

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Pittsburgh District Office
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March 24, 2009

Mr. Thomas Nieri, Treasurer
Electrical Workers IBEW AFL-CIO
Local 1956
401 Wood Street
Suite 402
Pittsburgh, PA 15222-1839

LM File Number 010-776
Case Number: [REDACTED]

Dear Mr. Nieri:

This office has recently completed an audit of IBEW Local 1956 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 Recording Secretary Dennis Mosco on March 23, 2009, 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.

Recordkeeping Violations

Title II of the LMRDA establishes certain reporting and recordkeeping requirements. Section 206 requires, among other things, that labor organizations maintain adequate records for at least five 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, labor organizations must maintain all records used or received in the course of union business.

For disbursements, this includes not only original bills, invoices, receipts, vouchers, and applicable resolutions, but also documentation 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 union officer or employee should write a note on it providing the additional information. For money it receives, the labor organization must keep at least one record showing the date, amount, purpose, and source of that money. The labor organization must also retain bank records for all accounts.

The audit of Local 1956's 2008 records revealed the following recordkeeping violations:

1. General Reimbursed Expenses

Local 1956 did not retain adequate documentation for reimbursed expenses incurred by Recording Secretary Dennis Mosco totaling at least \$9. For example, Recording Secretary Mosco was reimbursed for the purchase of a retirement card and postage, but failed to maintain the receipts.

As previously noted above, labor organizations must retain original receipts, bills, and vouchers for all disbursements. The president and treasurer (or corresponding principal officers) of your union, who are required to sign your union's LM report, are responsible for properly maintaining union records.

2. Failure to Record Receipts

Local 1956 did not record in its receipts records an employer dues checkoff check and interest received totaling at least \$1,933. For example, a direct deposit dues payment, totaling \$1,932.61, received on June 12, 2008, was not recorded on Local 1956's books. Union receipts records must include an adequate identification of all money the union receives. The records should show the date and amount received, and the source of the money.

Based on your assurance that Local 1956 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

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I want to extend my personal appreciation to IBEW Local 1956 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: Acting President Stanley Bates
Recording Secretary Dennis Mosco