

U.S. Department of Labor

Office of Labor-Management Standards
Tampa Resident Investigator Office
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September 01, 2022

Brad Bennett, President
Electrical WRKS AFL-CIO LU 433

Case Number: 410-6023725

LM Number: 033428

Dear Brad Bennett:

This office has recently completed an audit of Electrical WRKS AFL-CIO LU 433 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 yourself on September 01, 2022, 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 403, 2021 records revealed the following recordkeeping violations:

General Reimbursed and Credit Card Expenses

Local 403 did not retain adequate documentation for reimbursed expenses and credit card expenses incurred by the following officers. For example, President Brad Bennett check number [REDACTED] dated December 08, 2020, for \$183.99, did not have the corresponding voucher and check

stub. Vice President Spring Hyché direct deposit dated August 05, 2020, for \$236.26, did not have the corresponding voucher. Check in the name of SC-U8, dated March 08, 2021, for \$8,373.30, did not have the corresponding voucher and invoice. Credit card user President Bennett charge to Union America dated February 10, 2021, for \$494.45, did not have the corresponding voucher and receipt. Lastly, credit card user Treasurer David Fries charge to Intuit QB Online dated February 24, 2021, for \$387.00, did not have the corresponding voucher.

As noted above, labor organizations must retain original receipts, bills, and vouchers for all disbursements. The president and treasurer (or corresponding principal officers) of your union, who are required to sign your union's LM report, are responsible for properly maintaining union records.


Information not Recorded in Meeting Minutes

During the Audit, President Bennett advised OLMS that once year, usually in January, the executive board and membership reviewed the reoccurring bills such as cell phone, monthly salary, utilities, and mandatory conferences and pass a resolution called "Standing Bills" to automatically pay them. However, the minutes of the meeting do not contain any reference to that issue. Minutes of all membership or executive board meetings must report any disbursement authorizations made at those meetings.

Based on your assurance that Local 433 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 Electrical WRKS AFL-CIO LU 433 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,



Criminal Investigator

cc: David Fries, Treasurer