

**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 August 25, 2023, the Secretary of Labor received a complaint alleging a violation 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, regarding a failure to hold an election of local officers, by American Federation of Government Employees (AFGE) Local 2453 in Jacksonville, Florida.

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 AFGE Local 2453 violated Section 458.29 of the Regulations in that it failed to hold an election of officers since the union's most recent election in 2018 which caused the serving officers' terms of office to extend beyond the prescribed term in violation of Section 401(b) of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), as incorporated by the CSRA. 29 C.F.R. 458.29.

Apprised of these findings, AFGE Local 2453 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 January 17, 2024. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Section 458.29 of the Regulations occurred by the failure of American Federation of Government Employees Local 2453 to hold an election of officers in accordance with Section 401(b) of the LMRDA, 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 January 17, 2024.

Therefore, enforcement proceedings under Section 458.66 of the Regulations are not warranted.

Signed April 10, 2024.



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



April 10, 2024



Dear [REDACTED]:

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
Suite N-5119
200 Constitution Ave., NW
Washington, D.C. 20210
(202) 693-0143



April 10, 2024

Brian Padley, President
American Federation of Government Employees Local 2453
P.O. Box 280103 Mayport Naval Station
Jacksonville, FL 32228

Dear President Padley:

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
Suite N-5119
200 Constitution Ave., NW
Washington, D.C. 20210
(202) 693-0143



April 10, 2024

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

Dear President Kelley:

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

Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

Enclosure