

U.S. Department of Labor

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



JUN 09 2008

LM File No. [REDACTED]

John R. Feltz, President
Transport Workers Union of America
Local 2001
570 Taxter Road
Elmsford, NY 10523

Dear Mr. Feltz:

This is in response to your continuing hardship exemption request for Transport Workers Union of America, Local 2001, LM File Number [REDACTED] for the fiscal year ending December 31, 2007. Your request dated May 28, 2008 was received by the Office of Labor-Management Standards (OLMS) on June 4, 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.

Your local is unable to comply with the electronic filing requirement because of your antiquated computer systems. You indicated that you mailed a paper copy of Form LM-2 on March 24, 2008.

OLMS notes that you filed for and received hardship exemptions from electronic filing for your fiscal years ending December 31, 2005 and December 31, 2006.

- In your letter requesting the hardship exemption for your 2005 fiscal year you indicated that you intended to upgrade your computers and would be able to file electronically for fiscal year 2006; OLMS granted that request.
- In your letter requesting the hardship exemption for fiscal year 2006, you stated that you had planned to upgrade but your finances did not allow; OLMS granted that request.
- Similarly, in your letter requesting the hardship exemption for fiscal year 2007, you stated again that you had planned to upgrade but your finances did not allow.

Requests for continuing hardship exemptions cannot exceed a one year time period. Underlying this policy is the presumption that if granted, the union will have had ample time to resolve the issue which necessitated the request.

In reviewing your request, OLMS considered the fact that the basis for the current request is essentially the same as that used in your prior requests for hardship exemptions covering the 2005 and 2006 fiscal years. Having no additional information, OLMS therefore denies your continuing hardship exemption request for filing Form LM-2 for

the fiscal year ending December 31, 2007, based on the information that you have provided.

You are required to electronically file your LM-2 for the fiscal year ending December 31, 2007. Until this report has been received electronically, your union will be considered delinquent in its filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly E. Walker".

Beverly E. Walker, Chief
Division of Interpretations
and Standards

cc: Larry King, Chief, Division of Reports, Disclosure & Audits
Ralph Gerchak, District Director, NYDO