

**U.S. Department of Labor**

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August 18, 2008

Mr. John Boeldt, President  
Auto Workers AFL-CIO Local 1472  
6811 Sunset Road  
Kohler, WI 53044

LM File Number: 065-106  
Case Number: [REDACTED]

Dear Mr. Boeldt:

This office has recently completed an audit of Auto Workers Local 1472 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 Financial Secretary-Treasurer Lynn Maass and you on August 18, 2008, 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 1472's 2007 records revealed the following recordkeeping violation:

#### Disbursements to Vendors

Local 1472 did not retain adequate documentation for disbursements totaling at least \$232. For example, supporting documentation was not retained for a \$155.70 disbursement on November 1, 2007 to Holiday Inn for lodging at the financial secretary's training. As noted above, labor organizations must retain original receipts, bills, and vouchers for all disbursements. The president and treasurer (or corresponding principal officers), who are required to sign your union's LM report, are responsible for properly maintaining union records.

Based on Treasurer Maass' and your assurance that Local 1472 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(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 1472 for fiscal year ending December 31, 2007, was deficient in the following areas:

##### 1. Disbursements to Officers

Local 1472 did not include some reimbursements to officers totaling at least \$649 in the amounts reported in Item 24 (All Officers and Disbursements to Officers). It appears these payments were erroneously reported in Item 48 (Office & Administrative Expense) or Item 54 (Other Disbursements).

Most direct disbursements to Local 1472 officers and some indirect disbursements made on behalf of its officers must be reported in Item 24. A "direct disbursement" to an officer is a payment made to an officer in the form of cash, property, goods, services, or other things of value. See the instructions for Item 24 for a discussion of certain direct disbursements to officers that do not have to be reported in Item

24. An "indirect disbursement" to an officer is a payment to another party (including a credit card company) for cash, property, goods, services, or other things of value received by or on behalf of an officer. However, indirect disbursements for temporary lodging (such as a union check issued to a hotel) or for transportation by a public carrier (such as an airline) for an officer traveling on union business should be reported in Item 48 (Office and Administrative Expense).

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 1472 amended its constitution and bylaws in 2001, but did not file a copy with its LM report for that year. Local 1472 has now filed a copy of its constitution and bylaws.

I am not requiring that Local 1472 file an amended LM report for 2007 to correct the deficient items, but Local 1472 has agreed to properly report the deficient items on all future reports it files with OLMS.

I want to extend my personal appreciation to Auto Workers Local 1472 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: Lynn Maass, financial secretary-treasurer