

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
St. Louis District Office
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July 31, 2006

Mr. Michael Pendergast, Business Manager
IBEW
Local 4
1610 South Kingshighway
St. Louis, MO 63110

Re: Case Number: _____

Dear Mr. Pendergast:

This office has recently completed an audit of IBEW Local 4 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, Gabriel Hess and Art Martin on July 24, 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.

Title II of the LMRDA establishes record keeping requirements for officers of labor organizations. Section 206 requires officers to maintain detailed records that verify, clarify, and explain all receipts and disbursements activity included in their unions annual financial reports filed with OLMS. These records are required to be maintained for a period of five years. As a general rule, this includes all records created or received during the normal course of union business.

During the audit of your union, it was disclosed that Local 4 was in violation of Section 206 of the LMRDA. Local 4 failed to maintain various supporting documentation of disbursements such as records for hotel, airline, restaurant, and gas bills. As agreed, provided that Local 4 maintains adequate documentation as discussed above in the future, no additional enforcement action will be taken regarding this violation.

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The CAP also disclosed a violation of LMRDA Section 201(a) that requires unions to submit a copy of their current constitution and bylaws with its annual financial report when changes or amendments are made. Local 4 amended its bylaws on September 12, 2005, but a copy was not filed with the OLMS. A copy of your current bylaws was supplied during the audit and no further action is required.

When future revisions to the local's bylaws are made, Item 18 on the LM-2 report should be answered "yes" and the new bylaws should be filed with the report. Since the LM-2 is filed electronically, the bylaws also must be filed electronically as an attachment.

I want to extend my personal appreciation to IBEW Local 4 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,



Investigator