

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Joseph Harrison and Stephen Mazza v. Local One, International Union of Elevator Constructors of New York and New Jersey, AFL-CIO, Leonard Legotte, and International Union of Elevator Constructors

24-CV-08619 (HG) (E.D.N.Y. Dec. 18, 2025) · No. 24-CV-08619 (HG) · Decided December 18, 2025

SUMMARY

The United States District Court for the Eastern District of New York considers motions to dismiss claims arising from an intra-union dispute. Plaintiffs alleged that union defendants violated their rights under the Labor Management Reporting and Disclosure Act through retaliation, denial of a fair disciplinary hearing, and related state-law conduct. The court grants defendants’ motions and dismisses the Second Amended Complaint in its entirety.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Hector Gonzalez
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	December 18, 2025
DOCKET	24-CV-08619 (HG)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss plaintiffs' second amended complaint asserting claims under the Labor Management Reporting and Disclosure Act, the IUEC Constitution, and state-law breach of contract.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts factual allegations as true and draws reasonable inferences in plaintiffs' favor, but disregards legal conclusions and requires facts sufficient to state a facially plausible claim.
PRECEDENTIAL VALUE	unpublished

TOPICS

labor law

civil rights

motions to dismiss

civil procedure

PRACTICE AREAS

labor law

civil rights

civil procedure

employment law

QUESTIONS PRESENTED

1. Whether Mazza stated an LMRDA Section 609 claim based on his geographic reassignment and removal from a union trustee position.
2. Whether Mazza stated an LMRDA Section 101(a)(2) and Section 102 claim based on alleged retaliation for investigating union misconduct and supporting a candidate.
3. Whether Harrison stated an LMRDA Section 609 claim based on his charges and expulsion.
4. Whether Harrison stated an LMRDA Section 101(a)(2) claim by alleging that his discipline was retaliation for supporting a union election candidate.
5. Whether Harrison was denied the written specific charges, reasonable preparation time, full and fair hearing, and impartial tribunal required by LMRDA Section 101(a)(5).
6. Whether Harrison stated a claim for violation of the IUEC Constitution.
7. Whether the court should exercise supplemental jurisdiction over Harrison's state-law breach of contract claim after dismissing all federal claims.

HOLDINGS

1. Mazza's reassignment as a business agent and removal from a benefit-fund trustee position did not constitute discipline under Section 609 because those actions affected only his union employment or appointed office, not his status or rights as a union member.
2. Mazza failed to state a Section 101(a)(2) claim because he did not adequately allege that his speech occurred in the union democratic process or that the challenged actions were causally connected to protected speech or part of a series of acts designed to suppress union dissent.
3. Harrison failed to state a Section 609 claim because the complaint and attached exhibits showed that his discipline was based on conceded misconduct at a union conference, not on the exercise of protected LMRDA rights.
4. Harrison failed to state a Section 101(a)(2) claim because he did not allege a direct nexus between protected activity and his discipline; his conceded misconduct provided an obvious alternative explanation, temporal proximity was insufficient, and the IUEC was not alleged to know about his election-related speech.
5. Harrison received adequate notice of the disciplinary charges because the written charges identified the nature and factual basis of the alleged misconduct, and service by properly addressed certified mail together with email constituted reasonable notice.
6. Harrison failed to allege that the IUEC trial board was biased because the appointment of hearing officers by a person who also testified did not, without specific factual allegations of improper motive or

actual bias, establish an unfair hearing.

7. Harrison failed to state a claim for violation of the IUEC Constitution because, even assuming the charging procedure violated the Constitution, he was not deprived of a full and fair hearing.
8. The court declined to exercise supplemental jurisdiction over Harrison's state-law breach of contract claim after dismissing all claims within the court's original jurisdiction.

KEY QUOTATIONS

“For the foregoing reasons, the Court GRANTS Defendants’ motions, ECF Nos. 52, 54, and DISMISSES Plaintiffs’ SAC in its entirety pursuant to Rule 12(b)(6).” (Conclusion)

“Section 609 encompasses only “punitive actions taken against union members as members.”” (Discussion § I.A.i)

“Taking the properly addressed certified mail and email together, the Court finds that the IUEC made reasonable and proper efforts to notify Harrison of the charges.” (Discussion § II.A)

FACTUAL BACKGROUND

Joseph Harrison, a former Local One vice president and business agent, engaged in allegedly inappropriate conduct at a 2023 union conference and later supported Andy Schrettner in a Local One election. The IUEC charged Harrison with misconduct, held a disciplinary hearing in his absence, expelled him, and barred him from union office for five years; Harrison appealed to the IUEC General Executive Board, which rejected his appeal. Stephen Mazza, another Local One officer who supported Schrettner and investigated alleged intimidation by a union organizer, was reassigned geographically and removed from a benefit-fund trustee position. Plaintiffs alleged that these actions violated their LMRDA speech and due-process rights and related union constitutional and contract rights.

PROCEDURAL HISTORY

Plaintiffs filed the action on December 17, 2024, and amended their complaint on January 2, 2025. The court denied an initial motion to amend and a motion for a preliminary injunction, later granted plaintiffs leave to file a second amended complaint, and defendants moved to dismiss that complaint. The court granted the motions to dismiss, dismissed all federal claims with prejudice under Rule 12(b)(6), declined supplemental jurisdiction over the state-law contract claim, dismissed that claim without prejudice, and directed entry of judgment and closure of the case.

DISPOSITION

dismissed

CASES CITED

- *Maddalone v. Local 17, United Brotherhood of Carpenters & Joiners of America*, 152 F.3d 178, 183-84 (2d Cir. 1998)
- *Chambers v. Time Warner*, 282 F.3d 147, 152 (2d Cir. 2002)

- In re Hain Celestial Group, Inc. Securities Litigation, 20 F.4th 131, 133 (2d Cir. 2021)
- Holmes v. Grubman, 568 F.3d 329, 335 (2d Cir. 2009)
- Johnson v. Mount Sinai Hospital Group, 2024 WL 3289475, at *1 (2d Cir. July 3, 2024)
- Matson v. Board of Education, 631 F.3d 57, 63 (2d Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Kittay v. Kornstein, 230 F.3d 531, 541 (2d Cir. 2000)
- Finnegan v. Leu, 456 U.S. 431, 437-39 (1982)
- Ulrich v. Soft Drink, Brewery Workers & Delivery Employees, Industrial Employees, Warehousemen, Helpers & Miscellaneous Workers, Greater New York & Vicinity, Local Union No. 812, 2019 WL 1228056, at *24-25 (S.D.N.Y. Mar. 15, 2019)
- Franza v. International Brotherhood of Teamsters, Local 671, 869 F.2d 41, 45, 48 (2d Cir. 1989)
- Cotter v. Owens, 753 F.2d 223, 229-30 (2d Cir. 1985)
- Commer v. Keller, 64 F. Supp. 2d 266, 271-72 (S.D.N.Y. 1999)
- Sheet Metal Workers' International Association v. Lynn, 488 U.S. 347, 350 (1989)
- Grant v. Communications Workers of America, Local 1101, 2017 WL 6000605, at *5-6 (S.D.N.Y. Dec. 1, 2017)
- Monaco v. Smith, 2004 WL 203009, at *10 (S.D.N.Y. Feb. 2, 2004)
- King v. City of New York, 2023 WL 2398679, at *2 (2d Cir. Mar. 8, 2023)
- Chevalier v. Civil Service Employees Association, Inc., 2011 WL 1298739, at *8 (N.D.N.Y. Mar. 31, 2011)
- Vars v. International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers, 320 F.2d 576, 578 (2d Cir. 1963)
- United States v. International Brotherhood of Teamsters, 247 F.3d 370, 385, 387 (2d Cir. 2001)
- Kuebler v. Cleveland Lithographers & Photoengravers Union Local 24-P, 473 F.2d 359, 363-64 (6th Cir. 1973)
- Mayle v. Laborers' International Union of North America Local 1015, 866 F.2d 144, 146 (6th Cir. 1989)
- Wildberger v. American Federation of Government Employees, AFL-CIO, 86 F.3d 1188, 1193 (D.C. Cir. 1996)
- Kuehne v. Local No. 1, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, 2012 WL 13102327, at *4-5 (E.D.N.Y. Feb. 15, 2012)
- International Brotherhood of Boilermakers, Iron Shipbuilders, Forgers, and Helpers, AFL-CIO v. Hardeman, 401 U.S. 233, 245 (1971)
- Gleason v. Chain Service Restaurant, 422 F.2d 342, 343 (2d Cir. 1970)
- Kent v. New York State Public Employees Federation, AFL-CIO, 612 F. Supp. 3d 50, 67 (N.D.N.Y. 2020)
- Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950)
- Reilly v. Sheet Metal Workers' International Association, AFL-CIO, 488 F. Supp. 1121, 1126 (S.D.N.Y. 1980)
- Piacente v. International Union of Bricklayers & Allied Craftworkers, 2015 WL 5730095, at *10, *13 (S.D.N.Y. Sept. 30, 2015)

- United States v. International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America, 2007 WL 2319129, at *4 (S.D.N.Y. Aug. 9, 2007)
- Rowan v. Laborers International Union of North America, 2012 WL 3203046, at *15 (E.D.N.Y. Aug. 3, 2012)
- Wooddell v. International Brotherhood of Electrical Workers, 502 U.S. 93, 101 (1991)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 173 (1997)
- In re Merrill Lynch Limited Partnerships Litigation, 154 F.3d 56, 61 (2d Cir. 1998)
- Gallop v. Cheney, 642 F.3d 364, 369 (2d Cir. 2011)
- Williams v. Calderoni, 2012 WL 691832, at *8 (S.D.N.Y. 2012)
- Harris v. Westchester County Medical Center, 2011 WL 2637429, at *4 (S.D.N.Y. July 6, 2011)

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