

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Grand Rapids Resident Investigative
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June 25, 2009

Mr. Thomas Kimble, President
Glass Molders Plastics, AFL-CIO
Local 412
1112 E. Mosel Avenue
Kalamazoo MI 49004

LM File Number 530153
Case Number: [REDACTED]

Dear Mr. Kimble:

This office has recently completed an audit of Glass Molders Plastics Local 412 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 Henry Hanna on June 10, 2009, 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 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 filed with the U.S. Department of Labor when it makes changes to its constitution or bylaws. Local 412 has amended its constitution and bylaws in previous years, but did not file a copy of the most recent version with its LM report as of this date. Local 412 has now filed a copy of its constitution and bylaws and has met this reporting requirement.

The audit also disclosed a violation of LMRDA Section 201(b), which requires the president and treasurer, or corresponding principal officers, of each labor organization to file an annual financial report accurately disclosing the union's financial condition and operations. The report must be filed within 90 days after the end of the labor organization's fiscal year. As Local 412's fiscal year ends on October 31, it must file its annual financial report by the following January 29. Local 412 filed its Form LM-3 for fiscal year ending October 31, 2008, on May 18, 2009. Following the completion of this CAP, Local 412 submitted an amended LM-3 report for this period on June 25, 2009, which corrected a minor change in Item 25(A), Cash at the Start of the Reporting Period. The discrepancy arose from interest that had been earned and credited to a certificate account in the previous reporting period but was not reflected on the LM-3. The law does not authorize OLMS to grant an extension of time for filing reports. At the exit interview, Mr. Hanna agreed that Local 412 will file all future reports with OLMS in a timely manner.

I want to extend my personal appreciation to Glass Molders Plastics Local 412 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: Henry Hanna, Financial Secretary