



June 10, 2020

Mr. Brian Mason, President
Staff Workers United Local 2599
560 Thomas L. Berkley Way
Oakland, CA 94612

Case Number: 530-6018207 [REDACTED]
LM Number: 545079

Dear Mr. Mason:

This office has recently completed an audit of Staff Workers United Local 2599 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 Treasurer Danny Gee on June 10, 2020, 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.

Recordkeeping Violations

Title II of the LMRDA establishes certain reporting and recordkeeping requirements. Section 206 requires, among other things, that labor organizations maintain adequate records for at least five years by which each receipt and disbursement of funds, as well as all account balances, can be verified, explained, and clarified. As a general rule, labor organizations must maintain all records used or received in the course of union business.

For disbursements, this includes not only original bills, invoices, receipts, vouchers, and applicable resolutions, but also documentation showing the nature of the union business requiring the disbursement, the goods or services received, and the identity of the recipient(s) of the goods or services. In most instances, this documentation requirement can be satisfied with a sufficiently descriptive expense receipt or invoice. If an expense receipt is not sufficiently descriptive, a union officer or employee should write a note on it providing the additional information. For money it receives, the labor organization must keep at least one record showing the date, amount, purpose, and source of that money. The labor organization must also retain bank records for all accounts.

The audit of Local 2599's 2019 records revealed the following recordkeeping violations:

Information not Recorded in Meeting Minutes

Article VIII, Subsection D(4)(E) of the Local 2599 bylaws state that all disbursements must be approved by the membership. However, Local 2599 failed to maintain any membership meeting minutes approving the disbursements made during the audit year. Minutes of all membership or executive board meetings must report any disbursement authorizations made at those meetings.

Based on your assurance that Local 2599 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

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. The Labor Organization Annual Report (Form LM-3) filed by Local 2599 for the fiscal year ended December 31, 2019, was deficient in the following areas:

1. Office and Administrative Expenses reported as Benefits

Local 2599 improperly reported the union's office and administrative expenses (Item 48) as Benefits (Item 50) in Statement B (Receipts and Disbursements).

2. Failure to File Bylaws

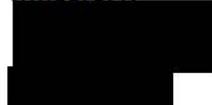
The audit disclosed a violation of LMRDA Section 201(a), which requires that a union submit a copy of its constitution and bylaws with its LM report when it makes changes to its constitution or bylaws. Local 2599 has never filed copy with its LM report.

Local 2599 has now filed a copy of its constitution and bylaws.

I am not requiring that Local 2599 file an amended LM report for 2019 to correct the deficient items, but Local 2599 has agreed to properly report the deficient items on all future reports it files with OLMS.

I want to extend my personal appreciation to Staff Workers United Local 2599 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,

A black rectangular redaction box covering the signature of the investigator.

Investigator