

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Buffalo District Office
130 South Elmwood Street
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Buffalo, NY 14202-2465
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September 29, 2006

Robert Jones, Business Manager
Operating Engineers, LU #106
44 Hannay Lane
Glenmont, NY 12077

Re: Case Number: ~~XXXXXXXXXX~~

Dear Mr. Jones:

This office has recently completed an audit of 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 Office Manager Lori Gibbons on July 20, 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 the following:

- In 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 bylaw changes are made, the local failed to file its amended constitution and bylaws in 2000 and 2003 with its LM report for that year. A copy of the union's current constitution and bylaws has now been filed. No further action will be taken regarding this violation at this time.

The LMRDA Section 206 requires union officers to maintain adequate documentation for meal expenses involving related union business. The date, amount, and business purpose of every expense must be recorded on at least one union record. The names of individuals present for meal expenses and the locations (names of restaurants) where meal expenses were incurred must be recorded. In addition, the original slip reflecting the total number of meals and drinks must be attached to those expense documents.

In addition, the union must maintain complete records involving air fare travel to confirm the trip was taken. You were advised that boarding passes should be maintained with the documents reflecting the expense for the flights.

We discussed the need for maintaining these complete, proper records and you confirmed that proper documentation will be kept in the future.

I want to extend my personal appreciation to 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,



Senior Investigator

cc: Attorney Charles Blitman
Blitman & King
443 N. Franklin Street
Syracuse, NY 13204