



September 6, 2016

Mr. Damon Dodge, Secretary-Treasurer
Brotherhood of Locomotive Engineers and Trainmen
Division 777
22500 W 55TH Terrace
Shawnee, KS 66226

Case Number: 510-6008992
LM Number: 513315

Dear Mr. Dodge:

This office has recently completed an audit of Brotherhood of Locomotive Engineers and Trainmen Division 777 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 September 1, 2016, 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.

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 Division 777 for the fiscal year ended December 31, 2015, was deficient in that:

Disbursements to Officers (LM-3)

Division 777 did not include some reimbursements to officers totaling at least \$6,190 in the amounts reported Item 24 (All Officers and Disbursements to Officers). It appears the union erroneously reported these payments in Item 48.

The union must report most direct disbursements to Division 777 officers and some indirect disbursements made on behalf of its officers in Item 24. A "direct disbursement" to an officer is a payment made to an officer in the form of cash, property, goods, services, or other things of value. See the instructions for Item 24 for a discussion of certain direct disbursements to officers that do not have to be reported in Item 24. An "indirect disbursement" to an officer is a payment to another party (including a credit card company) for cash, property, goods, services, or other things of value received by or on behalf of an officer. However, indirect disbursements for temporary lodging (such as a union check issued to a hotel) or for transportation by a public carrier (such as an airline) for an officer traveling on union business should be reported in Item 48 (Office and Administrative Expense).

I am not requiring that Division 777 file an amended LM report for 2015 to correct the deficient items, but Division 777 has agreed to properly report the deficient items on all future reports it files with OLMS.

I want to extend my personal appreciation to Brotherhood of Locomotive Engineers and Trainmen Division 777 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. Kevin Maloney, President