

U.S. Department of Labor

Employment Standards Administration
Office of Labor-Management Standards
Washington, D.C. 20210



FEB 28 2008

LM File No. [REDACTED]

William Cromartie, President
International Brotherhood of Teamsters
Local 85
850 Harrison Street
San Francisco, CA 94107-1125

Dear Mr. Cromartie:

This is in response to your continuing hardship exemption request for International Brotherhood of Teamsters, Local 85, LM File Number [REDACTED], for the fiscal year ending December 31, 2007. Your request dated January 29, 2008 was received by the Office of Labor-Management Standards (OLMS) on February 7, 2008. A continuing hardship exemption request requires the requesting union to demonstrate that it cannot file Form LM-2 electronically without undue burden or expense.

You based your request upon the following information stated in your letter:

Your local does not currently have a computer system that meets the specifications needed for electronic signatures and your finances do not warrant the funds to upgrade your system at this time. Further, your Secretary Treasurer is continuing treatments for cancer and had surgery on January 30, 2008. Because of this, he has been unable to follow through with obtaining a digital signature.

OLMS grants your continuing hardship exemption request for filing Form LM-2 electronically for the fiscal year ending December 31, 2007, based on the information provided. Please note that this approval of your request for hardship exemption extends only to the filing of the LM report for the fiscal year ending December 31, 2007.

In granting your request, I note that in 2006, you submitted a request for a continuing hardship exemption which was similarly based in part upon your inability to afford a computer system upgrade. OLMS granted that request. I might point out, however, that in granting a hardship request, there is a presumption that the basis for the request will not exceed one year, and will be resolved prior to the filing deadline following the next fiscal year.

Enclosed is a paper version of Form LM-2 and instructions with your union's identifying information pre-filled. The report can be completed on the paper form, signed manually, and mailed to OLMS at the address given in the instructions.

If you have any further questions about filing Form LM-2 pursuant to the hardship exemption, please call 202-693-0123 and reference your organization's LM file number.

Sincerely,



Beverly E. Walker, Chief
Division of Interpretations
and Standards

cc: Larry King, Chief, Division of Reports, Disclosure & Audits