

U.S. Department of Labor

Employment Standards Administration  
Office of Labor-Management Standards  
Nashville District Office  
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July 19, 2005

Benji King, Secretary/Treasurer  
United Food & Commercial Workers  
Local Union 88T  
1821 Sherman Street  
Decatur, AL 35601

Re: 2

Dear Mr. King:

This office has recently completed an audit of the United Food & Commercial Workers, Local Union 88T, 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 you and President, Rickey Bolan on July 14, 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 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. Local 88T amended its constitution and bylaws in 2004, but a copy of the constitution and bylaws was not filed with Local 88T's LM-3 report for that year. No further action is required since a copy of the current constitution and bylaws has been received.

The CAP also disclosed a violation of LMRDA section 201(b), because the Labor Organization Annual Report (Form LM-3) filed by Local 88T for fiscal year ending October 31, 2004 was deficient. All direct disbursements to your union's officers and some indirect disbursements made by your organization on behalf of its officers must be included in the amounts reported in item 24. A "direct disbursement" to an officer is a payment made by your organization to an officer in the form of cash, property, goods, services, or other things of value. An "indirect disbursement" to an officer is a payment made by your organization to another party (including credit card companies) for cash, property, goods, services, or other things of value received by or on behalf of an officer.

In Local 88T's case, expenses such as per diem and reimbursements paid directly to officers should have been reported in item 24, column E, Allowances and Other Disbursements on the Form LM-3 Report. I am not requiring that Local 88T to file an amended LM-3 report for 2004 to correct the deficient items, but as agreed, your union will properly report the deficient items on all future reports filed with this agency.

King  
July 18, 2005  
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I strongly recommend that you make sure that this letter and the compliance assistance materials that were provided to you are passed on to yours and Mr. Bolan's successors at whatever time you may leave office.

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

cc: Rickey Bolan, President