

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
San Francisco District Office
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September 3, 2009

Diana Rodriguez, Treasurer
National Treasury Employees Union (NTEU)
Chapter 165
648 West Field Road
San Francisco, CA 94128

LM File Number: 503-407
Case Number: [REDACTED]

Dear Ms. Rodriguez:

This office has recently completed an audit of NTEU Chapter 165 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 Escalante and you on August 27, 2009, the following problem was disclosed during the CAP. The matter listed below is not an exhaustive list of all possible problem areas since the audit conducted was limited in scope.

Reporting Violation

Pursuant to 29 C.F.R., Section 458.3, the reporting requirement under 29 C.F.R. Section 403.2 (see Section 201(b) of the Labor-Management Reporting and Disclosure Act (LMRDA)) is made applicable to labor organizations subject to the requirements of the CSRA. This provision requires labor organizations to file annual financial reports that accurately disclose their financial condition and operations. The audit disclosed a violation of this requirement. The Labor Organization Annual Report Form LM-3 for fiscal year ending December 31, 2008, was not filed by NTEU Chapter 165 by the March 31, 2009 deadline. However, NTEU Chapter 165 filed its LM-3 report for 2008 during the audit and provided evidence of this to OLMS. As a result, OLMS will take no further enforcement action regarding this issue.

I want to extend my personal appreciation to NTEU Chapter 165 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: President Joseph Escalante