

**U.S. Department of Labor**

Employment Standards Administration  
Office of Labor-Management Standards  
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January 6, 2010

Mr. Michael Wiener, Executive Director  
Major League Baseball Players Association  
12 East 49<sup>th</sup> Street, 24<sup>th</sup> Floor  
New York, NY 10017

LM File Number: 064-727

Case Number: [REDACTED]

Dear Mr. Wiener:

This office has recently completed an audit of the Major League Baseball Players Association under the Compliance Audit Program (CAP) to determine your organization's compliance with the provisions of the Labor-Management Reporting and Disclosure Act (LMRDA). As discussed during the exit interview with David Prouty, Chief Labor Counsel, and Marietta DiCamello, Financial Operations Manager, on December 8, 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.

The audit disclosed the following:

Reporting Violations

The audit disclosed a violation of LMRDA Section 202(a), which requires every employee of a labor organization that engages in certain transactions with an employer to file form LM-30 with the Secretary:

An employee of your union is also an employee of a law firm that performs services for the union. The employee would incur reimbursable expenses related to the conduct of union business and then submit the expenses to the law firm, not the union, for reimbursement. The law firm would reimburse the union employee and then submit the expense to the union for reimbursement. The union employee voluntarily filed form LM-30 for the years-ended December 31, 2008, 2007, and 2006, to reflect those expenses. The union and the law firm voluntarily agreed to change the process so that the union employee will now submit all union related expenses directly to the union for reimbursement. As a result, OLMS will take no further enforcement action regarding this issue.

Other Violations

The audit disclosed the following other violation:

Bonding

The audit revealed a violation of LMRDA Section 502 (Bonding), which the Secretary has interpreted to require that union bond coverage not contain a deductible. The union was covered through a commercial crime policy that had a deductible. Upon notifying the union, the deductible was removed and adequate bonding coverage was established. The union voluntarily agreed to maintain proper coverage going forward. As a result, OLMS will take no further enforcement action regarding this issue.

Other Issue

The audit disclosed the following other issue:

One of the union employees failed to timely submit their expense vouchers for reimbursement of expenses incurred while on union business. This is not a violation of the LMRDA, but it has an impact on the union's ability to properly budget and monitor expenses. The union has voluntarily implemented a policy that requires all expense vouchers to be submitted timely.

I want to extend my personal appreciation to the Major League Baseball Players Association 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: David Prouty, Chief Labor Counsel

Marietta DiCamillo, Financial Operations Manager