

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Seattle District Office
1111 Third Ave, Suite 605
Seattle, WA 98101
(206) 398-8099 / FAX: (206) 398-8090



April 22, 2005

Rohil Kumar
PO Box 69447
Seattle, WA 98168

Re:

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Dear Rohil Kumar:

This office has recently completed an audit of Machinists AFL-CIO LLG 1351 under the Compliance Audit Program (CAP) to determine your organization's compliance with the provisions of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA). As discussed during the exit interview with Rohil Kumar and John Straub on April 22, 2005, the following problems were disclosed during the CAP. The matters listed below are not an exhaustive list of all possible problem areas since the audit conducted was limited in scope.

The CAP disclosed the following problems with the LM-3 filed for 2003.

Question 17 is incorrectly marked "No". This question should be marked "Yes" if during the reporting period your organization paid any employee salary, allowances, and other expenses which, together with any payments from affiliates, totaled more than \$10,000. The instructions for question 17 state to answer "yes" if "any employee of your organization received more than \$10,000 in gross salaries, allowances, and other direct and indirect disbursements during the reporting period". During 2003, LLG 1351 had an employee whose salary was \$13,200 for the year. Therefore, question 17 should be marked "Yes" and the employee's information (name, position, and any other affiliated labor organizations which made disbursements to or on behalf of the employee, if any) needs to be included in item 56. This discrepancy has been corrected on the amended LM-3 completed by your organization.

As a clarifying note, if an employee is paid \$10,000 or more through direct or indirect disbursements, question 17 should be answered "Yes" if there was only one employer during the reporting period or if the employee also received disbursements from affiliates along with the salary from your organization. If the employee received \$10,000 or more combined with disbursements from affiliates or solely by your organization, question 17 should be answered "Yes" and item 56 should be completed accordingly.

Question 21 is incorrectly marked "No". The bylaws that were submitted during the opening interview on April 04, 2005 show that the bylaws were revised on 3/28/03 and took effect on 4/01/03. Since the bylaws were changed in 2003, question 21 should be marked "Yes". Question 21 has been corrected on the amended LM-3 filed by your organization.

The CAP disclosed a violation of LMRDA section 201(a) which requires that unions submit a copy of their current constitution and bylaws with its LM report when bylaw changes are made. LLG 1351 amended its constitution in 2001 and bylaws in 2003, but a copy of the constitution and bylaws was not filed with LLG 1351's LM-3 report for those years. Two copies of LLG 1351's constitution and bylaws have now been filed.

In item 24 the disbursements to officers section is incorrect. Item 24 should reflect the total disbursements to each officer minus the defined exceptions. The amended LM-3 filed for your organization shows the correct disbursements to officers in item 24.

I want to extend my personal appreciation for your and your entire staff's cooperation and courtesy during this compliance audit. If we can be of any assistance in the future, please do not hesitate to call.

Sincerely,



Michael Duvall
District Director