



January 31, 2023

Mr. Steven P. Breaux, President  
Postal Workers, American, AFL-CIO  
Local Union 3067  
P. O. Box 9002  
New Iberia, LA 70562-9002

Case Number: 420-6025002( )  
LM Number: 510354

Dear Mr. Breaux:

This office has recently completed an audit of Postal Workers, American, AFL-CIO 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 on January 30, 2023, 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 3067's 2020 records revealed the following recordkeeping violations:

#### 1. Failure to Record Receipts and Disbursements

The APWU Local 3067 Constitution, Article 7, Section 2(a), states, "It shall be the duty of the Secretary-Treasurer to maintain an accurate accounting of the deposits and

disbursements of the Local and to keep an accounting of the property of the Local.” Local 3067 did not maintain receipts records of the dues received from employer dues checkoff records and deposited in the checking account. Union receipts records must include an adequate identification of all money the union receives. The records should show the date and amount received, and the source of the money.

Local 3067 failed to maintain a disbursements journal or record in their financial records the union’s disbursement for the reporting period. The records should show the date, amount paid, the payee, and the purposes of the disbursement.

2. Failure to Record Meeting Minutes

The APWU Local 3067 Constitution, Article 7, Section 2(C), states, “It shall be the duty of the Secretary-Treasurer to maintain an accurate written record of the minutes of all regularly scheduled membership and/or special meetings and Executive Board Meetings of the Local. The minutes shall be made available to the membership at each general membership meeting.”

Although Local 3067 did not hold membership meetings during 2020, the executive board held meetings throughout the year. Local 3067 failed to maintain an accurate written record of these meetings.

3. Information not Recorded in Meeting Minutes

During the audit, Mr. Steven P. Breaux advised OLMS that the membership authorized the payment of \$300 to Robin Breaux for the preparation of the Department of Labor, Form LM-3, Labor Organization Annual Report, and Internal Revenue Service (IRS) Forms 990, 940, W-2s, and W-3 at a membership meeting. However, Local 3067 maintained no minutes of that meeting.

The APWU Constitution, Article 6, Section 4, states, “The Executive Board may approve expenses up to \$200.00 between membership meetings. Any expenditure above the specified amount must be approved through a special or general membership meeting.” Minutes of all membership or executive board meetings must report any disbursement authorizations made at those meetings.

Based on your assurance that Local 3067 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

Reporting Violations

Failure to File Bylaws

The audit 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 it makes changes to its

constitution or bylaws. Local 3067 amended its constitution and bylaws in 2015, but did not file a copy with its LM report for that year.

As agreed, Local 3067 will file a copy of its current constitution and bylaws with OLMS as soon as possible, but not later than March 30, 2023.

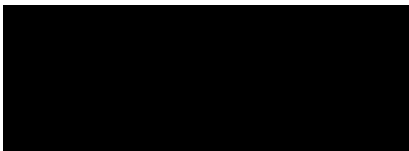
I am not requiring that Local 3067 file an amended LM report for 2020 to correct the deficient items, but Local 3067 has agreed to properly report the deficient items on all future reports it files with OLMS.

#### Other Violations

1. Local 3067 has not filled the vacant vice president position, as required by the APWU Local 3067 Constitution, Article 7, Section 1(E).
2. Local 3067 has not held an audit of the union's financial records, as required by the APWU Local 3067 Constitution, Article 8, Section 2.
3. Local 3067 has not held an officer election since 2017, as required by the APWU National Constitution, Article 12, and the APWU Local 3067 Constitution, Article 10, Section 1(A)

I want to extend my personal appreciation to Postal Workers, American AFL-CIO Local 3067 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,

A large black rectangular redaction box covering the signature of the investigator.

Investigator