

U.S. Department of Labor

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



LM File No. [REDACTED]

JUN 24 2008

Jo Lynn Martin, Office Secretary  
United Steelworkers of America, Local 13  
624 S. Cottage  
Independence, MO 64050

Dear Ms. Martin:

This is in response to your continuing hardship exemption request for United Steelworkers of America, Local 13, LM File Number [REDACTED] for the fiscal year ending December 31, 2007. Your request dated June 11, 2008 was received by the Office of Labor-Management Standards (OLMS) on June 23, 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:

You thought you had filed your LM-2 electronically but it has not been received by OLMS. You have further discovered that your digital signatures have expired and you do not want to get new ones because you think you will not meet the filing threshold for the LM-2 for your next fiscal year.

OLMS notes that a request for hardship exemption from electronic filing must come from one of the officers responsible for signing the LM-2, not from an employee of the union. Further, based on the information in your request, the mere assumption that your local will not meet the filing threshold for the LM-2 in a future year is not an adequate justification for which an exemption for electronic filing for your last fiscal year can be granted. OLMS therefore denies your continuing hardship exemption request for electronically filing Form LM-2 for the fiscal year ending December 31, 2007, based on the information that you have provided. Until your Form LM-2 has been electronically filed, your union will continue to be considered delinquent in its filing for the fiscal year ending December 31, 2007.

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