

**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 Assistant Secretary's 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 March 15, 2016, the Secretary of Labor received a complaint alleging violations of Section 458.29 of the Rules and Regulations of the Assistant Secretary issued pursuant to Section 7120(d) of the Civil Service Reform Act of 1978 (CSRA), in the regularly scheduled election of officers conducted on November 19, 2015, by American Federation of Government Employees Local 2595 in Yuma, AZ.

Pursuant to Section 458.50 of the Rules and 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 the conduct of the challenged election may have violated Section 458.29 of the Rules and Regulations in that (1) the local failed to provide members a reasonable opportunity to nominate and elect candidates (2) the local failed to update its membership list resulting in certain members being denied the right to vote; (3) the local failed to afford candidates a reasonable amount of time before the ballot mailing to campaign (4) the local failed to conduct its election in conformity with the constitution and bylaws when the local failed to select the election committee at a regular membership meeting and when the election committee failed to meet in a reasonable amount of time before the commencement of the nomination process.

Apprised of these findings, AFGE Local 2595 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 Rules and Regulations of the Assistant Secretary. The agreed upon remedial election was concluded on August 10, 2016. It is, therefore,

DETERMINED, that there is probable cause to believe that violations of Section 458.29 of the Rules and Regulations occurred which may have affected the outcome of the election conducted by American Federation of Government Employees Local 2595 on November 19, 2015, 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 July 27, 2016.

Therefore, enforcement proceedings under Section 458.66 of the Rules and Regulations of the Assistant Secretary to set aside the election conducted on November 19, 2015 are not warranted.

Signed this 8th day of September 2016.

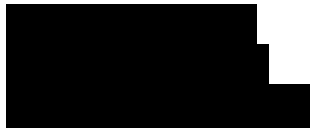
Sharon Hanley
Chief, Division of Enforcement

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



September 8, 2016



Dear [REDACTED]:

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

Sincerely,

Sharon Hanley
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



September 8, 2016

J. David Cox, Sr., National President
American Federation of Government Employees, AFL-CIO
80 F Street, NW
Washington, DC 20001

Dear Mr. Cox:

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

Sincerely,

Sharon Hanley
Chief, Division of Enforcement

Enclosure

U.S. Department of Labor

Office of Labor-Management Standards
Division of Enforcement
Washington, DC 20210
(202) 693-0143 Fax: (202) 693-1343



September 8, 2016

Mr. Mario Campos, President
AFGE Local 2595
3780 S. 4th Ave., Suite D2
Yuma, AZ 85365

Dear Campos:

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

Sincerely,

Sharon Hanley
Chief, Division of Enforcement

Enclosure