

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 19, 2023



Dear [REDACTED]:

This Statement of Reasons is in response to your complaint filed with the U.S. Department of Labor (Department) alleging that a violation of Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), 29 U.S.C. §§ 481-483, occurred in connection with the original election of officers conducted by the International Brotherhood of Teamsters, Local Union 988 (Local 988) on October 15, 2022.

The Department conducted an investigation of your allegations. As a result of the investigation, the Department has concluded, with respect to each of your allegations, that there was no violation of the LMRDA that may have affected the outcome of the election.

You alleged that members placed their voted ballots in collection boxes at United Parcel Service (UPS) hubs, which were picked up by union business agents, rather than mailing them to the designated post office box. As a related matter, you alleged that union business agent Larry Erlich told new members that they would receive more work if they put their blank unmarked ballots in collection boxes at the Mykawa UPS hub where supervisors monitored the boxes. Section 401(c) of the LMRDA requires that unions provide adequate safeguards to ensure a fair election. 29 U.S.C. § 481(c).

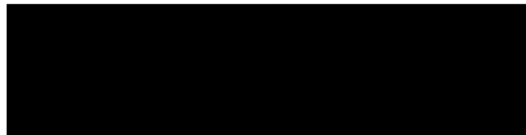
The challenged election was a mail ballot election that was conducted by Global Election Services (GES). The nominations and election notices, as well as the voting instructions contained in each ballot package, notified members that voted ballots must be returned by U.S. mail in the business reply mail envelope that was pre-addressed to a post office box in Houston, Texas. Contrary to your allegations, the investigation revealed no evidence of designated boxes being placed at UPS hubs to collect ballots during the election. Further, you stated that you did not see any collection boxes or witness any members placing a voted or unvoted ballots in a collection box. Local 988 President Robert Mele stated that he was not aware of any union officers, stewards, or UPS supervisors who collected blank/unvoted or voted ballots. President Mele further

stated that no information was communicated to members that instructed them to give their ballots to anyone or to place ballots in collection boxes. The voting instructions were clear.

During its investigation, the Department also interviewed your slate members and Local 988 members who supported your campaign. During these interviews no one stated that they saw ballot collection boxes inside UPS hubs, nor did they witness any Local 988 business agents, stewards, or UPS supervisors collecting ballots. While you provided the names of six people who allegedly placed their ballots in such collection boxes, the Department established that none of these six individuals were on the membership or voter eligibility lists, and there was no indication that they voted in the challenged election. There is no evidence of a violation.

For the reasons set forth above, the Department has concluded that there was no violation of Title IV of the LMRDA that may have affected the outcome of the election, and I have closed the file regarding this matter.


Sincerely,



Tracy L. Shanker
Chief, Division of Enforcement

cc: Sean M. O'Brien, General President
International Brotherhood of Teamsters
25 Louisiana Avenue, N.W.
Washington, DC 20001

Robert Mele, Business Manager
4303 N Sam Houston Pkwy. E
Houston, TX 77032

, Associate Solicitor
Civil Rights and Labor-Management Division