

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
San Francisco District Office
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San Francisco, CA 94105
(415) 848-6567 / FAX: (415) 848-6555



February 18, 2005

Sr. Ellene Egan
University of San Francisco
2130 Fulton Street
San Francisco, CA 94117

Re: 2

Dear Sr. Egan:

This office has recently completed an audit of USF Faculty Association, Local 4269 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 2/18/05, 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.

Reporting Violations

The CAP disclosed a violation of LMRDA section 201(b), because the Labor Organization Annual Report (Form LM-2) filed by Local 4269 for fiscal year ending June 30, 2003, was deficient in the following area:

LM-2 Schedule 9 (All Officers and Disbursements to Officers)

Local 4269 failed to include some reimbursements to an officer in the amounts reported in Schedule 9 (All Officers and Disbursements to Officers). Such payments appear to have been erroneously reported in Schedule 15 (Other Expenses).

Direct disbursements to officers and employees for reimbursement of expenses incurred while conducting union business must be reported in Column F of Schedule 9 (Disbursements for Official Business). In addition, indirect disbursements made to another party (such as a credit card company) for business expenses incurred by union personnel must also be reported in Column F of Schedule 9. However, indirect disbursements for business expenses incurred for transportation by a public carrier (such as an airline) and for temporary lodging expenses incurred while traveling on union business must be reported in Schedule 13 (Office and Administrative Expenses). Any direct or indirect disbursements to union personnel for expenses not necessary for conducting union business must be reported in Column G of Schedule 9 (Other Disbursements).

I am not requiring that Local 4269 file an amended LM-2 report for 2003 to correct the deficient items, but as agreed, your union will properly report the deficient items on all future reports filed with this agency.

Delinquent Report

The CAP disclosed a violation of LMRDA section 201(b), because Local 4269 failed to file its current Labor Organization Annual Report (Form LM-2) for fiscal year ending June 30, 2004. This issue was resolved during the audit since the union submitted an acceptable report.

I want to extend my personal appreciation for your and your entire staff's cooperation and courtesy during this compliance audit. If we can be of any assistance in the future, please do not hesitate to call.

Sincerely,

Investigator