

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
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September 30, 2008

Steelworkers, AFL-CIO
Local 9-566
Charles Kemp, President
P. O. Box 70224
Memphis, Tennessee 38107

LM File Number: 543-351

Case Number: [REDACTED]

Dear Mr. Kemp:

This office has recently completed an audit of Steelworkers Local 9-566 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 Anthony Stewart, Treasurer, on August 7, 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 Violation

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 9-566's 2007 records revealed the following recordkeeping violations:

Lost Wages

Local 9-566 did not retain adequate documentation for lost wage reimbursement payments to [REDACTED], [REDACTED], [REDACTED], and [REDACTED] totaling at least \$1,000.00. Every time these individuals filed their lost time vouchers they simply stated "union business" as the reason for their lost time claims. They also on occasion just gave the date instead of the specific times they were away from work. The union must maintain records in support of lost wage claims that identify each date lost wages were incurred, the number of hours lost on each date, the applicable rate of pay, and a description of the union business conducted. The OLMS audit found that Local 9-566 allowed lost time vouchers to be submitted by [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] during the audit year and use "union business" as their reason for filing lost time claims on every lost time voucher they files. In addition, there were several vouchers filed by these individuals where they failed to identify the specific time they were away from work claiming lost time.

During the exit interview, I provided a sample of an expense voucher Local 9-566 may use to satisfy this requirement. The sample identifies the type of information and documentation that the local must maintain for lost wages and other officer expenses.

Based on your assurance that Local 9-566 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

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,



Investigator, OLMS

cc: Anthony Stewart, Treasurer