, 2019 election, even though he was not an elected delegate. According to SAG-AFTRA's Director of Governance, the delegate welcome reception was a campaign event, and the union had not previously had a non-delegate run for a vice president position. The union explained that being an elected delegate is not a prerequisite of candidacy for national SAG-AFTRA office. Before the convention, and consistent with

Title IV safeguards, the union's legal counsel advised the union to allow all candidates equal access to campaign opportunities.

Following its counsel's advice, the union allowed [REDACTED] into the delegate welcome reception. In doing so, the union did not afford [REDACTED] any campaign advantage that [REDACTED] who was a delegate, did not also enjoy. Moreover, the union's decision was not inconsistent with the Convention Rules. The Convention Rules at Section II(B) provided that, "... Members who are neither delegates nor invited guests...may attend designated non-business sessions and Convention workshops." The union's decision to allow [REDACTED] equal access to campaign opportunities during the convention did not violate Section 401(c) of LMRDA. Rather, the union afforded [REDACTED] an equal opportunity to campaign at the convention as the credentialed delegates.

It is concluded that no violation of the LMRDA occurred. Accordingly, the office has closed the file in this matter.

Sincerely,

[REDACTED]

Tracy L. Shanker
Chief, Division of Enforcement

cc: Gabrielle Carteris, President
SAG-AFTRA
5757 Wilshire Boulevard, 7th Floor
Los Angeles, CA 91617

Beverly Dankowitz, Associate Solicitor
Civil Rights and Labor-Management Division