

**U.S. Department of Labor**

Office of Labor-Management Standards  
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April 28, 2023

Mr. Pellis F. Leonard, Secretary  
AFGE LU 2128  
2424 SE 92nd Ter  
Moore, OK 73160

Case Number: 420-6025890( )  
LM Number: 503874

Dear Mr. Leonard:

This office has recently completed an audit of American Federation of Government Employees Local (AFGE LU) 2128 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 on March 24, 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.

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 Form LM-3 filed by AFGE LU 2128 for the fiscal year ended February 28, 2022, was deficient in the following areas:

1. Dues Receipts

AFGE LU 2128 failed to report dues receipts totaling at least \$1,565.00 on the LM-3 Report. All dues should be reported on Item 38 (Dues).

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. AFGE LU 2128 amended its constitution and bylaws in 2016 but did not file the required copies with its LM report for that year.

AFGE LU 2128 has now filed a copy of its constitution and bylaws.

3. Per Capita Tax Disbursements

Per Capita Tax disbursements totaling at least \$705.60 was reported on Item 54 (Other Disbursements). All Per Capita Tax disbursements must be reported on Item 47 (Per Capita Tax).

AFGE LU 2128 has filed an amended Form LM-3 for the fiscal year ended February 28, 2022, to correct the deficient items discussed above.

Other Issue

QuickBooks Fees

AFGE LU 2128 paid \$559.65 to QuickBooks for fees during fiscal year ending February 28, 2022. The union did not use the service. It is recommended the union cancel the subscription or begin to utilize the service.

I want to extend my personal appreciation to AFGE LU 2128 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,

[REDACTED]

Investigator

cc: Mr. Phillip Mitchell, President

[REDACTED] Treasurer