



August 21, 2013

Mr. Christopher Kiley, Treasurer  
Communication Workers (CWA), AFL-CIO  
Local Union 15  
Empire Media Union  
1550 Titus Avenue  
Rochester, NY 14622

Case Number: 120-092900 [REDACTED]  
LM Number: 543-941

Dear Mr. Kiley:

This office has recently completed an audit of CWA Local 15, Empire Media Union 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 Richard Trox and you on August 20, 2013, 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 Local 15's 2012 records revealed the following recordkeeping violation:

### Failure to Record Receipts

Local 15 did not record dues receipts in a union record, i.e. receipt journal or similar, and therefore, did not include adequate identification of all money the union receives. In some form of union record, the union must document all income received by recording the date the funds were received, the source of the income, the amount and the purpose.

Furthermore, entries in the union's reconciliation ledgers reflect the dates the union deposited money, however not the dates the money was received. The union must record in some union record the date of receipt and the date of deposit. The date of receipt is required to verify, explain, or clarify amounts required to be reported in Statement B (Receipts and Disbursements) of the LM-3. The LM-3 instructions for Statement B state that the labor organization must record receipts when it actually receives money and disbursements when it actually pays out money. Failure to record the date money was received could result in the union reporting some receipts for a different year than when it actually received them.

Based on your assurance that Local 15 will retain adequate documentation in the future, OLMS will take no further enforcement action at this time regarding the above violations.

I want to extend my personal appreciation to CWA Local 15, Empire Media Union 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. Richard Trox, President