

**U.S. Department of Labor**

Employment Standards Administration  
Office of Labor-Management Standards  
Dallas District Office  
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June 13, 2008

Mr. Bobby Whitehorn, President  
Communications Workers, AFL-CIO  
Local 1106  
Professional Building, Suite 8  
Forrest City, AR 72335

Re: Case Number: [REDACTED]

Dear Mr. Whitehorn:

This office has recently completed an audit of CWA Local 1106 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 Bobby Whitehorn and Lorene Oliver on February 28, 2008, 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.

Other Issues

1. Meeting Minutes

Meeting minutes presented for inspection revealed that only January, February, March, May, and September 2007 were prepared. You stated you were unable to find meeting minutes for October, November, and December 2006, as well as, April, June, July, and August 2007, which probably did not take place for lack of quorum. According to Local 1106 Constitution and Bylaws, under Article V, Section 4 (A) -Duties of the Recording Secretary are to keep all records of the meetings of the Local, Executive Board, and Negotiating Committee. The recording secretary failed to keep records of meeting minutes, and/or to make a notation that in certain month no meeting took place.

2. Property Inventory List

A two-page Property Inventory List, dated October 18, 2002 was presented for inspection during the initial interview. You stated that an updated list pertaining to FYE 09/30/2007 was not available. Although you do not have to update the list, it would be a good practice to maintain an updated list. The Local's Constitution and Bylaws, Article V, Section 6 (B) state that the duties of trustees are to safeguard all properties of the Local.

3. Internal Audits

A two-page Audit of Financial Books, dated March 22, 2007 was presented for inspection during the initial interview. You stated that such audit was performed by the trustees and pertained to fiscal year ending 09/30/2007. However, the audit encompassed calendar year 2006, not Local's fiscal year ending 09/30/2007. The Local 1106 Constitution and Bylaws, Article V, Section 6 (A) recommends that audits should take place at least three times a year.

4. Delinquent Report

Although a certified public accountant handles all your financial books, Local 1106 was delinquent with Form LM-3 Labor Organization Annual Report for fiscal year ending 09/30/2007. During the Exit Interview on February 28, 2008, you agreed to mail the original LM-3 report to OLMS by Monday, March 3, 2008. However, OLMS received a completed LM-3 report on May 27, 2008.

The law requires the President and Treasurer, or corresponding principal officers, of each labor organization to file an annual financial report with this agency within 90 days after the close of each reporting year. In addition, any labor organization which ceases to exist must file a terminal financial report within 30 days after such action.

Based on your assurance that Local 1106 will retain adequate documentation in the future and will submit a LM-3 report timely, OLMS will take no further enforcement action at this time regarding the above violations.

Mr. Bobby Whitehorn  
June 13, 2008  
Page 3 of 3

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,



Investigator

cc: Lorene Oliver, Treasurer