



June 28, 2019

Bonnie Diaz, President  
AFSCME Local 766  
260 68th Street  
Brooklyn, NY 11220

Case Number: 130-6014956 [REDACTED]  
LM Number: 544399

Dear Ms. Diaz:

This office has recently completed an audit of AFSCME Local 766 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 Investigator [REDACTED] on June 28, 2019, the following problems were 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.

#### 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 766's 2018 records revealed the following recordkeeping violations:

1. Information not Recorded in Meeting Minutes

During the audit, OLMS was advised that Local 766 holds general membership meetings once per year, but the Local Constitution, a standardized governing document from Civil Service Employees Association (CSEA), requires two general membership meetings per year. Specifically, Article VII, Section 1 requires that "General membership meetings of the

Local shall be held at least two (2) times annually". However, OLMS investigation revealed that the Local does not hold an adequate amount of general membership meetings. Furthermore, the minutes of the Local's past general membership meetings were not maintained in any form by the Executive Board.

Based on your assurance that Local 766 will retain and record adequate minutes 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 AFSCME Local 766 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,



District Director

cc: Erica Berkowitz, Treasurer