

U.S. Department of Labor  
Cleveland District Office

Employment Standards Administration  
Office of Labor-Management Standards  
Cleveland District Office  
1240 East Ninth Street, Room 831  
Cleveland, Ohio 44199



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APR 12 21 2005

Brent McCoy, Secretary-Treasurer  
Locomotive Engineers, AFL-CIO  
P.O. Box 804  
Hilliard, Ohio 43026

Re: 2

Dear Mr. McCoy:

This office has recently completed an audit of Locomotive Engineers, Division 234 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, as Amended (LMRDA). As discussed during the exit interview with you on March 28, 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 violation of LMRDA section 201(b), because the Labor Organization Annual Report Form LM-3 filed by Division 234 for fiscal year ending December 31, 2003 was deficient in a number of areas including the failure to report lost wages paid to officers in item 24, column (D) of the LM 3 report. As mentioned at the exit interview, the union erroneously reported disbursements in items 47, 48, and 55. You stated that the above LM-3 report figures were provided by your predecessor and that you would review the financial records of the division and file an amended report. This office received an amended LM-3 report for 2003 with the cited deficiencies corrected. Therefore, no additional enforcement action will be taken regarding this matter.

In addition, the CAP revealed a violation of Section 206 of the LMRDA because adequate and complete records, specifically the receipts and disbursements ledger, were not maintained. Such records are required by law to be maintained for a period of five years after filing of the LM report based on the information they contain. Because you agreed to maintain such records in the future, no additional action is being considered at this time.

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,

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Investigator

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