

Statement of Reasons for Dismissing a Complaint
Alleging Amalgamated Transit Union
Improperly Continued a Trusteeship over its Subordinate
Local 1756
Beyond Eighteen Months

The Department of Labor (Department) received a complaint on November 25, 2020, challenging the continuation of a trusteeship imposed by the Amalgamated Transit Union (International) on its subordinate body, Local 1756 (local or Local 1756), on September 12, 2018. The complainant alleged that the continuation of the trusteeship beyond the 18-month presumption of validity violated Section 304 of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), 29 U.S.C. § 464.

Section 304 provides, in relevant part, that a trusteeship which continues after the expiration of eighteen months shall be presumed invalid and its discontinuance shall be decreed unless the labor organization shows by clear and convincing proof that the trusteeship's continuation is necessary for a purpose allowable under section 302. 29 U.S.C. § 464. Section 302 authorizes the imposition of trusteeship over a subordinate body for the purpose of correcting corruption or financial malpractice, assuring performance of a collective bargaining agreement or other duties of bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of the parent body. 29 U.S.C. § 462.

The Department's investigation confirmed that the International imposed a trusteeship over Local 1756 on September 12, 2018, for a purpose allowable under section 302. That period of presumed validity expired on March 12, 2020. In a May 22, 2020 letter, the Department confirmed its earlier conversation with International Trustee Dennis Antonellis, noting first and foremost the expiration of the trusteeship's period of presumed validity. The Department reiterated its understanding that the local planned to conduct a new election to lift the trusteeship but acknowledged COVID-19's safety restrictions may impair holding any membership meetings. The Department's understanding, captured in that communication, was that despite these COVID-19 restrictions, the local intended to hold its nominations meeting in August, with the election in September 2020 and the installation of officers the following month.

Although various circumstances caused delays, ultimately, the International held a new officer election on December 7, 2020, and a run-off election on December 23, 2020. The International lifted the trusteeship on December 28, 2020, when newly elected officers were installed. On February 3, 2021, the International filed the requisite LM-16 Form attesting to the restoration of Local 1756's full autonomy. The Department confirmed that the local's autonomy has been fully restored.

For the reasons set forth above, the complaint is dismissed.



May 14, 2021

John Costa, International President
Amalgamated Transit Union (ATU)
10000 New Hampshire Avenue
Silver Spring, MD 20903-1706

Dear Mr. Costa:

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, as amended (LMRDA), occurred with respect to the imposition of a trusteeship by the ATU over Local 1756, in El Monte, California.

Pursuant to Sections 304 and 601 of the LMRDA, an investigation was conducted by the Office of Labor-Management Standards. After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we have determined that legal action is not warranted in this case. We are, therefore, closing our file as of this date. The basis for this decision is set forth in the enclosed Statement of Reasons.

Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure

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



May 14, 2021

[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), occurred with respect to the imposition of a trusteeship by the Amalgamated Transit Union (ATU), over Local 1756, in El Monte, California.

Pursuant to Sections 304 and 601 of the LMRDA, an investigation was conducted by the Office of Labor-Management Standards. After carefully reviewing the investigative findings, and after consulting with the Solicitor of Labor, we have determined that legal action is not warranted in this case. We are, therefore, closing our file as of this date. The basis for this decision is set forth in the enclosed Statement of Reasons.

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[REDACTED]

Tracy L. Shanker
Chief, Division of Enforcement

Enclosure

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