

U.S. Department of Labor

Office of Labor-Management Standards
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March 15, 2010

Mr. Anthony Calia
President
National Association of Letter Carriers, AFL-CIO
Branch 342
125 Gates Avenue, #42
Montclair, NJ 07042

Re: Case No. [REDACTED]

Dear Mr. Calia:

This office has recently completed an audit of the National Association of Letter Carriers (NALC), AFL-CIO, Branch 342 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, as Amended (LMRDA). As discussed during the exit interview with you on March 12, 2010, the following problems were discussed 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:

[Record Keeping 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 NALC, Branch 342 records for the year ending 12/31/08 revealed the following recordkeeping violations:

The union failed to maintain the invoices, bills, and other point of sales receipts that are generated when the union makes expenditures.

Conclusion/Recordkeeping Violation(s)

As agreed, the union will maintain adequate documentation as discussed above in the future, no additional enforcement action will be taken regarding this violation.

The proper maintenance of union records is the personal responsibility of the individuals who are required to file the NALC, Branch 342 LM report.

Reporting Violations

The CAP 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 NALC, Branch 342 for fiscal year ending December 31, 2008, was deficient in that two separate LM-3 Reports were filed with different figures on each submission.

Conclusion/Resolution of Reporting Problems

NALC, Branch 342 must file an amended Form LM-3 for fiscal year ending December 31, 2008, to correct the deficient items discussed above. I provided you with a blank form and instructions, and discussed with you the availability of the reporting forms and instructions on the OLMS website (www.olms.dol.gov). The amended Form LM-3 should be submitted to this office at the above address as soon as possible, but not later than April 2, 2010. Before filing, review the report thoroughly to be sure it is complete, accurate, and signed properly with original signatures.

I want to extend my personal appreciation to the NALC, Branch 342 for the cooperation and courtesy extended during this compliance audit. If we can be of any assistance in the future, please do not hesitate to call.

Sincerely,


Senior Investigator

cc: Daniel Acevedo, Treasurer