



January 26, 2012

Ms. Debra Greenlee, President
Communications Workers, AFL-CIO
Local Union 4216
37 S. Ashland Ave.
Chicago, IL 60607-1805

Case Number: [REDACTED]
LM Number: 061-917

Dear Ms. Greenlee:

This office has recently completed an audit of Communications Workers Local 4216 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 January 18, 2012, 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 4216's 2011 records revealed the following recordkeeping violations:

1. General Reimbursed Expenses

Local 4216 did not retain adequate documentation for reimbursed expenses incurred by you totaling at least \$785.00. For example, you received a \$150 check on January 23, 2011 as reimbursement for personal funds spent on train tickets from Chicago, IL to Kalamazoo, MI. However, a receipt for the train tickets was not maintained in the local's financial records.

As 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. Failure to Record Receipts

Local 4216 did not maintain a record of any of its receipts totaling at least \$22,498. Union receipt records must include an adequate identification of all money the union receives. The records should show the date and amount received, and the source of the money.

3. Lack of Salary Authorization

Local 4216 did not maintain records to verify that the salaries reported in Item 24 (All Officer and Disbursements to Officers) of the LM-3 were the authorized amounts and therefore were correctly reported. The union must keep a record, such as meeting minutes, to show that the current salaries were authorized by the entity or individual in the union with the authority to establish such salaries.

Based on your assurances that Local 4216 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

Reporting Violations

The audit disclosed the following violations of LMRDA Section 201, which requires labor organizations to file annual financial reports accurately disclosing their financial condition and operations:

1. Delinquent Filing

Local 4216 violated LMRDA Section 201(b) in that it has not filed the required Labor Organization Annual Report (Form LM-3) for fiscal year ending September 30, 2011. I encourage Local 4216 to complete, sign, and file its report electronically using the Electronic Forms System (EFS) available on the OLMS website, www.olms.dol.gov. If you prefer not to file electronically, reporting forms and instructions can be downloaded from the website. The delinquent LM-3 report should be filed no later than Monday, February 6, 2012. Before filing, review the report thoroughly to ensure that it is complete and accurate. Paper reports must be signed with original signatures.

2. Failure to File Bylaws

The audit disclosed a violation of LMRDA Section 201(a), which requires that a union submit a copy of its revised constitution and bylaws with its LM report when it makes changes to the document. Local 4216 amended its constitution and bylaws in 2002, but did not file the required copies with its LM report for that year. Local 4216 has now filed a copy of its constitution and bylaws.

I want to extend my personal appreciation to Communications Workers Local 4216 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,



Senior Investigator

cc: Ms. Latanya Gordon, Secretary-Treasurer