



March 30, 2023

Mr. Marvin Collier, President
American Federation of Government Employees
Local 1616

Case Number: 530-6025838()
LM Number: 501912



Dear Mr. Collier:

This office has recently completed an audit of the American Federation of Government Employees Local 1616 under the Compliance Audit Program (CAP) to determine your organization's compliance with the provisions of the Civil Service Reform Act of 1978 (CSRA), 5 U.S.C. 7120, and the Department's regulations, 29 CFR 458. As discussed during the exit interview with you and Treasurer Maricela Morales on March 30, 2023, the following problem was 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.

Reporting Violations

Pursuant to 29 C.F.R., Section 458.3, the reporting requirement under 29 C.F.R. Section 403.2 (see Section 201(b) of the Labor-Management Reporting and Disclosure Act (LMRDA)) is made applicable to labor organizations subject to the requirements of the CSRA. This provision requires labor organizations to file annual financial reports that accurately disclose their financial condition and operations. The audit disclosed a violation of this requirement. The Labor Organization Annual Report LM-3 for Local 1616 for the fiscal year ended December 31, 2021, was not filed.

1. Failure to File Electronically

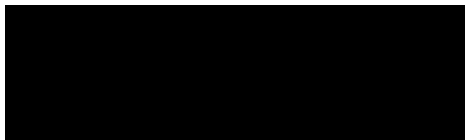
Local 1616 did not file its 2021 LM report using the OLMS Electronic Filing system (EFS). All Labor Organization Annual Reports for the fiscal years beginning on or after January 1, 2017, are required to be filed using EFS. In addition, your organization did not file for a temporary or continuing hardship exemption. During the audit period, Local 1616 filed its 2021 LM-3 report.

2. Failure to File Bylaws

Pursuant to 29 C.F.R. Section 458.3, the requirement under 29 C.F.R. Section 402.4 implementing LMRDA Section 201(a) is made applicable to labor organizations subject to the requirements of the CSRA. This provision requires labor organizations to file copies of any revised constitution and bylaws when it files its annual financial report. The audit disclosed a violation of this requirement. Local 1616 amended its constitution and bylaws in 2019, but did not file the required copies with its LM report for that year. Local 1616 provided a copy of its bylaws during the audit period.

I want to extend my personal appreciation to the American Federation of Government Employees Local 1616 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

cc: Ms. Maricela Morales, Secretary-Treasurer