

Public reporting burden for this collection of information is estimated to average 55 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. Reporting of this information is mandatory and is required by the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), for the purpose of public disclosure. As this is public information, there are no assurances of confidentiality. If you have any comments regarding this estimate or any other aspect of this information collection, including suggestions for reducing this burden, please send them to the U.S. Department of Labor, Office of Labor-Management Standards, Division of Interpretations and Standards, Room N-5609, 200 Constitution Avenue, NW, Washington, DC 20210.

DO NOT SEND YOUR COMPLETED FORM LM-1 TO THE ABOVE ADDRESS.

INSTRUCTIONS FOR FORM LM-1 LABOR ORGANIZATION INFORMATION REPORT

GENERAL INSTRUCTIONS

I. WHY FILE

The Labor-Management Reporting and Disclosure Act, as amended (LMRDA), requires public disclosure of information concerning the structure, practices, and procedures of labor organizations. The Secretary, under the authority of the LMRDA, has prescribed the filing of the Labor Organization Information Report, Form LM-1, for labor organizations to satisfy this reporting requirement.

II. WHO MUST FILE

Every labor organization subject to the LMRDA, the Civil Service Reform Act (CSRA), or the Foreign Service Act (FSA) must file Form LM-1 with the Office of Labor-Management Standards (OLMS) of the U.S. Department of Labor. These laws cover labor organizations that represent employees who work in private industry, employees of the U.S. Postal Service, and most Federal government employees.

Labor organizations that represent only state, county, or municipal government employees are not covered by these laws and, therefore, are not required to file Form LM-1.

If you have a question about whether your organization is required to file, contact the nearest OLMS field office listed at the end of these instructions.

NOTE: *Selected definitions from the LMRDA and CSRA concerning labor organizations, members, and officers follow these instructions. These definitions may be helpful in determining whether your organization is subject to the LMRDA or CSRA.*

III. WHAT FORMS TO

FILE Initial Form LM-1

Every labor organization subject to the LMRDA, CSRA, or FSA is required to adopt a constitution and bylaws and attach a copy with an initial Form LM-1 filed with

OLMS. The initial Form LM-1 must report certain information concerning the structure, practices, and procedures of the labor organization.

OLMS will electronically acknowledge receipt of your organization's initial Form LM-1 and advise you of the 6-digit identifying file number that has been assigned to your organization. This file number must be entered on the annual financial reports (Form LM-2, LM-3, or LM-4) which your labor organization is also required to file with the Department of Labor. (See Section V below for information about annual financial reports.)

Amended Form LM-1

A labor organization is required to file an amended Form LM-1 to update the information on file with OLMS if there are any changes in the practices and procedures listed in Item 18, Column (2) of its most recent Form LM-1. These are changes in practices and procedures which are not contained in the labor organization's constitution and bylaws.

The amended Form LM-1 must be filed electronically at the same time your organization files electronically its annual financial report (Form LM-2, LM-3, or LM-4) for the reporting period in which the change occurred. Please note the amended Form LM-1, like the initial report, is not filed as part of the annual financial form but is filed separately through the Form LM-1 portion of the OLMS Electronic Forms System (EFS). See Part VI – How to File.

If your organization changes its affiliation or organization name or its designation (Items 4-7), then submit the amended Form LM-1 before you begin work on the annual Form LM-2, LM-3, or LM-4 report.

NOTE: *Federal employee labor organizations subject solely to the CSRA or FSA are not required to submit an amended Form LM-1 to describe changes in their practices and procedures.*

IV. WHO MUST SIGN THE REPORT

The completed Form LM-1 must be signed electronically

by the president and the secretary or corresponding officers of the reporting labor organization.

V. WHEN TO FILE

You must electronically file Form LM-1 within 90 days after the date on which your labor organization becomes subject to the LMRDA, CSRA, or FSA. Also, subsequent to filing Form LM-1, you must file annual financial reports (Forms LM- 2, LM-3, or LM-4) within 90 days after the end of your organization's fiscal year. Labor organizations with total annual receipts of \$250,000 or more must file the detailed Form LM-2 annual report. Labor organizations with total annual receipts of less than \$250,000, may file the simplified 4-page annual report, Form LM-3. Labor organizations with less than \$10,000 in total annual receipts may file the abbreviated 2-page annual report, Form LM-4.

VI. HOW TO FILE

The Form LM-1 and any required attachments and additional pages must be completed and submitted electronically, via the Office of Labor-Management Standards (OLMS) Electronic Forms System (EFS), available on the OLMS website at www.dol.gov/olms.

If you have difficulty navigating the software, or have questions about its functions and features, call the OLMS Help Desk at: (866) 401-1109. For questions concerning the reporting requirements, please send an e-mail to OLMS-Public@dol.gov or call (202) 693-0123.

VII. PUBLIC DISCLOSURE

Pursuant to the LMRDA, the U.S. Department of Labor is required to make all submitted reports available for public inspection. You may examine the Form LM-1 reports at, and purchase copies from, the OLMS Public Disclosure Room at www.unionreports.gov. If you have any questions, please email OLMS-Public@dol.gov or call (202) 693-0125.

VIII. OFFICER RESPONSIBILITIES AND PENALTIES

The president and secretary or the corresponding principal officers of the labor organization required to sign Form LM-1 are personally responsible for its filing and accuracy. Under the LMRDA, these individuals are subject to criminal penalties for willful failure to file a required report and 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 and the officers required to sign Form LM-1 are also subject to civil prosecution for violations of the filing requirements. According to Section 210 of the LMRDA, "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 reporting labor organization and the officers required to sign Form LM-1 are also subject to civil prosecution for violations of the filing requirements. According to Section 210 of the LMRDA, "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."

Under the CSRA and FSA and implementing regulations, false reporting and failure to report may result in administrative enforcement action and litigation. The officers responsible for signing Form LM-1 are also subject to criminal penalties for false reporting under section 1001 of Title 18 of the United States Code.

IX. RECORDKEEPING

The individuals required to file Form LM-1 are responsible for maintaining records which must provide in sufficient detail the information and data necessary to verify the accuracy and completeness of the report. You must retain the records for at least 5 years after the date the report is filed. You must retain any record necessary to verify, explain, or clarify the report including, but not limited to, vouchers, worksheets, receipts, and applicable resolutions.

Individuals are subject to penalties for willfully making any false entry in or concealing, withholding, or destroying any books, records, or statements required to

X. COMPLETING FORM LM-1

Read these instructions carefully before completing Form LM-1.

IDENTIFICATION ITEMS 1-9 (To be completed by all filers)

Answer Items 1 through 9 as instructed. Enter "None" or "Not Applicable", where appropriate. Select the appropriate box for those questions which require a **YES** or **NO** answer; do not leave both boxes blank.

1. FILE NUMBER—If this is an initial Form LM-1, leave Item 1 blank. If this is an amended Form LM-1, enter the 6-digit file number which OLMS has assigned to your organization. If you cannot obtain the number from previous reports filed by your organization, contact the nearest OLMS field office listed at the end of these instructions to obtain your organization's file number.

2. FISCAL YEAR ENDING DATE—If this is an initial Form LM-1, enter the month and day on which the fiscal year of your organization ends. If this is an amended Form LM-1 which must be submitted with your organization's annual financial report, enter the last date covered by the financial report, including the month, day,

and year. This date should be the same as the last date entered in Item 2 of your organization's annual financial report (Forms LM-2, LM-3, or LM-4).

- 3. INITIAL OR AMENDED REPORT**—Select **YES** if this is the first Form LM-1 filed by your organization. Select **NO** if this is an amended Form LM-1 filed by your organization due to changes in the practices and procedures listed in Item 18, Column (2) of your organization's most recent Form LM-1. These are changes in practices and procedures which are not contained in your organization's constitution and bylaws.

4. AFFILIATION OR ORGANIZATION NAME—Enter the name of the national or international labor organization which granted your organization a charter. If your organization has no such affiliation, enter the name of your organization as currently identified in your constitution and bylaws or other organizational documents.

5 DESIGNATION—Enter the designation that specifically identifies your organization, such as Local, Lodge, Branch, Joint Board, Joint Council, District Council, etc.

6. DESIGNATION NUMBER—Enter the number or other identifier, if any, by which your organization is known.

7. UNIT NAME—Enter any additional or alternate name by which your organization is known, such as "Chicago Area Local."

8. MAILING ADDRESS— Enter the name and title of the person to whom mail should be directed, and the complete address where mail should be sent and received, including any building and room number.

9. PLACE WHERE RECORDS ARE KEPT - If you maintain any of the records required to be kept by your organization to verify this report at the address reported in Item 8, select **YES**. If not, select **NO** and provide in Item 19 the address where your organization's records are kept.

INFORMATION ITEMS 10-17
(To be completed by initial filers only)

10. CITY, COUNTY, AND STATE WHERE CHARTERED TO OPERATE—Enter the city, county, and state in which your organization is chartered or authorized to operate. If there is no city named in your organization's charter, or if there is no city in which the national or international organization has authorized your organization to operate, then enter the city, county, and state where your organization's main office is located. Do not list a private residence. If your organization has no main office, enter the city, county, and state where most of the members work.

11. NEXT REGULAR ELECTION—Enter the month and year of your organization's next regular election

of general officers (president, vice president, treasurer, secretary, etc.). Do not report the date of any interim election to fill vacancies.

12. TYPE OF MEMBERSHIP—Select each applicable box to indicate if any of the members of your organization are:

- Employees of private industry.
- Employees of the U.S. Postal Service. (Section 1209(b) of the Postal Reorganization Act makes the LMRDA applicable to labor organizations composed of such employees.)
- Employees of the Federal government subject to Title VII of the CSRA or Chapter 10 of the FSA.

13. TYPE OF LABOR ORGANIZATION—Select the appropriate box to indicate whether your organization is a local labor organization of any kind, an intermediate body of any kind, or a national or international labor organization. The selected box should indicate the type of labor organization rather than its official name.

14. EXPECTED ANNUAL RECEIPTS—Select the appropriate box to indicate the expected total annual receipts of your labor organization. The term "total annual receipts" means all financial receipts of the labor organization during its fiscal year, regardless of the source, including receipts of any subsidiaries and any special funds. (A subsidiary is any separate organization of which the ownership is wholly vested in the reporting labor organization or its officers or its membership, which is governed or controlled by the officers, employees, or members of the reporting labor organization, and which is wholly financed by the reporting labor organization.)

15. OFFICERS—List the names and titles of all the officers of your organization (including the officers who sign this report). "Officer" is defined in section 3(n) of the LMRDA as "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."

If any officer listed in Item 15 was not elected in a regular election in accordance with the provisions of your organization's constitution and bylaws or other governing documents, explain in Item 19 the manner in which the officer was chosen.

16. DUES AND FEES—Enter the dues and fees established by your organization. If more than one rate applies, enter the minimum and maximum rates.

Line (a): Enter the regular dues or fees or other periodic payments which a member must pay to be in good standing in your organization and enter the calendar basis for the payment (per month, per year, etc.). If your organization requires members to pay "working" dues as a part of regular dues, also report the amount or percent of "working" dues and enter the basis for the payment (per hour, per month, etc.). Include only the dues or fees

of regular members and not dues or fees of members with special rates, such as apprentices, retirees, or unemployed members.

Line (b): Enter the working dues required from members.

Line (c): Enter the initiation fees required from new members.

Line (d): Enter the fees other than dues required from transferred members. Such fees are those charged to persons applying for a transfer of membership to your organization from another labor organization with the same affiliation. Do not report fees charged to members transferring from one class of membership to another within your organization.

Line (e): If your organization issues work permits, enter the fees required and enter the calendar basis for the payment (per month, per year, etc.). Work permit fees are fees charged to nonmembers of your organization who work within its jurisdiction. Do not report as work permit fees those fees charged to nonmember applicants for membership pending acceptance of their membership application, or fees charged to persons applying for transfer of membership to your organization pending acceptance of their application for transfer.

Enter **NONE** if your organization does not issue work permits.

17. CONSTITUTION AND BYLAWS—A copy of your organization’s constitution and bylaws must be filed electronically with OLMS. Attach the copy to the Form LM-1 submitted electronically. If your organization is governed by a uniform constitution and bylaws prescribed by your organization’s parent national or international body, your organization’s parent body may file the constitution and bylaws on your behalf. If your parent body files a constitution and bylaws on your behalf, select **YES**.

If your parent body does not file a constitution and bylaws on your behalf, you must complete the following: select **NO**; list the governing documents that you are filing with this report in the space provided in Item 17; and attach a dated copy of the governing documents to this report. Be sure the documents contain the name of your organization.

PRACTICES AND PROCEDURES ITEM 18

(To be completed by all filers except Federal employee labor organizations subject solely to the CSRA or the FSA).

18. PRACTICES AND PROCEDURES—For each of Lines (a) through (m), indicate in Column (1) the page number and section or paragraph where each practice or procedure is described in your organization’s constitution and bylaws or other governing rules filed

Lines (a) through (m) are not described in the constitution and bylaws or other governing rules filed with OLMS, select the box in Column (2) and provide a detailed statement in Item 19, , explaining your organization’s practice or procedure for such matters.

In Item 18(g)(1), the reference to “representatives to other bodies composed of labor organizations’ representatives” is meant to include representatives to other labor organization bodies, such as delegates to the conventions of the national or international, delegates to a joint board, joint council, or other intermediate body, delegates to state or local central bodies, etc. It is not meant to include representatives to community or public bodies such as the Red Cross, the United Way, government committees, etc.

ADDITIONAL INFORMATION

(To be completed by all filers as necessary)

19. ADDITIONAL INFORMATION—Use Item 19 to provide additional information as indicated on Form LM- 1 and in these instructions. Enter the number of the item to which the information relates in the Item Number column.

SIGNATURES

(To be completed by all filers)

20–21. SIGNATURES—The completed Form LM-1 which is filed with OLMS must be signed electronically by both the president and secretary or corresponding principal officers of your organization. This report must bear **two (2)** signatures. If the report is signed by an officer other than the president and/or secretary, so indicate by entering the correct title in the title field next to the signature. Then you must Save and revalidate the form. Once the form has passed validation, then you must click to sign the report. Enter the date the report was signed and the telephone number(s) used by signatories to conduct official business. You do not have to report a private, unlisted telephone number.

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

“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. (29 U.S.C. 402(c))

“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. (29 U.S.C 402(i))

A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

(1) is 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 of 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

(5) 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. (29 U.S.C. 402(j))

“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. (29 U.S.C. 402(n))

“Member” or “member in good standing”, when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization. (29 U.S.C. 402(o))

NOTE: Pursuant to section 1209(b) of the Postal Reorganization Act, the LMRDA is applicable to labor organizations composed of U.S. Postal Service employees.

SELECT DEFINITIONS FROM THE CIVIL SERVICE REFORM ACT (CSRA)

“Labor organization” means an organization composed in whole or in part of employees, in which employees participate and pay dues, and which has as a purpose the dealing with an agency concerning grievances and conditions of employment, but does not include—

an organization which, by its constitution, bylaws, tacit agreement among its members, or otherwise, denies membership because of race, color, creed, national origin, sex, age, preferential or non-preferential civil service status, political affiliation, marital

(A) status, or handicapping condition;

(B) an organization which advocates the overthrow of the constitutional form of government of the United States;

(C) an organization sponsored by an agency; or

(D) an organization which participates in the conduct of a strike against the Government or any agency thereof or imposes a duty or obligation to conduct, assist, or participate in such a strike. (5 U.S.C. 7103 (a)(4))

NOTE: The definition of “labor organization” for unions which represent employees of the Department of State and the United States Information Agency is contained in section 4102 of the FSA.

If You Need Assistance

The Office of Labor-Management Standards has field offices located 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
Fort Lauderdale, FL
Honolulu, HI
Kansas City, MO
Los Angeles, CA
Milwaukee, WI
Minneapolis, MN
Nashville, TN
New Orleans, LA
New York, NY
Philadelphia, PA
Pittsburgh, PA
St. Louis, PA

San Francisco, CA
Seattle, WA
Tampa, FL
Washington, DC

Copies of labor organization annual financial reports, employer reports, and labor relations consultant reports filed for the year 2000 and after can be viewed and printed at <http://www.unionreports.gov>. Copies of reports for the year 1999 and earlier can be ordered through the website.

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 also available on the Internet at: <http://www.olms.dol.gov>. Additionally, you can call the OLMS national office at (202) 693-0123 or email OLMS-Public@dol.gov.

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