

U.S. Department of Labor

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Office of Labor-Management Standards
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June 12, 2007

Mr. Raymond F. Dill, President/Business Manager
Laborers Local 141
1645 Seabrook Rd.
Dayton, OH 45432-3531

LM File Number: 526-729

Case Number: [REDACTED]

Dear Mr. Dill:

This office has recently completed an audit of Laborers Local 141 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 Secretary-Treasurer Beverley Shelton on May 25, 2007, 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 141's 2006 records revealed the following recordkeeping violations:

1. General Reimbursed and Credit Card Expenses

Local 141 did not retain adequate documentation for reimbursed expenses and credit card expenses incurred by you totaling at least \$470.27. For example, Local 141 only retained the credit card billing statements for union expenses purchased at Staples. The original store receipts provided by Staples at the time of purchase are required union records.

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. Meeting Minutes

During the opening interview you and Secretary-Treasurer Shelton informed OLMS that the local's executive board and membership authorized union expenditures at meetings and that those authorizations would be recorded in both the executive board and membership meeting minutes. Therefore, these minutes must be maintained by your local in order to support authorizations for union disbursements. However, the audit disclosed that Local 141 failed to maintain executive board and membership meeting minutes for the months of October and November 2006. Therefore, there is no written record authorizing expenditures for these two months.

3. Receipt Dates not Recorded

Entries in Local 141's receipts journal reflect the date the union deposited money, but not the date money was received. Union receipts records must show the date of receipt. The date of receipt is required to verify, explain, or clarify amounts required to be reported in Statement B (Receipts and Disbursements) of the LM-3. The LM-3 instructions for Statement B state that the labor organization must record receipts when it actually receives money and disbursements when it actually pays out money. Failure to record the date money was received could


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result in the union reporting some receipts for a different year than when it actually received them.

Based on your assurance that Local 141 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

I want to extend my personal appreciation to Laborers Local 141 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: Secretary-Treasurer Beverly Shelton