

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Atlanta District Office
Atlanta, GA 30303
(404) 562-2083 / FAX: (404) 562-8027



November 22, 2004

Mr. Donald Dysart
Treasurer
Transportation Union Ind, Local 1261
3756 Plunkett Road
Lithonia, GA 30038

2

Dear Mr. Dysart:

This office has recently completed an audit of Transportation Union Ind, Local Union 1261, 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 November 19, 2004, 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.

Title II of the LMRDA establishes certain reporting and record keeping requirements. The CAP disclosed a violation of Section 201(a) which requires that unions submit a copy of their current constitution and bylaws with their LM report when bylaw changes are made. Since a copy of the bylaws was provided, no additional enforcement action will be taken regarding this violation. However, the local is officially notified of the requirement to file all future amendments to the bylaws.

Section 201(b) requires the president and treasurer or corresponding principal officers of each labor organization to file an annual financial report with the Office of Labor-Management Standards (OLMS) within 90 days after the end of its fiscal year. After review of your latest LM-3 report on file, it was determined your report is deficient in several areas. At the exit interview, you were provided a copy of the Error Summary Sheet outlining the deficient areas in your report. You agreed to file an amended LM-3 report to this office, at the above address, by December 13, 2004. In order to facilitate optical scanning, the report must be on an original form containing green boxes for entering certain items. Do not submit a photocopy. Before mailing, review the report thoroughly to be sure it is complete, accurate, and signed properly with original signatures.

During the audit, you advised that you do not require proof of lost time by union officers. Although this is not a violation of the LMRDA, it is a weak internal control. You should establish a system to verify when officers claim lost time. By doing so, union funds would be more effectively controlled. While no enforcement action is contemplated at this time, we may conduct a follow-up visit to ensure compliance.

Transportation Union Ind, Local 1261

RE:

November 22, 2004

Page 2 of 2

I strongly recommend that you make sure that this letter and the compliance assistance materials that were provided to you are passed on to your successors at whatever time you may leave office.

I want to thank you for your cooperation and courtesy during this compliance audit. If we can be of any assistance in the future, please do not hesitate to contact me or any other representative of our office.

Sincerely,

FCC

Investigator