

U.S. Department of Labor

Office of Labor-Management Standards
Cleveland District Office
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April 1, 2010

William Robb, Secretary-Treasurer
Longshoremens Association LU 153
616 Durango Drive
Toledo, Ohio 43609

Re: Case Number: [REDACTED]

Dear Mr. Robb :

This office has recently completed an audit of 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 on, 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 the following:

Reporting Violations

The audit disclosed a violation of LMRDA Section 201(b), which requires labor organizations to file annual financial reports accurately disclosing their financial condition and operations. The Labor Organization Annual Report (Form LM-3) filed by Local 153 for fiscal year ending December 31, 2008 was deficient in that:

1. Disbursements to Officers

Local 153 did not include some reimbursements to officers totaling at least \$652 in the amounts reported Item 24 (All Officers and Disbursements to Officers). It appears the union erroneously reported these payments in Item 54. The union must report most direct disbursements to Local 153 officers and some indirect disbursements made on behalf of its officers in Item 24. A "direct disbursement" to an officer is a payment made to an officer in the form of cash, property, goods, services, or other things of value. See the instructions for Item 24 for a discussion

of certain direct disbursements to officers that do not have to be reported in Item 24. An "indirect disbursement" to an officer is a payment to another party (including a credit card company) for cash, property, goods, services, or other things of value received by or on behalf of an officer. However, indirect disbursements for temporary lodging (such as a union check issued to a hotel) or for transportation by a public carrier (such as an airline) for an officer traveling on union business should be reported in Item 48 (Office and Administrative Expense).

LU 153 agreed to record the correct amounts in Item 24 (D) and Item 24(E).

2. Failure to File Bylaws

The CAP disclosed a violation of 29 U.S.C. 431(a) which LU 153 failed to submit copies of its current constitution and bylaws. Local 153 amended its constitution and bylaws, but a copy of the constitution and bylaws was not filed with Local 153's LM-3 report for that year.

Two copies of Local 153's constitution and bylaws have now been filed.

I want to extend my personal appreciation to 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: Ronald Weideman, President