

U.S. Department of Labor
Office of Labor-Management Standards
Washington District Office



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September 29, 2020

Ms. Cynthia Goodwin, Secretary-Treasurer
National Association of Letter Carriers
Branch 4819
PO Box 591
Lanham, MD 20703

Case Number: 450-6015748
LM Number: 083655

Dear Ms. Goodwin:

This office has recently completed an audit of National Association of Letter Carriers (NALC) Branch 4819 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 President Sunday Omogoke and you on September 23, 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 Branch 4819's 2018 records revealed the following recordkeeping violations:

1. General Reimbursed and Credit Card Expenses

Branch 4819 did not retain adequate documentation for reimbursed expenses and credit card expenses incurred by union officers. For example, the union did not have receipts

for credit card purchases at Petals, Ribbons, and Beyond and BJs, among others. The union also did not retain receipts for a reimbursement to a member for picnic expenses.

As noted above, labor organizations must retain original receipts, bills, and vouchers for all disbursements. The president and treasurer (or corresponding principal officers) of your union who are required to sign your union's LM report, are responsible for properly maintaining union records.

2. Failure to Maintain Receipt Records

Branch 4819 did not maintain records for some of the receipts they received from the National. For example, Branch 4819 did not maintain several of the quarterly annuity withholding rosters. Union receipts records must include adequate identification of all money the union receives. The records should show the date and amount received, and the source of the money.

3. Information not Recorded in Meeting Minutes

During the audit, you advised OLMS that the executive board meets annually in October to come up with a proposed budget for the following year. Article X, Section I of the Branch 4819 bylaws requires that the president, with the help of the executive board, prepare and submit a budget to be approved or amended at the December general membership meeting for the following calendar year. The NALC 4819 executive board did not maintain meeting minutes of the executive board meeting. Minutes of all membership or executive board meetings must report any disbursements authorizations made at those meetings.

4. Lack of Itemized Salary Payments

Branch 4819 did not maintain records of the gross salary amounts for officers to verify that the salaries reported in Item 24 (All Officer and Disbursements to Officers) of the LM-3 were the authorized amount and therefore were correctly reported. The union must keep a record, such as a payroll statements, to show the gross salary amount each officer received and all deductions from the salary.

Based on your assurance that Branch 4819 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 Branch 4819 for the fiscal year ended December 31, 2018 was deficient in the following areas:

1. Delinquent LM Report

The Labor Organization Annual Report, Form LM-3, is required to be filed within 90 days after the end of the labor organization's fiscal year. Branch 4819 failed to file its LM-3 report on time for fiscal year ending December 31, 2018. The president and secretary-treasurer are personally responsible for timely filing the union's LM-3 report. The LM-3 report has now been filed. However, Branch 4819's failure to timely file the LM-3 report in the future could result in the initiation of enforcement proceedings.

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 revised constitution and bylaws with its LM report when it makes changes to its constitution or bylaws. Branch 4819 amended its constitution and bylaws in 2018, but did not file a copy with its LM report for that year. Branch 4819 has now filed a copy of its constitution and bylaws.

I want to extend my personal appreciation to NALC Branch 4819 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,



Investigator

cc: Mr. Sunday Omogoke, President