

**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 23, 2019, the Secretary of Labor received a complaint alleging violations of Section 401 of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), in the regularly scheduled election of officers conducted on March 23-25, 2019, by International Association of Machinists and Aerospace Workers (IAM) District Lodge 837 in Hazelwood, Missouri.


Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the union failed to make a reasonable effort to keep its membership mailing list current, which resulted in members not receiving the AeroFacts newsletter containing the notice of election. Additionally, the union failed to resend newsletters that were returned with USPS-provided forwarding addresses. The investigation further found that improper campaigning occurred during a retiree club meeting and at various employer worksite locations. Finally, the investigation found that the union failed to retain absentee ballot return envelopes, in violation of the election records retention requirement.

Apprised of these findings, IAM District Lodge 837 agreed to conduct new nominations and a new election of officers under the supervision of the Secretary of Labor, in accordance with Title IV of the LMRDA. The agreed upon remedial election was concluded on March 27, 2021. 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 conducted by IAM District Lodge 837 on March 23 -25, 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 March 27, 2021.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on March 23 -25, 2019 is not warranted.

Signed June 7, 2021.



Tracy L. Shanker
Chief, Division of Enforcement



May 5, 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



May 5, 2021

Tom Boelling, President
IAM District Lodge 837
212 Utz Lane
Hazelwood, MO 63042

Dear Mr. Boelling:

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

Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

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



May 5, 2021

Robert Martinez, Jr., International President
International Association of Machinists and Aerospace Workers
9000 Machinists Place
Upper Marlboro, MD 20772

Dear Mr. Martinez:

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

Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure