



March 30, 2023

Mr. Felipe Rios, Business Agent and Secretary-Treasurer
Plumbers Local 355
426 Alabama Street
Vallejo, CA 94590

Case Number: 530-6024883()
LM Number: 533906

Dear Mr. Rios:

This office has recently completed an audit of Plumbers Local 355 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, Attorney [REDACTED], and Office Manager Eliana Gonzalez on March 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 355's 2021 records revealed the following recordkeeping violation:

Failure to Maintain Receipts

Local 355 did not retain adequate documentation for at least \$564.82 in union credit card purchases. This included OnStar services for \$38.38, fuel for \$295.53, Walmart purchases for \$45.32, and OfficeMax purchases for \$185.59. Based on your assurance that Local 355 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violation.

Reporting Violations

The audit disclosed a violation of LMRDA Section 201(b), which requires labor organizations to file annual financial reports accurately disclosing their financial condition and operations. The Labor Organization Annual Report (Form LM-2 / LM-3) filed by Local 355 for the fiscal year ending June 30, 2021, was delinquent.

1. Failure to File LM Report

The audit disclosed a violation of LMRDA Section 201(b), which requires labor organizations to file annual financial reports accurately disclosing their financial condition and operations within 90 days after the end of the labor organization's fiscal year. Local 355 failed to file its LM-2 report for the fiscal year ending June 30, 2021. The union electronically filed its LM-2 report during the audit period.

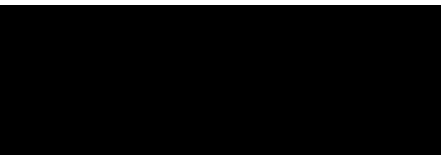
2. Failure to File Bylaws

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 355 amended its constitution and bylaws in 2019 but did not file a copy with its LM report for that year. The union provided a copy of its updated bylaws during the audit period.

I am not requiring that Local 355 file an amended LM report for 2023 to correct the deficient items, but Local 355 has agreed to properly report the deficient items on all future reports it files with OLMS. Local 355 has also agreed to file all future reports in a timely manner.

I want to extend my personal appreciation to Plumbers Local 355 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