



July 22, 2014

Mr. Roger Miller, President  
BCGTM Local 33-G  
108 Bowling Lane  
Clarksville, Indiana 47129

Case Number: 350-6000567 [REDACTED]  
LM Number: 026-459

Dear Mr. Miller:

This office has recently completed an audit of BCGTM Local 33-G 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 July 17, 2014, 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 Local 33-G's' 2013 records revealed the following recordkeeping violations:

1. Lost Wages

Local 33-G did not retain adequate documentation for lost wage reimbursement payments to union officers on at least three instances during the audit year. Specifically, vouchers were not in the records for check number [REDACTED] in the amount of \$390.52; check number [REDACTED] in the amount of \$191.26; and check number [REDACTED] in the amount of \$281.68. The union must maintain records in support of all lost wage claims that identify each date lost wages were incurred, the number of hours lost on each date, the applicable rate of pay, and a description of the union business conducted. For the three checks listed above, OLMS was not able to identify the specific dates the lost time was incurred or the union purposes.

Based on your assurance that Local 33-G 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 of Local 33-G revealed the following reporting violation:

1. Failure to File Bylaws

The audit disclosed a violation of LMRDA Section 201(a), which requires a union to submit a copy of its revised constitution and bylaws with its LM report whenever there are changes to the constitution and bylaws. Specifically, Local 33-G amended its bylaws in March 2000, but did not submit a copy of the amended bylaws with its LM-3 report for fiscal year ending December 31, 2000. Local 33-G has now filed a copy of its bylaws and no further action is required in that regard.

I want to extend my personal appreciation to BCGTM Local 33-G 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]  
Senior Investigator