

U.S. Department of Labor

Office of Labor-Management Standards
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March 4, 2010

Mr. Keith Marshall, President
Stage and Picture Operators, AFL-CIO
Local 311
P.O. Box 192
Washingtonville, NY 10992

LM File Number: 040-863

Case Number: [REDACTED]

Dear Mr. Marshall:

This office has recently completed an audit of the Stage and Picture Operators, Local 311, under the Compliance Audit Program (CAP) to determine your organization's compliance with the provisions of the Labor-Management Reporting and Disclosure Act (LMRDA). As discussed during the exit interview with you and Michael Brennan, Business Agent, on March 4, 2010, 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 audit disclosed the following:

Recordkeeping Violations

Title II of the LMRDA establishes certain reporting and recordkeeping requirements. Section 206 requires, among other things, that adequate records be maintained for at least 5 years by which each receipt and disbursement of funds, as well as all account balances, can be verified, explained, and clarified. As a general rule, all records used or received in the course of union business must be retained. This includes, in the case of disbursements, not only the retention of original bills, invoices, receipts, and vouchers, but also adequate additional documentation, if necessary, showing the nature of the union business requiring the disbursement, the goods or services received, and the identity of the recipient(s) of the goods or services. In most instances, this documentation requirement can be satisfied with a sufficiently descriptive expense receipt or invoice. If an expense receipt is not sufficiently descriptive, a note can be written on it providing the additional information. An exception may be made only in

those cases where 1) other equally descriptive documentation has been maintained, and 2) there is evidence of actual oversight and control over disbursements.

In the case of receipts, the date, amount, purpose, and source of all money received by the union must be recorded in at least one union record. Bank records must also be retained for all accounts.

The audit of Local 311's records revealed the following recordkeeping violation:

The union failed to maintain adequate supporting documentation for numerous disbursements made during the year-ended December 31, 2008. The union voluntarily agreed to comply with Section 206 of the LMRDA, therefore no further enforcement action will be necessary.

Other

It was determined that Hudson Valley Productions, Inc., is a subsidiary of Local 311. Hudson Valley Productions, Inc., was initially funded by Local 311, is governed by the officers of Local 311, and operates for the benefit of the membership.

I want to extend my personal appreciation to the Stage and Picture Operators, Local 311, for the cooperation and courtesy extended during this compliance audit. I strongly recommend that you make sure this letter and the compliance assistance materials provided to you are passed on to future officers. If we can provide any additional assistance, please do not hesitate to call.

Sincerely,



Investigator

cc: M. Brennan, Business Agent