



January 22, 2014

Mr. Rodney Rowe, President  
Communication Workers of America  
Local 6290  
P.O. Box 5635  
Midland, TX 79704

Case Number: 420-4214190 [REDACTED]  
LM Number: 018892

Dear Mr. Rowe:

This office has recently completed an audit of Communication Workers of America Local 6290 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, Max King, and Kerry Smith on November 20, 2013, 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 Violation

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 6290's 2012 records revealed the following recordkeeping violation:

## Officer Salaries

CWA Local 6290 failed to maintain supporting documents for salary checks disbursed to President Rodney Rowe and Secretary Treasurer Max King for a combined total of \$21,763. Rowe and King submitted vouchers for the entire audit period which showed the number of hours Rowe and King worked each day. However, the vouchers are incomplete in that Rowe and King do not provide detail of the union work conducted.

Rowe and King both stated they will provide more detail on future expense vouchers.

## Reporting Violation

### 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 6290 amended its constitution and bylaws in 1987, but did not file a copy with its LM report for that year.

A copy of the revised constitution and bylaws was obtained during the CAP.

## Other Issues

### 1. Union Office Rental Space

The local pays \$400 per month to Midland Business Center for the rental of union office space. The audit disclosed that King travels to the office approximately 12 times a month to conduct union related business. King stated there is no need for office space, other than he does not want to clutter up his home with the union's office equipment. King confirmed there are no members in Midland, Texas.

The union will discuss King working from his residence and renting a storage facility to store unnecessary office equipment.

### 2. Mileage Reimbursements

The audit disclosed that King is being reimbursed mileage for his commute to the union office and to check the union's post office box. The union agreed to no longer reimburse King for travel to the union office or post office.

I want to extend my personal appreciation to Communication Workers of America 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: Max King, Secretary Treasurer  
Kerry Smith, Vice President