

**U.S. Department of Labor**

Employment Standards Administration  
Office of Labor-Management Standards  
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February 20, 2009

Ms. Janice Mammen, Secretary-Treasurer  
Office of Professional Employees  
Local 320  
5212 NW Primrose Ct.  
Blue Springs, MO 64015

LM File Number 014-436  
Case Number: [REDACTED]

Dear Ms. Mammen:

This office has recently completed an audit of OPEIU Local 320 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 February 20, 2009, 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 320's 2007 records revealed the following recordkeeping violations:

1. Lost Wages

Local 320 did not retain adequate documentation for a lost wage reimbursement payment to you totaling \$600.18. The union must maintain records in support of lost wage claims that identify each date lost wages were incurred, the number of hours lost on each date, the applicable rate of pay, and a description of the union business conducted. The OLMS audit found that Local 320, in this instance, did not retain any record pertaining to the payment.

2. Meal Expenses

Local 320's records of meal expenses did not always include written explanations of the union business conducted or the names and titles of the persons incurring the restaurant charges. For example, a check for \$274.90 written to Nick and Jake's restaurant did not include the names and titles of all persons who incurred the restaurant charge. Union records of meal expenses must include written explanations of the union business conducted and the full names and titles of all persons who incurred the restaurant charges. In addition, the records retained must identify the names of the restaurants where the officers or employees incurred meal expenses.

3. Failure to Record Receipts

Local 320 did not record in its receipt records some employer dues check-off checks. For example, Local 320 did not record an employer dues check-off check from the Boilermakers National Fund for \$3,102.65. Union receipt records must

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include an adequate identification of all money the union receives. The records should show the date and amount received, and the source of the money.

Based on your assurance that Local 320 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 OPEIU Local 320 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: Kim Whiteman, President