



June 16, 2010

Mr. Harvey Frederick, President
Northeast Emergency Services Union
P.O. Box 405
Guilford, CT 06437

Case Number: [REDACTED]
LM Number: 519357

Dear Mr. Frederick:

This office has recently completed an audit of Northeast Emergency Services Union (NESU) 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 and Robert Bayusik on December 15, 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.

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. In addition, any union which has gone out of existence by disbanding, merging into another organization, or being merged and consolidated with another labor organization must file a terminal report. The terminal report must reflect the union's financial condition and must describe the plans for the disposition of the organization's cash and other assets.

NESU merged with Teamsters Local 443 during fiscal year ending December 31, 2008 and failed to file a terminal report. The funds and property of the union continued to be held by NESU even though NESU ceased operating as a labor organization.

On May 3, 2010 a terminal report for fiscal year ending December 31, 2009 was received which documented the disposition of NESU funds and assets. As a result, OLMS will take no further enforcement action regarding this issue.

Other Issues

1. Outstanding Refunds

The audit disclosed that NESU had issued a retainer to an attorney for an anticipated legal action. It was ultimately determined that the action was not meritorious or viable and was dropped. A refund of the unused fees was refunded to Teamsters Local 443 in April of 2010.

2. Restitution Checks

A prior OLMS criminal case resulted in the subject being ordered to make restitution to NESU. The audit found that NESU had been sent a restitution check in December 2009; the check was not cashed but had not been turned over to Teamsters Local 443. This check has since been received by the Teamsters and all future checks will be sent to Teamsters Local 443.

I want to extend my personal appreciation to NESU 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,



Supervisory Investigator

cc: Mr. Robert Bayusik, Secretary Treasurer, Teamsters LU 443