



June 8, 2017

[REDACTED]

Dear [REDACTED]:

This Statement of Reasons is in response to your complaint filed on February 27, 2017, with the United States Department of Labor alleging that violations of Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA or Act) occurred in connection with the election of officers of International Alliance of Theatrical Stage Employees Local 600 (Local 600 or Union), conducted on April 29, 2016.

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

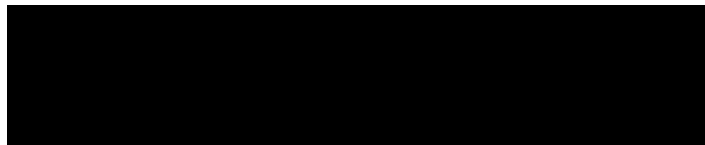
You alleged that Local 600, which is a local union with a nation-wide membership, unlawfully failed to hold elections for the positions of National Executive Director, Western Regional Director, Central Regional Director, Eastern Regional Director, and Business Representatives. Section 401(b) of the LMRDA requires local labor organizations to "elect its officers not less often than once every three years." Section 3(n) of the LMRDA defines "officer" to include "any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body." Professional and other staff members of a union who do not determine the organization's policies or carry on its executive functions and who are employed merely to implement policy decisions and managerial directives established by the governing officials of the union are not officers and are not required to be elected. 29 C.F.R. § 452.20(b).

Article 3, Section 1 of the Union's constitution and bylaws identify eight officer positions. None of the positions challenged here are listed, and the challenged positions are, therefore, not constitutional officers. The investigation also revealed that the National Executive Director, Western Regional Director, Central Regional Director,

Eastern Regional Director, and Business Representatives are not officer positions because they are not members of the National Executive Board. Rather, they are professional or staff members of the union who do not perform executive functions or the functions of the officers identified in the LMRDA. For example, the National Executive Director, regional directors, and business representatives do not determine union policy, vote on union issues, negotiate collective bargaining agreements (CBAs), or manage the finances or budget of the Union. These positions merely implement policy decisions and managerial directives determined by the National Executive Board and the elected officers. Therefore, there was no violation of the Act.

As a result of the investigation, the Department has concluded that there was no violation of the Act affecting the outcome of the election in connection with your allegations. Accordingly, I have closed the file on this matter.

Sincerely,



Sharon Hanley
Chief, Division of Enforcement

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