

September 24, 2009

LM File No. 542-150

Richard J. Sanchez, President  
International Association of Machinists  
and Aerospace Workers, AFL-CIO  
District Lodge 947  
319 W. Broadway  
Long Beach, CA 90802

Dear Mr. Sanchez:

This is in response to your continuing hardship exemption request for International Association of Machinists and Aerospace Workers, AFL-CIO, District Lodge 947, LM File No. 542-150, for the fiscal year ending December 31, 2008. Your request dated March 31, 2009 was received by the Office of Labor-Management Standards (OLMS) on June 15, 2009. A continuing hardship exemption request requires the requesting union to demonstrate that it cannot file Form LM-2 electronically without undue burden or expense.

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

Your local wishes to file a hard copy of your Form LM-2 until such time as you are able to successfully attach digital signatures to an electronic report.

OLMS denies your continuing hardship exemption request for filing Form LM-2 electronically for the fiscal year ending December 31, 2008, based on the information provided, as it does not provide adequate information with which the Department can evaluate the request, such as the justification for the requested time period of the exemption; the burden and expense that the union would incur if it was required to make an electronic submission; and the reasons for not submitting the report electronically. Additionally, you must specify a time period not to exceed one year. Finally, I note that your union's Form LM-2 report for the fiscal year ending December 31, 2008 was due on March 31, 2009, and that the Department must receive a properly completed paper Form LM-2 report in order to grant a continuing hardship exemption.

If you have additional information that is pertinent to your request, you may provide it for reconsideration. Any such request may be mailed or faxed to 202-693-1340. If you have any further questions regarding the application for a continuing hardship extension,

please call 202-693-0123 and reference your labor organization's LM file number. Additional information on the continuing hardship request process may also be found at <http://www.dol.gov/esa/olms/regs/compliance/hardship.htm>.

Sincerely,

Andrew R. Davis, Chief  
Division of Interpretations  
and Standards

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