HERE LOCAL 25 HEALTH & WELFARE, LEGAL AND PENSION FUNDS
ACTIVE COMPLIANCE AUDITS
From October 9th through February 20th 2013

FUND	EMPLOYER	SCHEDULE	EXIT	DELIVERE	PERIOD	UNDER	OVER	INTEREST	COMMENTS
HW	Aramark - Verizon Center	10/22/2012	12/6/2012	1/8/2013	1/09-12/11	$6,701.21	$0.00	$1,360.38	Employer used a 30 day probationary exclusion. ER disagrees. Confirmed with J. Boardman date of hire. Also, other hours were omitted.
LGL	Aramark - Verizon Center	10/22/2012	12/6/2012	1/8/2013	1/09-12/11	$2,740.48	$0.00	$554.73	Employer used a 30 day probationary exclusion. ER disagrees. Confirmed with J. Boardman date of hire. Also, other hours were omitted.
PEN	Aramark - Verizon Center	10/22/2012		1/8/2013	1/09-12/11	$0.00	$0.00		
HW	Capitol Skyline Hotel -Temp estimation	1/7/2013		1/22/2013	1/09-12/11	$2,737.20	$0.00	$574.51	Employer used Temps of DC and Foodstaff for temp. work. Estimated for period used 8,072 hours of temp labor.
LGL	Capitol Skyline Hotel -Temp estimation	1/7/2013		1/22/2013	1/09-12/11	$1,373.40	$0.00	$288.26	Employer used Temps of DC and Foodstaff for temp. work. Estimated for period used 8,072 hours of temp labor.
PEN	Capitol Skyline Hotel -Temp estimation	1/7/2013		1/22/2013	1/09-12/11	$10,729.08	$0.00	$2,251.94	Employer used Temps of DC and Foodstaff for temp. work. Estimated for period used 8,072 hours of temp labor.
HW	Hotel and Restaurant Temps	10/12/2012			1/09-12/11				Audit was originally scheduled for 9/10/12, however Employer did not have records ready when auditors arrived. Employer was given to 10/12/12 to prepare the records. Employer refuses to set a deadline and not sure if they will supply records. Updates from Twyla Fultz Atwood that Mr. Atwood is sick and she cannot get records.
LGL	Hotel and Restaurant Temps	10/12/2012			1/09-12/11				Audit was originally scheduled for 9/10/12, however Employer did not have records ready when auditors arrived. Employer was given to 10/12/12 to prepare the records. Employer refuses to set a deadline and not sure if they will supply records. Updates from Twyla Fultz Atwood that Mr. Atwood is sick and she cannot get records.
PEN	Hotel and Restaurant Temps	10/12/2012			1/09-12/11				Audit was originally scheduled for 9/10/12, however Employer did not have records ready when auditors arrived. Employer was given to 10/12/12 to prepare the records. Employer refuses to set a deadline and not sure if they will supply records. Updates from Twyla Fultz Atwood that Mr. Atwood is sick and she cannot get records.
HW	L'Enfant Plaza Hotel-Crestline	3/4/2013			1/08-6/14/10				Records for 1/08-6/14/10 are with Crestline.
LGL	L'Enfant Plaza Hotel-Crestline	3/4/2013			1/08-6/14/10				Records for 1/08-6/14/10 are with Crestline.
PEN	L'Enfant Plaza Hotel-Crestline	3/4/2013			1/08-6/14/10				Records for 1/08-6/14/10 are with Crestline.
HW	Madison Hotel - Loews	3/26/2013			1/09-1/28/11				Audit is now at the Madison Hotel in DC
LGL	Madison Hotel - Loews	3/26/2013			1/09-1/28/11				Audit is now at the Madison Hotel in DC
PEN	Madison Hotel - Loews	3/26/2013			1/09-1/28/11				Audit is now at the Madison Hotel in DC
HW	Madison Hotel- Destination Hotel	1/24/2013		2/8/2013	1/19/11-1/29/13	$339.93	$0.00	$0.00	The employer omitted double time hours on last check. No interest calculated due to detecting variance prior to c/r due date. No banquet sheets kept. Employer reports clock hours. No way to extrapolate - 4 on call banquet employees.
LGL	Madison Hotel- Destination Hotel	1/24/2013		2/8/2013	1/19/11-1/29/13	$158.05	$0.00	$0.00	The employer omitted double time hours on last check. No interest calculated due to detecting variance prior to c/r due date. No banquet sheets kept. Employer reports clock hours. No way to extrapolate - 4 on call banquet employees.
PEN	Madison Hotel- Destination Hotel	1/24/2013		2/8/2013	1/19/11-1/29/13	$0.00	$0.00		No banquet sheets kept. Employer reports clock hours. No way to extrapolate - 4 on call banquet employees.

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HW	MARRIOTT WARDMAN PARK	11/8/2011	11/21/2011	6/07-12/10	$0.00	$0.00	$0.00		The employer did not provide complete documents requested, however the documents provided were sufficient to complete testing except in regard to the issue with the employer not keeping timesheets for the banquet employees. Employer did not provide Federal Tax Return Documents, 1096/1099's and Roster List of non-Local 25 members. The employer is not in compliance to the terms of the CBA in regards to how banquet employees are paid and contributed. The employer does not track hours for banquet employees. Banquet associates do not have timesheets instead they are paid 5 hours per function. The banquets captains are in charge of recording the names of employees working, for each function they are appointed as a captain. The rate paid is determined by the type of function (AM/PM), set, clean, etc. These employees are considered overtime exempt and are paid straight time for all hours worked. Due to the method of record keeping for banquet functions by Marriot Wardman Park, we cannot determine variances for banquet associates. Banquet contributions are capped at 40 hours per week. 9/7/12 Fund's atty sent a letter to the Hotel and Calibre to proceed with the audit by assuming 5 hours per banquet x the number of banquets in a week. We were asked to present a fee proposal. However, due to the large number of banquet employees per year and the unknown factors of the condition/availability of the records and the efficency of working with the records, Calibre presented a letter to the Fund stating an hourly rate. Calibre proposes to spend 40 hours in the field collecting and analysing data. After 40 hours we will be able to present an estimate of how many hours it will take to complete the audit or if findings warrant expanding testing. Per 12/13/12 BOT letter will be written to the Marriott to have them do a self audit of banquet employees.
LGL	MARRIOTT WARDMAN PARK		11/8/2011	11/21/2011	7/07-12/10	$0.00	$0.00	$0.00	The employer did not provide complete documents requested, however the documents provided were sufficient to complete testing except in regard to the issue with the employer not keeping timesheets for the banquet employees. Employer did not provide Federal Tax Return Documents, 1096/1099's and Roster List of non-Local 25 members. The employer is not in compliance to the terms of the CBA in regards to how banquet employees are paid and contributed. The employer does not track hours for banquet employees. Banquet associates do not have timesheets instead they are paid 5 hours per function. The banquets captains are in charge of recording the names of employees working, for each function they are appointed as a captain. The rate paid is determined by the type of function (AM/PM), set, clean, etc. These employees are considered overtime exempt and are paid straight time for all hours worked. Due to the method of record keeping for banquet functions by Marriot Wardman Park, we cannot determine variances for banquet associates. Banquet contributions are capped at 40 hours per week. 9/7/12 Fund's atty sent a letter to the Hotel and Calibre to proceed with the audit by assuming 5 hours per banquet x the number of banquets in a week. We were asked to present a fee proposal. However, due to the large number of banquet employees per year and the unknown factors of the condition/availability of the records and the efficency of working with the records, Calibre presented a letter to the Fund stating an hourly rate. Calibre proposes to spend 40 hours in the field collecting and analysing data. After 40 hours we will be able to present an estimate of how many hours it will take to complete the audit or if findings warrant expanding testing. Per 12/13/12 BOT letter will be written to the Marriott to have them do a self audit of banquet employees.

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PEN	MARRIOTT WARDMAN PARK		11/8/2011	11/21/2011	7/07-12/10	$21,749.90	$0.00	$4,559.00	The employer did not provide complete documents requested, however the documents provided were sufficient to complete testing except in regard to the issue with the employer not keeping timesheets for the banquet employees. Employer did not provide Federal Tax Return Documents, 1096/1099's and Roster List of non-Local 25 members. Employer failed to report vacation payout hours upon termination. Due to the voluminous weekly non-accumulative paper records for 2007 and 2008 findings were extrapolated to pick up vacation payout hour variances. The employer is not in compliance to the terms of the CBA in regards to how banquet employees are paid and contributed. The employer does not track hours for banquet employees. Banquet associates do not have timesheets instead they are paid 5 hours per function. The banquets captains are in charge of recording the names of employees working, for each function they are appointed as a captain. The rate paid is determined by the type of function (AM/PM), set, clean, etc. These employees are considered overtime exempt and are paid straight time for all hours worked. Due to the method of record keeping for banquet functions by Marriot Wardman Park, we cannot determine variances for banquet associates. Banquet contributions are capped at 40 hours per week. 9/7/12 Fund's atty sent a letter to the Hotel and Calibre to proceed with the audit by assuming 5 hours per banquet x the number of banquets in a week. We were asked to present a fee proposal. However, due to the large number of banquet employees per year and the unknown factors of the condition/availability of the records and the efficency of working with the records, Calibre presented a letter to the Fund stating an hourly rate. Calibre proposes to spend 40 hours in the field collecting and analysing data. After 40 hours we will be able to present an estimate of how many hours it will take to complete the audit or if findings warrant expanding testing. Per 12/13/12 BOT letter will be written to the Marriott to have them do a self audit of banquet employees.
HW	Phoenix Park Hotel	10/8/2012	10/8/2012	11/13/2012	1/09-12/11	$771.52	$0.00	$184.39	Failed to report from date of hire, omitted reg, dt, ot.
LGL	Phoenix Park Hotel	10/8/2012	10/8/2012	11/13/2012	1/09-12/11	$394.36	$0.00	$94.71	Failed to report from date of hire, omitted reg, dt, ot.
PEN	Phoenix Park Hotel	10/8/2012	10/8/2012	11/13/2012	1/09-12/11	$2,373.96	$0.00	$597.01	Failed to report from date of hire & omitted reg hours.
HW	Renaissance Mayflower Hotel	10/17/2012	11/2/2012	11/16/2012	1/09-12/11	$660.77	($3,315.26)	$172.01	Omitted reg hours extrapolated on call banquet - failed to report greater of 5 hour min/clock hours per function. Reports 5 hours per function. Clerical errors resulted in overpayments.
LGL	Renaissance Mayflower Hotel	10/17/2012	11/2/2012	11/16/2012	1/09-12/11	$318.58	($1,657.63)	$82.52	Omitted reg hours extrapolated on call banquet - failed to report greater of 5 hour min/clock hours per function. Reports 5 hours per function. Clerical errors resulted in overpayments.
PEN	Renaissance Mayflower Hotel	10/17/2012	11/2/2012	11/16/2012	1/09-12/11	$48,596.78	($1,474.77)	$9,702.22	Omitted reg, vac, hol hours extrapolated on call banquet - failed to report greater of 5 hour min/clock hours per function. Reports 5 hours per function. Clerical errors resulted in overpayments.
HW	St. Regis Washington Hotel	11/5/2012	11/27/2012	11/30/2012	1/09-12/11	$2,525.25	$0.00	$425.38	Omitted hours in April 2009 and omitted w/e 9/24/11.
LGL	St. Regis Washington Hotel	11/5/2012	11/27/2012	11/30/2012	1/09-12/11	$1,268.14	$0.00	$214.39	Omitted hours in April 2009 and omitted w/e 9/24/11.
PEN	St. Regis Washington Hotel	11/5/2012	11/27/2012	11/30/2012	1/09-12/11	$7,473.38	$0.00	$850.46	Omitted w/e 9/24/11
HW	W Hotel (formerly Hotel Washington)	10/10/2012	10/19/2012	11/9/2012	7/09-12/11	$20,972.83	$0.00	$3,503.02	Omitted w/e 1/30/10, 2/27/10, 5/29/10, 7/31/10, 10/30/10,4/30/11 & 7/30/11. On call banquet e/e's not reported the greater of clock or 5 hours per event. No banquet sheets avail 09-10. Used estimation.
LGL	W Hotel (formerly Hotel Washington)	10/10/2012	10/19/2012	11/9/2012	7/09-12/11	$10,487.62	$0.00	$1,751.83	Omitted w/e 1/30/10, 2/27/10, 5/29/10, 7/31/10, 10/30/10,4/30/11 & 7/30/11. On call banquet e/e's not reported the greater of clock or 5 hours per event. No banquet sheets avail 09-10. Used estimation.
PEN	W Hotel (formerly Hotel Washington)	10/10/2012	10/19/2012	11/9/2012	7/09-12/11	$100,657.37	$0.00	$15,895.16	Omitted w/e 1/30/10, 2/27/10, 5/29/10, 7/31/10, 10/30/10,4/30/11 & 7/30/11 and omitted vacation hours. On call banquet e/e's not reported the greater of clock or 5 hours per event. No banquet sheets avail 09-10. Used estimation.
HW	**WOODNER HOTEL**	**2/28/2013**			**1/03-12/12**				**NYC**
LGL	**WOODNER HOTEL**	**2/28/2013**			**1/03-12/12**				**NYC**
PEN	**WOODNER HOTEL**	**2/28/2013**			**1/03-12/12**				**NYC**
	Totals:					**$218,748.44**	**($6,447.66)**	**$38,032.10**	