

**U.S. Department of Labor**

Employment Standards Administration  
Office of Labor-Management Standards  
St. Louis District Office  
1222 Spruce Street  
Room 9 109E  
St. Louis, MO 63103  
(314)539-2667 Fax: (314)539-2626



May 19, 2009

Ms. Patricia Miller, Treasurer  
National Association of Letter Carriers  
Missouri State Association  
P.O. Box 177  
Frankford, MO 63441

LM File Number 506-739

Case Number: [REDACTED]

Dear Ms. Miller:

This office has recently completed an audit of Missouri Association of Letter Carriers 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 on April 16, 2009, 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 Missouri State Association of Letter Carriers' 2008 records revealed the following recordkeeping violations:

1. General Reimbursed Expenses

The Missouri State Association of Letter Carriers did not retain adequate documentation for reimbursed expenses incurred by President Kevin Boyer totaling at least \$3,255.62. For example, the State Association did not retain documentation to verify the reimbursements Boyer received for lodging and other travel expenses on September 12, 2007; March 5, 2008; April 4, 2008; and April 18, 2008.

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 An Adequate Record Of Receipts

The Missouri State Association of Letter Carriers did not maintain an adequate record of receipts deposited into the association's account. For example, during the audit period, the association had deposits of \$1,700.00 from hole sponsorships and \$3,960.00 from entrance fees for their golf tournament to benefit MDA. The association did not maintain a record to verify who paid the money, when it was paid, or the amount that was paid. Union receipts records must include an adequate identification of all money the union receives. The records should show the date and amount received and the source of the money.

Based on your assurance that the Missouri State Association of Letter Carriers 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 the Missouri Association of Letter Carriers for fiscal year ending June 30, 2008 was deficient in the following areas:

1. Cash Reconciliation

The Labor Organization Annual Report Form LM-3 filed by Missouri State Association of Letter Carriers for fiscal year ending June 30, 2008 was deficient in that the report failed to reconcile by \$7,725.00.

2. Failure to Report A Receipt

The Missouri Association of Letter Carriers did not properly report a receipt transaction in Statement B (Receipts and Disbursements) of the Labor Organization Annual Report Form LM-3 for the fiscal year ending June 30, 2008. The association failed to report as a receipt a bank loan in the amount of \$8,000.00. This omission was a contributing factor in the failure of the LM report to reconcile.

3. 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. The Missouri State Association of Letter Carriers amended its constitution and bylaws in 2008, but did not file the required copies with its LM report for that year.

The Missouri State Association of Letter Carriers must file an amended Form LM-3 for fiscal year ending June 30, 2008 to correct the deficient items discussed above. I provided you with a blank form and instructions and advised you that the reporting forms and instructions are available on the OLMS website ([www.olms.dol.gov](http://www.olms.dol.gov)). The amended Form LM-3 should be submitted to this office at the above address as soon as possible, but not later than May 31, 2009. Before filing, review the report thoroughly to be sure it is complete, accurate, and signed properly with original signatures.

Ms. Patricia Miller  
May 19, 2009  
Page 4 of 4

In addition, the Missouri State Association of Letter Carriers has now filed a copy of its constitution and bylaws.

I want to extend my personal appreciation to Missouri Association of Letter Carriers 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,

[REDACTED]  
Investigator

cc: Kevin Boyer, President

[REDACTED]  
DEO:caz [REDACTED]