



March 13, 2024

Mr. Joshua Broadway, Treasurer
BRS 137
83 Falcon Drive
Picayune, MS 39466

Case Number: 420-6028108()
LM Number: 047832

Dear Mr. Broadway:

This office has recently completed an audit of BRS 137 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 and President Kevin Lumpkin on March 8, 2024, 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 Lodge 137 for the fiscal year ended December 31, 2022, was deficient in the following areas:

1. Dues

Lodge 137 failed to report the total dues paid to your organization during the reporting period in Item 38 (Dues). It appears Lodge 137 mistakenly reported the \$40,589 in dues paid to your organization in Item 39 (Per Capita Tax) instead of in Item 38 (Dues). As stated in the Form LM-3 instructions, "Enter the total dues received by your organization. Include dues received directly by your organization from members, dues received from employers through a checkoff arrangement, and dues transmitted to your organization by a parent body or other affiliate."

2. Failure to File Bylaws

The audit disclosed a violation of LMRDA Section 201(a), which requires that a union submit a copy of its revised constitution and bylaws with its LM report when it makes changes to its constitution or bylaws. Lodge 137 amended its constitution and bylaws in 1989, but did not file a copy with its LM report for that year.

As agreed, Lodge 137 will file a copy of its current constitution and bylaws with OLMS as soon as possible but not later than March 15, 2024.

Lodge 137 must file an amended Form LM-3 for the fiscal year ended December 31, 2022, to correct the deficient item discussed above. The report must be filed electronically using the Electronic Forms System (EFS) available at the OLMS website at www.olms.dol.gov. The amended Form LM-3 must be filed no later than March 15, 2024. Before filing, review the report thoroughly to be sure it is complete and accurate.

Other Issue

Expense Approval

Lodge 137 officers told OLMS in the opening audit interview that all expenditures are approved at the membership meetings. However, there was no mention or approval of check [REDACTED] totaling \$206.07 written to Treasurer Broadway in Lodge 137's 2022 membership meeting minutes. OLMS recommends maintaining written documentation of expense approvals.

I want to extend my personal appreciation to Lodge 137 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,

[REDACTED]

Investigator

cc: Mr. Kevin Lumpkin, President