



FEB 24 2010

LM File No. 512-396

Ms. Marguerite Matera, Secretary-Treasurer  
National Weather Service Employees Organization  
6 Birch Grove Heights  
Gloucester, MA 01930

Dear Ms. Matera:

This is in response to your continuing hardship exemption request for the National Weather Service Employees Organization, LM File Number 512-396, for the fiscal year ending December 31, 2008. Your request dated January 22, 2010 was received by the Office of Labor-Management Standards (OLMS) on February 1, 2010. A continuing hardship exemption request requires the requesting union to demonstrate that it cannot file Form LM-2 electronically without undue burden or expense.

On April 7, 2009, Mr. Peter Nuhn of your organization contacted OLMS via email, expressing frustration over your union's inability to properly attach electronic signatures to the Form LM-2 report for your 2008 fiscal year. OLMS responded in a letter dated September 24, 2009 explaining the procedures for requesting a hardship exemption from electronic filing.

In your January 22, 2010 hardship request, you indicated that, in spite of many attempts, your union has been unable to electronically file the completed Form LM-2 for 2008. You are requesting an exemption from electronic filing for filing your 2008 Form LM-2, as well as for filing your Form LM-2 in 2009 and thereafter.

You further stated that your union would incur undue burden and expense if it was required to file electronically, based on the following facts set out in your letter:

- Two union officers have purchased digital signatures at a cost of \$70.00 each. Since the digital signature process is not working for you, you have spent this money on non-functioning items.
- Your union has devoted multiple hours and days of work to modify the computer set-ups of the President and Vice President, who are located in different states, so that they would be compatible with the requirements for electronic filing. When this was unsuccessful, the union incurred the expense of shipping a specially

configured laptop computer loaded with the electronic Form LM-2 from one office to the other in another attempt to electronically file the Form LM-2.

- To date your union's officers and sole employee have spent in excess of 16 hours in unsuccessful attempts to electronically file the Form LM-2. They have contacted the help desk at the Department of Labor as well as at IdenTrust in their attempts to make the electronic filing work.

OLMS grants your continuing hardship exemption request for filing Form LM-2 electronically for the fiscal years ending December 31, 2008 and December 31, 2009, based on the information provided.

OLMS denies your continuing hardship exemption request for filing Form LM-2 electronically for the fiscal years thereafter. Please note that the instructions for applying for a hardship exemption, which are available on the OLMS website at <http://www.dol.gov/olms/regs/compliance/hardship.htm>, state that any requests for exemption must specify a time period not to exceed one year.

If you have any further questions, please call 202-693-0123 and reference your labor organization's LM file number.

Sincerely,

*Deniss Bourher /  
for*

Andrew R. Davis, Chief  
Division of Interpretations  
and Standards

cc: Larry King, Chief, Division of Reports, Disclosure & Audits