



September 28, 2023

Mr. Justin Cooper, Business Manager  
International Brotherhood of Electrical Workers (IBEW)  
Local 479  
1430 Spindletop Road  
Beaumont, TX 77704

Case Number: 420-6025001( )  
LM Number: 035392

Dear Mr. Cooper:

This office has recently completed an audit of IBEW Local 479 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, Officer Manager Jennifer Bernard, and Certified Public Accountant Josh LeBlanc on September 27, 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 479's 2021 records revealed the following recordkeeping violation:

#### Failure to Maintain Records

The IBEW Local 479 Bylaws, Article VII, Section 4, states, "The Business Manager and

Assistant Business Manager(s) shall be allowed two (2) weeks' vacation with pay each year. Vacation time shall not accumulate and carry over from year to year. Vacation time shall begin on the date of employment."

The IBEW Local 479 Expense and Procedures Policy, Standing Bills 1., states, "Salaries and fringe benefits for officers and employees engaged in Local Union Business authorized by the Local Union."

Local 479 failed to maintain records to verify the actual amount of vacation days the officers and employees take throughout the year. There is also no documentation to establish if the two weeks' vacation time is ten business days or the current practice of 14 actual days.

Based on your assurance that Local 479 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

I want to extend my personal appreciation to IBEW Local 479 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: Mr. Robert Neely, President