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DO NOT SEND YOUR COMPLETED FORM LM-30 TO THE ABOVE ADDRESS.

Instructions for Form LM-30

Labor Organization Officer and Employee Report

(10/2011)

General Instructions

I. Why File

The Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA or Act), requires public disclosure of certain financial transactions and financial interests of labor organization officers and employees and their spouses and minor children. See 29 C.F.R. 404.1-404.9 (reports by officers and employees of labor organizations). The purpose of disclosure, among other things, is to publicly identify an actual or potential conflict between the personal financial interests of a union officer or employee and his or her obligations to the union and its members.

The LMRDA establishes basic rights of union members, including equal voting rights, freedom of speech and assembly, and other essential safeguards for union democracy, among other protections; establishes financial reporting and disclosure requirements for unions, union officers and employees, employers, and labor relations consultants; regulates union trusteeships; details procedural requirements for the conduct of union officer elections; and establishes a fiduciary duty on union officers, employees, and other representatives.

Pursuant to Section 202 of the LMRDA, and subject to certain exceptions, if you are a labor organization officer or employee (other than an employee performing exclusively clerical or custodial services), who has, directly or indirectly, held any legal or equitable interest in, received any payments from, or engaged in any transactions or arrangements (including loans) with certain employers or businesses or labor relations consultants during your fiscal year, you must file a detailed report with the Secretary of Labor (Secretary). See Part X of these instructions for a detailed discussion of the types of financial matters that must be reported. You are not required to file a report unless you or your spouse or minor child held a reportable interest, received a reportable payment, or engaged in a reportable transaction or arrangement during the reporting

period. As discussed in Part X, you are not required to report insubstantial payments or gifts, as there defined.

The Department's Office of Labor-Management Standards (OLMS) has developed guidance to assist with LMRDA compliance. Guidance to assist with completion of the Form LM-30 is available on the OLMS website: www.olms.dol.gov. For additional OLMS contact information, see the final page of these instructions.

The reporting requirements of the LMRDA and of the regulations and forms issued under the Act relate only to the public disclosure of specified transactions and interests. The reporting requirements do not address whether such transactions and interests are lawful or unlawful. The fact that a particular transaction or interest is or is not required to be reported is not indicative of whether it is or is not subject to any legal restriction; this must be determined by provisions of law other than those prescribing the reports. Failure to file a required report may subject an individual to civil or criminal penalties, or both. See Part VIII of these instructions.

II. Who Must File

Any *officer or employee of a labor organization* (other than an employee performing clerical or custodial services exclusively), as defined by the LMRDA and these instructions, must file Form LM-30 *if*, during the past fiscal year, the officer or employee, spouse, or minor child, either directly or indirectly, held any legal or equitable interest, received any payments, or engaged in transactions or arrangements (including loans) of the types described in these instructions.

LABOR ORGANIZATION EMPLOYEE – means any individual (other than an individual performing exclusively clerical or custodial services) employed by a labor organization

within the meaning of any law of the United States relating to the employment of employees.

For purposes of the Form LM-30, an individual who serves the union as a union steward or as a similar union representative, such as a member of a safety committee or a bargaining committee, is not considered to be an employee of the union by virtue of service in such capacity.

LABOR ORGANIZATION OFFICER – means (1) a person identified as an officer by the constitution and bylaws of the labor organization; (2) any person authorized to perform the functions of president, vice president, secretary, or treasurer; (3) any person who in fact has executive or policy-making authority or responsibility; and (4) a member of a group identified as an executive board or a body which is vested with functions normally performed by an executive board.

NOTE: Under this definition, an officer includes a trustee appointed by the national or international union to administer a local union in trusteeship. If you are a trustee elected or appointed by the local union to audit and/or hold the assets of the union, you may or may not be a union officer, depending on your union's constitution and these four factors.

MINOR CHILD – means a son, daughter, stepson, or stepdaughter less than 21 years of age.

NOTE: Selected definitions from the LMRDA follow these instructions.

III. What Must Be Reported

The types of financial transactions and interests which must be reported are set forth in Form LM-30 and in Part A, Part B, and Part C of these instructions.

IV. Who Must Sign the Report

You (the labor organization officer or employee) must sign the completed Form LM-30.

V. When to File

A Form LM-30 report must be filed *within 90 days* after the end of your fiscal year. Fiscal year usually means the calendar year, but if you serve as an officer or employee for only a portion of the fiscal year, you may limit this report to that portion of the fiscal year. For more clarification, see instructions for Item 2 (Fiscal Year Covered).

VI. How to File

Form LM-30 is available on the OLMS website at www.olms.dol.gov. You can complete and submit the form electronically or print a copy and complete it manually. If you do not have access to the Internet, you can obtain a blank form from the nearest OLMS field office

listed at the end of these instructions, from the OLMS National Office at 202-693-0124, or by calling the DOL toll-free help desk at 866-487-2365.

If the Form LM-30 report is prepared in paper format, the completed Form LM-30 and any additional pages must be mailed to the following address:

U.S. Department of Labor
Office of Labor-Management Standards
200 Constitution Avenue, NW
Room N-5616
Washington, DC 20210-0001

NOTE: If either the paper filing or the electronic filing is not received in the timeframe specified above, the report will be considered delinquent.

VII. Public Disclosure

The LMRDA requires that the Department make Form LM-30 and other reports required by the LMRDA available for inspection by the public. Reports may be viewed and downloaded from the OLMS website at www.unionreports.gov. Copies of reports and union constitutions and bylaws can also be ordered on the same website. Reports may also be examined and copies may be purchased at the OLMS Public Disclosure Room at the following address:

U.S. Department of Labor
Office of Labor-Management Standards
200 Constitution Avenue, NW
Room N-1519
Washington, DC 20210-0001

VIII. Officer and Employee Responsibilities and Penalties

The labor organization officer or employee required to sign the Form LM-30 is personally responsible for its filing and accuracy. Under the LMRDA, this individual is subject to criminal penalties for willful failure to file a required report and/or for false reporting. False reporting includes making any false statement or misrepresentation of a material fact while knowing it to be false, or for knowingly failing to disclose a material fact in a required report or in the information required to be contained in it or in any information required to be submitted with it.

The reporting labor organization officer or employee required to sign Form LM-30 is also subject to civil prosecution for violations of filing requirements. Section 210 of the LMRDA provides that "whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring a civil action for such relief (including injunctions) as may be appropriate."

The officers and employees responsible for filing Form LM-30 are also subject to criminal penalties for false reporting

and perjury under Sections 1001 of Title 18, 1746 of Title 28, and 1621 of Title 18 of the United States Code.

You, your spouse, and minor child and any individuals or entities associated with the reportable interests and transactions may be required to provide additional information to the Department concerning reported or reportable interests.

IX. Recordkeeping

The labor organization officer or employee required to file Form LM-30 is responsible for maintaining records on the matters required to be reported that will provide in sufficient detail the necessary basic information and data from which the Form LM-30 may be verified, explained or clarified, and checked for accuracy and completeness. These records shall include vouchers, worksheets, receipts, financial and investment statements, contracts, correspondence, and applicable resolutions, in their original electronic and paper formats, and any electronic programs by which they are maintained. Records must be kept available for examination for a period of not less than five years after the filing of the Form LM-30.

X. Completing Form LM-30

While OLMS encourages you to complete Form LM-30 electronically, the Form LM-30 is available for use in both paper and electronic formats. If you are using the electronic Form LM-30, you may click on the "Validate Form" button at any time to check for errors. This action will generate an "Errors Page" listing any errors that will need to be corrected before you will be able to sign the form. Clicking on the signature lines will also perform the validation function.

If filing in paper format, submit entries that are typed or clearly printed in black ink. Do not use a pencil or any other color ink.

How to Provide Additional Information. If you are filing in electronic format, the form will permit you to add additional space to each entry.

If you are filing in paper format and need additional space to complete an item, or to attach an additional item, include the additional information on a separate letter-size (8.5 x 11) page, indicating the number of the item to which the information applies. Type or print clearly at the top of each page the following information: (1) your full name, (2) your 5-digit file number as reported in Item 1, if available; and (3) the ending date of the reporting period as reported in Item 2. All attachments must be labeled sequentially 1 of __, 2 of __, etc.

If you need further guidance for completing the Form LM-30, please contact the OLMS National Office at 202-693-0123 or the nearest OLMS field office listed at the end of these instructions.

Information Items 1–5

Select the appropriate box for those questions requiring a "Yes" or "No" answer; do not leave both boxes blank. Enter a single "0" in the boxes for items requiring a number or dollar amount if there is nothing to report.

1. LM-30 FILE NUMBER — Enter the five-digit file number (U-XXXXX) assigned to you by OLMS as a reporting officer or employee. If you have never previously filed the Form LM-30, leave Item 1 blank. OLMS will notify you of your assigned file number, which should be used on all future reports.

2. FISCAL YEAR COVERED — Enter the beginning and ending dates of the fiscal year covered in this report. Your fiscal year will normally be the calendar year. Note that your fiscal year may differ from the fiscal year utilized by your union for filing its annual financial report, Form LM-2, LM-3, or LM-4. This Form LM-30 report must not cover more than a 12-month period. For example, if your 12-month fiscal year begins on January 1 and ends on December 31, do not enter a date beyond the 12-month period, such as January 1 to January 1; this is an invalid date entry. Note that if you served as a union officer or employee for only part of the fiscal year, you may consider that portion of the year as the entire fiscal year for the purposes of completing this report.

3. AMENDED REPORT — Check the box if you are filing an amended report.

4. YOUR CONTACT INFORMATION — Enter your full name and the complete address where mail should be sent and received, including any building and room number. Enter your email address in the space provided. If you do not have an email address or choose not to provide it, leave this space blank.

5. LABOR ORGANIZATION IDENTIFYING

INFORMATION — Enter the name of the labor organization (including the local number, if any) of which you are an officer or employee. Enter the complete business address of the labor organization where mail should be sent, including any building and room number. Enter the labor organization's OLMS file number. If you cannot obtain the file number of the labor organization, go to www.unionreports.gov to locate it or contact the nearest OLMS field office listed at the end of these instructions. Specify your status in the labor organization by checking the appropriate box indicating whether you are an officer or an employee. List your official position or title with the labor organization. If you serve as an officer or employee to multiple labor organizations, click on the Continuation Button to attach an additional Item 5 (if you are filing in electronic format). If you are filing in paper format, see the "How to Provide Additional Information" section on page 3.

Officer titles include, but are not limited to, president, vice president, secretary, treasurer. Job titles include, but are not limited to, business agent, organizer, attorney.

Information Items

Parts A, B, and C

GENERAL INSTRUCTIONS FOR REPORTABLE TRANSACTIONS AND INTERESTS

— You must report *if*, during the past fiscal year, you or your spouse or minor child, *directly or indirectly*: (1) held an interest; (2) engaged in a transaction or arrangements (including loans); or (3) received income, payment or other benefit with monetary value covered by the Act.

When applying the Form LM-30 reporting requirements, you are required to look at employers and businesses that have specified relationships with the level of the union in which you serve as an officer or employee. However, if you are an officer of a national, international, or intermediate union, you must also look at employers and businesses that have specified relationships with subordinate affiliates (e.g., a local union or other subordinate body), as well as your own level of the union. These relationships are identified below in the instructions for completing Parts A, B, and C of the form. If you are an employee of a national, international, or intermediate union and possess significant authority or influence (whether or not exercised) over a subordinate affiliate's activities (e.g., its organizing, collective bargaining, contract enforcement, spending or investment decisions, or union administration), you are also required to look at employers and businesses that have specified relationships with such affiliate, as well as your own level of the union. See instructions below.

DIRECTLY OR INDIRECTLY – means by any course, avenue, or method. *Directly* encompasses holdings and transactions in which you, your spouse, or minor child receive a payment or other benefit without the intervention or involvement of another party. *Indirectly* includes any payment or benefit which is intended for you, your spouse, or minor child or on whose behalf a transaction or arrangement is undertaken, even though the interest is held by a third party, or was received through a third party.

NOTE: You must disclose any benefits that you have received (or your spouse or minor child has received) from a third party where the third party is acting on behalf, or at the behest, of an employer or business that would have to report the benefit if they provided it directly to you (or your spouse or minor child).

The following are examples of reporting direct and indirect payments or benefits:

- You are employed by XYZ Widgets and also serve as the president of the local union representing XYZ Widgets employees. In a recent conversation with the XYZ Widgets human resources manager, you mention that you are placing your 15-year-old daughter in a private school. XYZ Widgets sends you a check for \$1,000 with a note saying "Good

luck with the new school!" You have received a *direct benefit*.

- You are employed by XYZ Widgets and also serve as the president of the local union representing XYZ Widgets employees. In a recent conversation with the XYZ Widgets human resources manager, you mention that you are placing your 15-year-old daughter in a private school. You receive a letter from your daughter's new school stating that she has received a \$1,000 scholarship through a donation from XYZ Widgets. You have received an *indirect benefit*.

Complete a separate Part A, B, and/or C if reporting more than one entity or transaction. For example, if you (or your spouse or minor child) held stock in three (3) businesses that have lease agreements with your labor organization, then you must complete and submit a separate Part B for each business.

Additionally, if, for example, you received both income and a gift from a business that has a lease agreement with your labor organization, then you must submit a separate Part B for each transaction with this report.

Do not submit more than one Form LM-30 report for the same fiscal year. If filing in electronic format, click on the Continuation Button to generate the needed separate Parts A, B, or C. If filing in paper format, attach a separate Part A, B, or C.

General Exclusions

Insubstantial payments and gifts. You do not have to report any payments or gifts totaling \$250 or less from any one source, and payments or gifts valued at \$20 or less do not need to be included in determining whether the \$250 threshold has been met. For example, if you receive from an employer two gifts worth \$20 each and two restaurant meals worth \$150 each, you need only keep records of the restaurant meals, and report your receipt of this \$300 value. However, you may not use the exception to hide the receipt of a series of payments or gifts purposely set at \$20 or less to avoid reaching the \$250 reporting threshold. For example, you would have to report your receipt of individual tickets worth \$20 or less to all of a professional baseball team's home games even if they are provided before each game rather than given as a complete package at the start of the season.

Widely-attended gatherings. You also do not have to report the benefits, such as food and entertainment, that you received while in attendance at one or two widely-attended receptions, meetings or gatherings in a single fiscal year for which an employer or business has spent \$125 or less per attendee per gathering. You do not have to include the value of those gatherings in determining whether the \$250 threshold has been met for the employer or business providing the meeting or gathering. However,

if you attend three or more such widely-attended gatherings provided by an employer or business, you must count the value of all such events.

A gathering is widely attended if a large number of persons are in attendance and the attendees include union officers and employees and a substantial number of individuals with no relationship to a union or a *trust in which a labor organization is interested*. For a gathering to qualify as widely attended, those individuals with a relationship to a union must be treated the same as others when the employer or business advertises or distributes invitations for the event and must be treated alike at the event.

Report payments received as director's fees, including reimbursed expenses.

PART A (ITEMS 6 and 7) – REPRESENTED EMPLOYER

Complete Part A if you (1) held an interest in, (2) engaged in transactions or arrangements (including loans) with, or (3) derived income or other benefit of monetary value from, an *employer whose employees your labor organization represents or is actively seeking to represent*. Report payments received as director's fees, including reimbursed expenses.

ACTIVELY SEEKING TO REPRESENT – means that a labor organization has taken concrete steps during your fiscal year to become the bargaining representative of the employees of an employer, including but not limited to:

- Sending organizers to an employer's facility;
- Placing an individual in a position as an employee of an employer that is the subject of an organizing drive and paying that individual subsidies to assist in the union's organizing activities;
- Circulating a petition for representation among employees;
- Soliciting employees to sign membership cards;
- Handing out leaflets;
- Picketing; or
- Demanding recognition or bargaining rights or obtaining or requesting an employer to enter into a neutrality agreement (whereby the employer agrees not to take a position for or against union representation of its employees), or otherwise committing labor or financial resources to seek representation of employees working for the employer.

Where your union has taken any of the foregoing steps, you are required to report a payment or interest received, or transaction conducted, during that reporting period.

NOTE: Leafleting or picketing, such as purely "informational" or "area standards" picketing, that is wholly without the object of organizing the employees of a targeted employer will not alone trigger a reporting

obligation. For example, if a union pickets a sporting goods retailer solely for the purpose of alerting the public that the retailer is selling goods that are made by children working in oppressive conditions in violation of accepted international standards, the picketing would not meet the "actively seeking to represent" standard.

PART A EXCLUSIONS

Part A excludes reporting with respect to the following:

- (i) **Holdings of, transactions in, or income from *bona fide investments*** in (1) securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934 (including the American Stock Exchange, Boston Stock Exchange, Chicago Board Options Exchange, Chicago Stock Exchange, International Securities Exchange, NASDAQ, National Stock Exchange, New York Stock Exchange, Pacific Exchange, and Philadelphia Stock Exchange); (2) shares in an investment company registered under the Investment Company Act of 1940; or (3) securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935.

BONA FIDE INVESTMENT – means personal assets of an individual held to generate profit that were not acquired by improper means or as a gift from any of the following: (1) an employer, (2) a business that deals with your union or a trust in which your union is interested, (3) a business a substantial part of which consists of dealing with an employer whose employees your union represents or is actively seeking to represent, or (4) a labor relations consultant to an employer.

- (ii) **Holding of, transactions in, or income from** securities not listed or registered as described in (i) above, provided any such holding, or transaction, or receipt of income is of insubstantial value or amount and occurs under terms unrelated to your status in a labor organization. For purposes of this exclusion, holdings or transactions involving \$1,000 or less and receipt of income of \$100 or less in any one security shall be considered insubstantial.
- (iii) **Transactions** involving purchases and sales of goods and services in the regular course of business at prices generally available to any employee of the employer. This does not apply to loans or to transactions involving interests in the employer.
- (iv) **Payments and benefits** received as a *bona fide employee* of the employer for past or present services, including wages, payments or benefits received under a bona fide health, welfare, pension, vacation, training or other benefit plan; and payments for periods in which such employee engaged in activities other than

productive work, if the payments for such period of time are: (a) required by law or a bona fide collective bargaining agreement, or (b) made pursuant to a custom or practice under such a collective bargaining agreement, or (c) made pursuant to a policy, custom, or practice with respect to employment in the establishment which the employer has adopted without regard to such employee's position within a labor organization.

6. CONTACT INFORMATION FOR REPRESENTED EMPLOYER — Enter the name (including trade or commercial name, if applicable, such as a d/b/a or “doing business as” name) and address of the employer whose employees your labor organization represents or is actively seeking to represent, including any building and room number. Also enter the name and telephone number of a contact person at the employer.

7. NATURE AND AMOUNT OF INTEREST, TRANSACTION, BENEFIT, ARRANGEMENT, INCOME, OR LOAN — Provide full information as to the nature and amount of each interest, transaction, arrangement, item of income, benefit, or loan. However, do not include account or social security numbers. Your report will be deficient if you provide unclear or nonspecific descriptions. If you need additional space, see the “How to Provide Additional Information” section on page 3. If an interest in real property is reported, identify the location of the property.

ARRANGEMENT — means any agreement or understanding, tacit or express, or any plan or undertaking, commercial or personal, by which you, your spouse, or minor child will obtain a benefit, directly or indirectly, with an actual or potential monetary value.

NOTE: The term “arrangement” is very broad and covers both personal and business transactions, including an unwritten understanding. For example, if during the reporting period an employer's representative offered you a job with the employer, you must report the offer unless you rejected it. A standing job offer must be reported, because it carries the potential of monetary value.

BENEFIT WITH MONETARY VALUE — means anything of value, tangible or intangible. It includes any interest in personal or real property, gift, insurance, retirement, pension, license, copyright, forbearance, bequest or other form of inheritance, office, options, agreement for employment or property, or property of any kind. You do not need to report pension, health, or other benefit payments from a trust to you, your spouse, or minor child that are provided pursuant to a written specific agreement covering such payments.

INCOME — means all income from whatever source derived, including, but not limited to, compensation for services, fees, commissions, wages, salaries, interest, rents, royalties, copyrights, licenses, dividends, annuities, honoraria, income and interest from insurance and endowment contracts, capital gains, discharge or

indebtedness, share of partnership income, bequests or other forms of inheritance, and gifts, prizes or awards.

Enter in Item **7.a.** the nature of the *legal or equitable interest*, transaction, benefit, arrangement, income, or loan, such as the continuing use of an automobile for personal purposes, gift of a computer, payments for services) in the detail set forth below.

Enter in Item **7.b.** the amount or value of each *legal or equitable interest*, transaction, benefit, arrangement, or item of income, or loan, in the detail set forth below, and the date(s) any income or other benefit was received. Report amounts in dollars only; do not enter cents. Round cents to the nearest dollar. Enter a single “0” in the space for reporting dollars if you have nothing to report. Enter the exact value if known or easily obtainable; otherwise, enter a good faith estimate of the fair market value and explain the basis for the estimate (for information on where to provide this explanation, see the “How to Provide Additional Information” section on page 3). The fair market value may be determined by:

- The purchase price
- Recent appraisal
- Assessed value for tax purposes, adjusted to reflect market value if the assessed value is computed at less than 100% of the market value
- The year-end book value of stock that is not publicly traded, the year-end exchange rate of corporate stock, or the face value of corporate bonds or comparable securities
- The net worth of a business partnership or business venture
- The equity value of an individually-owned business or any other recognized indication of value (such as the sale price on the stock exchange at the time of the report or, for transactions, the sale price on the stock exchange at the time of the sale).

If the exact value is not known and cannot be estimated, enter “N/A” and explain the situation. (See the “How to Provide Additional Information” section on page 3.).

For each such interest and transaction, identify the nature of the interest held (for example, common stock, preferred stock, bonds, options, etc.) and give the total number of shares or other units held during the fiscal year. If the interest was acquired during the fiscal year or if this is your first report of the interest, give an approximate date or dates of acquisition, total cost to you, and manner of acquisition (for example, employee stock purchase plan, purchase on market, gift, etc.). If the interest was disposed of during the fiscal year, give an approximate date, total amount received by you and the manner of disposition (for example, sale on market, gift, exchange, etc.). In each case, identify the other party or parties to the transaction.

LEGAL OR EQUITABLE INTEREST – means any property or benefit, tangible or intangible, which has an actual or potential monetary value for you, your spouse, or minor child without regard to whether you, your spouse, or minor child holds possession or title to the interest. (See the definitions of *income* and *benefit with monetary value* above in Item 7.)

For example:

- You are an officer of a union. You and your spouse jointly own an accounting business that provides tax services to a number of clients, including your union. You hold a legal interest in the company providing services to your union.
- You are an officer of a union. You form a tax preparation business with two partners and put your share of the business in your wife's name. The business prepares tax returns and LM reports for your union. You hold an equitable interest in a business that deals with your union.

Other transactions or arrangements involving (1) any loan to or from the employer; (2) any business transaction or arrangement (for example, purchases and sales of goods and services not excluded under Part A Exclusion (iii) above; rentals, credit arrangements, franchises, or contracts, etc.).

For each transaction, identify the nature of the transaction and the property involved (for example, loan of money from employer, rental of loft building, located at X street, Y City, Z State, etc.) and state:

- 1) the total dollar amount you paid or received during the fiscal year (for example, amount of a loan, rent, sale, etc.);
- 2) the dollar value of existing obligation, if any, at the end of the fiscal year (for example, unpaid balance of a loan, rentals due pursuant to a lease, amount due under a contract, etc.);
- 3) the date transaction was entered into and the date it was terminated, if any;
- 4) the terms and conditions of the transaction (for example, unsecured loan under employer loan plan payable over one year, discount purchases of goods, sale and lease back one year, etc.);
- 5) names and addresses of intermediate parties involved in any indirect transactions (for example, loans made to you in the name of another, etc.).

For each arrangement, identify its nature and provide sufficient detail to identify the date, persons involved, and information as to conditions, if any, of the arrangement and the anticipated date on which the benefit will be obtained.

PART B (Items 8 - 12) – BUSINESS

- (a) Complete Part B if you held an interest in or derived income or other benefit with monetary value, including reimbursed expenses, from a business (1) a *substantial part* of which consists of buying from, selling or leasing to, or otherwise *dealing* with the business of an employer whose employees your labor organization represents or is actively seeking to represent, or (2) any part of which consists of buying from or selling or leasing directly or indirectly to, or otherwise dealing with your labor organization or with a trust in which your labor organization is interested. Report payments received as director's fees, including reimbursed expenses.

SUBSTANTIAL PART – means 10% or more. Where a business's receipts from an employer(s) whose employees your labor organization represents or is actively seeking to represent constitute 10% or more of its annual receipts, a substantial part of the business consists of dealing with this employer(s).

DEALING – means to engage in a transaction (bargain, sell, purchase, agree, contract) or to in any way traffic or trade, including solicitation for business. The term "traffic or trade" includes not only financial transactions that have occurred but also the act of soliciting such business. Thus, for example, potential vendors or service providers attempting to win business with a union will be considered to be "dealing" with the union to the same extent as vendors who are already doing business with the union.

Potential vendors must engage in the active and direct solicitation of business (other than by mass mail, telephone bank, or mass media). A business that passively advertises its services generally and would provide services consumed by, for example, a union would not meet this test. The potential vendor must be actively seeking the commercial relationship. Under certain circumstances, the payment itself will be evidence of the solicitation of business, such as a potential vendor who treats a union official to a golf outing and dinner to discuss the vendor's products.

TRUST IN WHICH A LABOR ORGANIZATION IS INTERESTED – means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

PART B EXCLUSIONS

You do **NOT** need to report in Part B the items identified in the Part A exclusions set forth in (i) and (ii). (See the “Part A Exclusions” section in the instructions for Part A above.)

Bona Fide Loans. Do not report bona fide loans, including mortgages, received from national or state banks, credit unions, savings or loan associations, insurance companies, or other bona fide credit institutions, if the loans are based upon the credit institution’s own criteria and made on terms unrelated to your status in the labor organization. Additionally, do not report other marketplace transactions with such bona fide credit institutions, such as credit card transactions (including unpaid balances) and interest and dividends paid on savings accounts, checking accounts or certificates of deposit if the payments and transactions are based upon the credit institution’s own criteria and are made on terms unrelated to your status in the labor organization.

8. CONTACT INFORMATION FOR BUSINESS — Enter the name (including trade or commercial name, if any, such as “d/b/a” or “doing business as” name) and address of the business to which the interest, transaction, or benefit was connected. Also enter the name and telephone number of a contact person at the business.

9. and 10. BUSINESS DEALS WITH —Select the appropriate box describing the type of organization with which the business (referred to in Item 8) dealt. If you select 9.b. (trust) or 9.c. (employer), enter the name and address of each trust or employer in Item 10. Include the name and telephone number of a contact person.

11.a. NATURE OF DEALINGS — Describe in detail the nature of the purchases, sales, leases, or other dealings between the business and the organization specified in Items 9 and 10. For example, if the business and Union A arranged a payroll service in the amount of \$45,000 for union members, the dealing could be described as follows: “One payment for payroll services for Union A members.” Do not include account or social security numbers. Your report will be deficient if you provide unclear or nonspecific descriptions. If an interest in real property is reported, identify the location of the property.

11.b. VALUE OF DEALINGS — Enter the value of the purchases, sales, leases, or other dealings between the business and the organization specified in Items 9 and 10.

12.a. NATURE OF INTEREST, BENEFIT, ARRANGEMENT, OR INCOME — Enter the nature of each interest, benefit, arrangement, or income covered by Part B, including the applicable information set forth in the instructions to Item 7.

12.b. AMOUNT OR VALUE OF INTEREST, BENEFIT, ARRANGEMENT, OR INCOME — Enter the approximate dollar amount or value of interest, benefit, arrangement, or

income covered by Part B, including the applicable information set forth in the instructions to Item 7.

PART C (Items 13 and 14) – OTHER EMPLOYER OR LABOR RELATIONS CONSULTANT

Complete Part C if you, your spouse, or your minor child received, directly or indirectly, any payment of money or other thing of value (including reimbursed expenses) from any employer (other than an employer covered under Part A or a business covered under Part B above) from whom a payment would create an actual or potential conflict between these financial interests and the interest of your labor organization or your duties to your labor organization. Such employers include, but are not limited to, an employer in competition with an employer whose employees your labor organization represents or whose employees your union is actively seeking to represent, if you are involved with the organizing, collective bargaining, or contract administration activities, or possess significant authority or influence over such activities. You are deemed to have such authority and influence if you possess authority by virtue of your position, even if you did not become involved in these activities. Additionally, complete Part C if you received a payment of money or other thing of value from a labor relations consultant to a Part C employer, or from a labor relations consultant to a Part A employer.

Employers under Part C also include, but are not limited to, an employer that is a not-for-profit organization that receives or is actively and directly soliciting (other than by mass mail, telephone bank, or mass media) money, donations, or contributions, from your labor organization. Report payments received as director’s fees, including reimbursed expenses.

Information that must also be reported under Part C includes any payments from an employer (not covered by Parts A or B), or from any labor relations consultant to an employer, for the following purposes:

- (1) not to organize employees;
- (2) to influence employees in any way with respect to their rights to organize;
- (3) to take any action with respect to the status of employees or others as members of a labor organization;
- (4) to take any action with respect to bargaining or dealing with employers whose employees your organization represents or seeks to represent; and
- (5) to influence the outcome of an internal union election.

PART C EXCLUSIONS

The items listed below do *not* need to be reported in Part C. Please note that these exceptions do *not* apply to the five types of payments enumerated above.

- i. Payments of the kinds referred to in Section 302(c) of the Labor Management Relations Act (LMRA), as set forth on page 12 below, and payments your spouse or minor children receive as compensation for, or by reason of, their service to their employer.
- ii. Bona fide loans (including mortgages), interest or dividends from national or state banks, credit unions, savings or loan associations, insurance companies, or other bona fide credit institutions, if such loans, interest, or dividends are based upon the credit institution's own criteria and made on terms unrelated to your status in a labor organization. Additionally, do not report other marketplace transactions with such bona fide credit institutions, such as credit card transactions (including unpaid balances) and interest and dividends paid on savings accounts, checking accounts, or certificates of deposit if the payments and transactions are based upon the credit institution's own criteria and are made on terms unrelated to your status in the labor organization.
- iii. Interest on bonds or dividends on stock, provided such interest or dividends are received, and such bonds or stock have been acquired, under circumstances and terms unrelated to your status in a labor organization and the issuer of such securities is not an enterprise in competition with the employer whose employees your labor organization represents or actively seeks to represent.
- iv. Payments from trusts or other labor organizations.

13.a. CONTACT INFORMATION FOR EMPLOYER OR LABOR RELATIONS CONSULTANT — Enter the name, and address of the employer or labor relations consultant (including trade or commercial name, if any, such as d/b/a or "doing business as" name) from whom the payment in

Part C was received. Also enter the name and telephone number of a contact person.

13.b. TYPE OF ENTITY — Select the appropriate box to indicate whether the entity that made the payment is an employer or labor relations consultant.

14.a. NATURE OF PAYMENT — For each payment or benefit reportable under Part C, identify the nature of the payment or benefit (for example, continuing use of automobile for personal purposes, gift of refrigerator, gift of a computer, payment for services not excluded above). List the date you received the payment or benefit. For each payment or benefit reported, provide a detailed description of the relationship between the employer or labor relations consultant and your labor organization. For example, if the payment was received from an employer in competition with a represented employer, indicate the name of the employer whose employees your union represents or whose employees it is actively seeking to represent and the industry or activities in which they compete. Do not include account or social security numbers. If an interest in real property is reported, identify the location of the property. Your report will be deficient if you provide unclear or nonspecific descriptions.

14.b. AMOUNT OR VALUE OF PAYMENT — Enter the amount or value of each payment, including the applicable information set forth in the instructions to Item 7.

15. SIGNATURE AND VERIFICATION (Bottom of Page 1) — The completed Form LM-30, which is filed with OLMS, must be signed by you (officer or employee of the labor organization). Enter the telephone number you use to conduct official business. You do not have to report a private unlisted telephone number.

Electronically submitted forms must be signed using a PIN password combination. The date of signature will automatically be entered. Information about the electronic signature process can be obtained on the OLMS website at www.olms.dol.gov.

SELECTED DEFINITIONS FROM THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959, AS AMENDED (LMRDA)

SEC. 3. For the purposes of titles I, II, III, IV, V (except section 505), and VI of this Act

- (a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.
- (b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331-1343).
- (c) "Industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.
- (d) "Persons" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, or receivers.
- (e) "Employer" means any employer or any group or association of employers engaged in an industry affecting commerce
 - (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or
 - (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly or indirectly as an employer or as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.
- (f) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.
- (g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants

stand in the proximate relation of employer and employee.

- (h) Not applicable.
- (i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.
 - (j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it
 - (1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or
 - (2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees or an employer or employers engaged in an industry affecting commerce; or
 - (3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or
 - (4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or
 - (k) is a conference, general committee, joint or system board, or joint council, subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection, other than a State or local central body.
 - (l) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

- (m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.
- (n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.
- (o) Not applicable.
- (p) Not applicable.
- (q) "Officer, agent, shop steward, or other representative," when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried non-supervisory professional staff, stenographic, and service personnel.

NATIONAL LABOR RELATIONS ACT, AS AMENDED

Section 8. "(c) The expressing of any views, argument, or opinion or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefit."

RELATED PROVISIONS OF THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959, AS AMENDED (LMRDA)

Report of Officers and Employees of Labor Organizations

Sec. 202. (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year-

- (1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;
- (2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor

organization represents or is actively seeking to represent;

- (3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;
- (4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;
- (5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and
- (6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

SECTION 302(c) OF THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

“(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties include acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his service as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: Provided, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents) Provided, That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event of the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such dead-lock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust

fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such a representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: Provided, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds; (7) with respect to money or other thing of value paid by any employer to a pooled or individual trust fund established by such representative for the purpose of (A) scholarships for the benefit of employees, their families, and dependents for study at educational institutions, or (B) child care centers for preschool and school age dependents of employees: Provided, That no labor organization or employer shall be required to bargain on the establishment of any such trust fund, and refusal to do so shall not constitute an unfair labor practice: Provided further, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds; (8) with respect to money or any other thing of value paid by any employer to a trust fund established by such representative for the purpose of defraying the costs of legal services for employees, their families, and dependents for counsel or plan of their choice: Provided, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds: Provided further, That no such legal services shall be furnished: (A) to initiate any proceeding directed (i) against any such employer or its officers or agents except in workman's compensation cases, or (ii) against such labor organization, or its parent or subordinate bodies, or their officers or agents, or (iii) against any other employer or labor organization, or their officers or agents, in any matter arising under the National Labor Relations Act, as amended, or this Act; and (B) in any proceeding where a labor organization would be prohibited from defraying the costs of legal services by the provisions of the Labor-Management Reporting and Disclosure Act of 1959; or (9) with respect to money or other things of value paid by an employer to a plant, area or industry-wide labor management committee established for one or more of the purposes set forth in section 5(b) of the Labor Management Cooperation Act of 1978.”

If You Need Assistance

The Office of Labor-Management Standards has field offices in the following cities to assist you if you have any questions concerning LMRDA and CSRA reporting requirements.

Atlanta, GA
Birmingham, AL
Boston, MA
Buffalo, NY
Chicago, IL
Cincinnati, OH
Cleveland, OH
Dallas, TX
Denver, CO
Detroit, MI
Grand Rapids, MI
Guaynabo, PR
Honolulu, HI
Houston, TX
Kansas City, MO
Los Angeles, CA
Miami, FL
Milwaukee, WI
Minneapolis, MN
Nashville, TN
New Haven, CT
New Orleans, LA
New York, NY
Newark, NJ
Philadelphia, PA
Phoenix, AZ
Pittsburgh, PA
St. Louis, MO
San Francisco, CA
Seattle, WA
Tampa, FL
Washington, DC

Consult local telephone directory listings under United States Government, Labor Department, Office of Labor-Management Standards, for the address and phone number of your nearest field office.

Information about OLMS, including key personnel and telephone numbers, compliance assistance materials, the text of the LMRDA, and related Federal Register and Code of Federal Regulations (CFR) documents, is available on the OLMS website at **www.olms.dol.gov**.

Copies of labor organization annual financial reports, employer reports, labor relations consultant reports, and union officer and employee reports filed for the year 2000 and after can be viewed and printed at **www.unionreports.gov**. Copies of reports for the year 1999 and earlier can be ordered through the website.

For questions on Form LM-30 and/or the instructions, call the Department of Labor's toll-free number at: 866-4-USA-DOL (866-487-2365) or email **olms-public@dol.gov**.

If you would like to receive via email periodic updates from the Office of Labor-Management Standards, including information about the LM forms, enforcement results, and compliance assistance programs, you may subscribe to the OLMS Mailing List from the OLMS website: **www.olms.dol.gov**.