

May 6, 2009

LM File No. 066-451

Fred Neibauer, Controller  
Glass, Molders, Pottery, Plastics  
and Allied Workers  
International Union, Local 45B  
608 East Baltimore Pike, P.O. Box 608  
Media, PA 19063-0607

Dear Mr. Neibauer:

This is in response to your continuing hardship exemption request for Glass, Molders, Pottery, Plastics & Allied Workers International Union, Local 45B, LM File Number 066-451, for the fiscal year ending October 31, 2008. Your request dated April 20, 2009 was received by the Office of Labor-Management Standards (OLMS) on April 21, 2009. A labor organization may apply in writing for a continuing hardship exemption if Form LM-2 cannot be filed electronically without undue burden or expense. Such written application must be received at least thirty days prior to the required due date of the report(s).

You based your request upon the following information stated in your letter:

The local's former Financial Secretary, William Geisler, is currently under investigation for embezzlement of local funds. He did not obtain a digital signature, and he is further unavailable to sign the form electronically. He did sign the hardcopy Form LM-2 before leaving the local's office.

OLMS denies your continuing hardship exemption request for filing Form LM-2 electronically for the fiscal year ending October 31, 2008, based on the information provided, as it was not received within thirty days prior to the required due date of the report. Moreover, the president and treasurer, or corresponding principal officers of the labor organization, must obtain a digital signature and sign the electronic report. If either the president or treasurer is not performing the duties of principal executive officer or principal financial officer, then the officer who is performing such duties must sign the report. If an officer other than the president or treasurer signs the report, enter the correct title in Item 70 or 71, and explain in Item 69 (Additional Information) why the president or treasurer did not sign the report. See Form LM-2 Instructions, Items 70-71, Signatures.

If you have any further questions about filing Form LM-2 pursuant to the hardship exemption, or any other Form LM-2 reporting questions, please call 202-693-0123 and reference your organization's LM file number.

Sincerely,

Andrew R. Davis, Chief  
Division of Interpretations  
and Standards

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