



September 15, 2023

Mr. Stephen Tulenko, Treasurer
Communication Workers of America, Local 88144
Beer Bottlers Local 144B
58 Lightcap Road
Latrobe, PA 15650

Case Number: 140-6026335()
LM Number: 001941

Dear Mr. Tulenko:

This office has recently completed an audit of Communication Workers of America, Local 88144 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 September 6, 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

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-3) filed by Local 88144 for the fiscal year ended 09/30/2022, was deficient in the following areas:

1). Disbursements to Officers

Local 88144 did not include some reimbursements to officers, specifically payments made to officers for per diem, in the amounts reported in All Officers and Disbursements to Officers, Item 24, Column E (Allowances and Other Disbursements). It appears the union erroneously reported these payments in Item 24, Column D (Gross Salary).

The union must report most direct disbursements to Local 88144 officers and some indirect disbursements made on behalf of its officers in Item 24. A "direct disbursement" to an officer is a payment made to an officer in the form of cash, property, goods, services, or other things of value. See the instructions for Item 24 for a discussion of certain direct disbursements to officers that do not have to be reported in Item 24. An "indirect disbursement" to an officer is a payment to another party (including a credit card company) for cash, property, goods, services, or other things of value received by or on behalf of an officer. However, indirect disbursements for temporary lodging (such as a union check issued to a hotel) or for transportation by a public carrier (such as an airline)

for an officer traveling on union business should be reported in Item 48 (Office and Administrative Expense).

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 88641 amended its constitution and bylaws in 2020 but did not file a copy with its LM report for that year.

The union has since electronically submitted a copy of its constitution and bylaws.

I am not requiring that Local 88641 file an amended LM report for 2022 to correct the deficient items, but Local 88641 has agreed to properly report the deficient items on all future reports it files with OLMS.

I want to extend my personal appreciation to Local 88144 for the cooperation and courtesies 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: Mr. Robert Charettie, President