

U.S. Department of Labor

Employment Standards Administration  
Office of Labor-Management Standards  
Kansas City Resident Investigative Office  
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September 6, 2006

Mr. Charles Clayton, Treasurer  
United Food and Commercial Workers  
Local 222  
3038 South Lakeport Street  
Sioux City, Iowa 51106

Re: Case Number: ~~\_\_\_\_\_~~

Dear Mr. Clayton:

This office has recently completed an audit of United Food and Commercial Workers Local 222 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 and Marvin Harrington on July 28, 2006, 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.

The CAP 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 constitution or bylaws changes are made. Local 222 amended its constitution and bylaws in 1995, but a copy was not filed with its LM report for that year.

A copy of Local 222's most recent constitution and bylaws was obtained during the audit; therefore, this issue has been resolved.

In addition, the CAP revealed the local's minutes were found to be lacking in specific authorization for some disbursements, including salary authorization. All financial matters should be taken before the membership with the subsequent action being recorded in the minutes. This includes salary authorization. A review of the minutes failed to show authorization for the salary of officers and the employee. During the audit, I advised you authorization for the salary amounts paid to union officers and the employee, including payment of officer car insurance, wage adjustments, and car allowances, could not be found in union records. I recommend that Local 222

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document the authorized salary amounts in its bylaws or record them in meeting minutes or some other internal document (following discussion in the appropriate membership and/or executive board meeting). When the authorized salary amounts have been recorded in union records, I would appreciate it if you would forward a copy of the record documenting the authorization to me at the above address.

I want to extend my personal appreciation to United Food and Commercial Workers Local 222 for the cooperation and courtesy extended during this compliance audit. I 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,

A thick black horizontal line redacting the signature of the investigator.

Investigator