



February 20, 2024

Mr. Michael J. Kujawa, Treasurer
United Building Trades Group
4652 Lewis Avenue
Toledo, OH 43612

Case Number: 350-6027978()
LM Number: 508-610

Dear Mr. Kujawa:

This office has recently completed an audit of United Building Trades Group (UBTG) 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 on February 15, 2024, 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 Violation

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 UBTG's 2022 records revealed the following recordkeeping violation:

General Reimbursed and Credit Card Expenses

UBTG did not retain adequate documentation for reimbursed expenses and credit card expenses incurred by union officers and the building custodian totaling at least \$160.12.

For example, there was a receipt missing for Treasurer Kujawa's purchase of bottled water on January 10, 2022 in the amount of \$56.85.

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.

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

Reporting Violation

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 LM-3 filed by UBTG for the fiscal year ended December 31, 2022, was deficient in that:


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. UBTG amended its constitution and bylaws in 2013, but did not file a copy with its LM report for that year.

As agreed, UBTG will file a copy of its current constitution and bylaws with OLMS as soon as possible but not later than February 29, 2024.

I want to extend my personal appreciation to United Building Trades Group 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. Kenneth Vierling, Sr., President
Mr. Matt Aberl, Vice President