



February 21, 2012

Rose Marxen, Secretary-Treasurer  
OPEIU Local 339

Case Number: [REDACTED]  
LM Number: 021604

Dear Rose Marxen:

This office has recently completed an audit of OPEIU Local 339 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 18, 2011, 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(b), which requires labor organizations to file annual financial reports accurately disclosing their financial condition and operations. The Labor Organization Annual Report (Form LM-3) filed by Local 339 for the fiscal year ended December 31, 2010, was deficient in the following areas:

1. Cash Accounts and Cash Transfers

Cash accounts were listed under U.S. Treasury Securities (item 27), Investments (item 28), and Fixed Assets (item 29). The funds in these accounts need to be reported under Cash (item 25). Transfers of cash between bank accounts were reported under Sale of Investments and Fixed Assets (item 42). This caused a cash reconciliation error due to these transfers being erroneously counted as receipts.

Local 339 must file an amended Form LM-3 for the fiscal year ended December 31, 2010, to correct the deficient items discussed above. I provided you with a blank form and instructions, and advised you that the reporting forms and instructions are available on the OLMS website ([www.olms.dol.gov](http://www.olms.dol.gov)). The amended Form LM-3 should be submitted to this office at the above address as soon as possible, but not later than April 13, 2012. Before filing, review the report thoroughly to be sure it is complete, accurate, and signed properly 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 its constitution or bylaws. Local 339 amended its constitution and bylaws in 2010, but did not file a copy with its LM report for that year.

As a result of the audit, Local 339 has now filed its latest bylaws with OLMS. No further action is required.

I want to extend my personal appreciation to OPEIU Local 339 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: Linda Lancaster, President