

**U.S. Department of Labor**

Office of Labor-Management Standards  
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May 14, 2010

Ms. Lisa Harris, Financial Secretary  
Glass, Molders, Pottery, Plastics, and Allied Workers, AFL-CIO  
Local 141  
8130 Baldwin Street  
Oakland, CA 94621

Case Number: [REDACTED]  
LM File Number: 045-785

Dear Ms. Harris:

This office has recently completed an audit of Glass, Molders, Pottery, Plastics, and Allied Workers, AFL-CIO, Local Union 141 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, President Mario Rivera, and Vice President Faye Taylor on May 5, 2010, 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 141's 2009 records revealed the following recordkeeping violation:

### Lost Wages

Local 141 did not retain adequate documentation for lost wage reimbursement payments to union officers totaling at least \$2,490.58. The union must maintain records in support of lost wage claims that identify each date lost wages were incurred, the number of hours lost on each date, the applicable rate of pay, and a description of the union business conducted. The OLMS audit found that Local 141 did not retain any records regarding lost wage claims.

During the exit interview, I provided a sample of an expense voucher Local 141 may use to satisfy this requirement. The sample identifies the type of information and documentation that the local must maintain for lost wages and other officer expenses.

Based on your assurance that Local 141 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 a violation of LMRDA Section 201(a), which requires that a union submit a copy of its revised constitution or by-laws with its LM report when it makes changes to its constitution or by-laws. Local 141 amended its by-laws in 1992, but did not file a copy with its LM report for that year.

Local 141 has now filed a copy of its 1992 by-laws.

I want to extend my personal appreciation to Glass, Molders, Pottery, Plastics, and Allied Workers, AFL-CIO, Local Union 141 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: Mr. Mario Rivera, President  
Ms. Faye Taylor, Vice President  
Ms. Barbara Love, Recording Secretary