

092 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 March 21, 2022, 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 December 7, 2021, by American Postal Workers Union (APWU) Local 1291 in Petaluma, California.


Pursuant to Sections 402 and 601 of the LMRDA, the Department of Labor conducted an investigation. The investigation disclosed that the local union denied the complainant, a member in good standing, the opportunity to nominate and be nominated in violation of Section 401(e) of the LMRDA.

Apprised of these findings, APWU Local 1291 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 November 9, 2022. 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 APWU Local 1291 on December 7, 2021, 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 9, 2022.

Therefore, civil action under Section 402(b) of the LMRDA to set aside the election conducted on December 7, 2021 is not warranted.

Signed December 20, 2022.



Tracy L. Shanker
Chief, Division of Enforcement

U.S. Department of Labor

Office of Labor-Management Standards
Suite N-5119
200 Constitution Ave., NW
Washington, D.C. 20210
(202) 693-0143



December 20, 2022

Tracy Blakely, President
American Postal Workers Union, Local 1291
P.O. Box 750174
Petaluma, CA 94975

Dear Ms. Blakely:

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

Sincerely,

[Redacted signature block]

Tracy L. Shanker
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Suite N-5119
200 Constitution Ave., NW
Washington, D.C. 20210
(202) 693-0143




December 20, 2022

Mark Dimondstein, President
American Postal Workers Union
1300 L Street, NW
Washington, DC 20005

Dear Mr. Dimondstein:

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

Sincerely,


Tracy L. Shanker
Chief, Division of Enforcement

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Washington, D.C. 20210
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December 20, 2022

[Redacted]

Dear [Redacted]:

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

Sincerely,

[Redacted Signature]

Tracy L. Shanker
Chief, Division of Enforcement

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U.S. Department of Labor

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Washington, D.C. 20210
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December 20, 2022

[Redacted]

Dear [Redacted]:

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

Sincerely,

[Redacted Signature]

Tracy L. Shanker
Chief, Division of Enforcement

Enclosure