



In the Matter of:

**MARK WHEELER,
DISTRICT DIRECTOR,
WASHINGTON DISTRICT OFFICE,
OFFICE OF LABOR-MANAGEMENT
STANDARDS, UNITED STATES
DEPARTMENT OF LABOR,**

ARB CASE NO. 2019-0030

ALJ CASE NO. 2018-SOC-00002

DATE: FEB 14 2019

COMPLAINANT,

v.

**AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES,
LOCAL 3147,**

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

FINAL DECISION AND ORDER

On January 15, 2019, a Department of Labor Administrative Law Judge (ALJ) entered a Recommended Decision and Order Granting Complainant's Motion for Entry of Default Judgment Against Respondent (R. D. & O.) in this case arising under Title VII of the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. § 7101 *et seq.* (1978); the Labor-Management Reporting and Disclosure Act (LMRDA), 29 U.S.C. §§ 401-531 (2000); and implementing regulations, 29 C.F.R. Parts 457-459 (Standards of Conduct) (2018).

The applicable regulations provide that any party may file exceptions to the Administrative Law Judge's recommended decision and order with the Administrative Review Board (the ARB or Board) within fifteen days after service of the recommended decision and order.¹ No party has filed exceptions to the R. D. & O. If no party files timely exceptions, the

¹ 29 C.F.R. § 458.88 (c). The regulations also provide that the ALJ will transfer the case to the ARB including the recommended decision and order and the record. 29 C.F.R. §458.88 (b). The ARB received the R. D. & O. on January 16, 2019.

ARB may, at its discretion, adopt the ALJ's recommended decision and order without discussion.² Upon notification to the parties, the ALJ's recommended decision automatically becomes the ARB's final decision.³ This order constitutes notice to the parties that, no exceptions having been timely filed, the Board hereby **ADOPTS** the ALJ's R. D. & O. as the final decision in this case.

FOR THE ADMINISTRATIVE REVIEW BOARD:



William T. Barto
Chief Administrative Appeals Judge

² 29 C.F.R. § 458.91(a).

³ *Id.*