

2022 Annual Report



Office of Labor-Management Standards

U.S. Department of Labor
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Introduction

Since the founding of the United States, labor unions have performed an essential function in the American economy by providing a voice for workers in their workplace. Today, unions continue to have a dramatic impact on American workers and consumers. They do this by negotiating and enforcing agreements with employers to promote employee safety, equitable workplace policies, and fair pay. Labor unions advance the economic aspirations of their members, those in the middle class, and those aspiring to reach the middle class. They create equity among diverse communities by closing wage gaps that divide the nation by race, gender, and ethnicity. Labor unions were in the forefront of the movement for social justice, promoting benefits for their members – the forty-hour week and overtime pay, retirement security and health insurance, to name just a few – long before these benefits were embodied in national and state law. And they continue to lead the way by advancing benefits such as paid family and sick leave for their members, even as those concepts remain elusive as a matter of federal policy.

The mission of the Office of Labor-Management Standards (OLMS) has the effect of strengthening unions. OLMS is tasked with protecting unions and their members by administering the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws. OLMS protects labor organizations and their membership by promoting financial integrity through its compliance audit and criminal enforcement programs. It promotes transparency by reviewing union, employer, and persuader reports for accuracy and making them available to the public. Finally, OLMS conducts investigations of complaints filed by members concerning regularly scheduled union officer elections and trusteeships to protect the democratic process in the election of labor movement leaders by their membership. Unions are strong when they operate democratically, are free from corruption, and are transparent in their operations. OLMS is successful in its mission when strong, democratic, and transparent unions have the full confidence of workers, employers, and policy makers.

By taking regulatory and policy actions, discussing the benefits that labor unions offer, enforcing reporting of anti-union employer conduct, contextualizing labor union enforcement data with employer enforcement data, and modernizing its website, the OLMS mission strengthens unions, enabling the labor movement to contribute to the hard work of creating greater equity and economic security. While this report for fiscal year 2022 (October 1, 2021 through September 30, 2022), by its very nature, highlights the instances when unions and their officers or employees fail to live up to the standards set for them, these are the exceptions which prove the rule: the vast and overwhelming majority of unions and their officers and employees do their work exactly as Congress expected them to do.

The Law

When the LMRDA was enacted in 1959, Congress reiterated what it had found in 1935 when it enacted the National Labor Relations Act, stating that “in the public interest, it continues to be the responsibility of the Federal Government to protect employees’ rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection.” To help achieve that end, Congress declared that “it is essential that labor organizations, employers and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.” The LMRDA primarily promotes union democracy and financial integrity in private sector labor unions through standards for union officer elections and union trusteeships and safeguards for union assets. Additionally, the LMRDA promotes transparency through reporting and disclosure requirements for labor unions and their officials, employers, labor relations consultants, and surety companies. OLMS continues today to protect union members and their right “to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection” by pursuing this important mission through criminal and civil enforcement of the LMRDA.

The major provisions of the LMRDA are, by title:

- Title I: Bill of Rights for union members
- Title II: Requirements for reporting and disclosure by labor unions, union officers and employees, employers, labor relations consultants and surety companies
- Title III: Rules for establishing and maintaining trusteeships
- Title IV: Standards for conducting fair elections of union officers
- Title V: Safeguards for protecting union funds and assets

Unions representing U.S. Postal Service employees became subject to the LMRDA with the passage of the Postal Reorganization Act of 1970.

OLMS also administers provisions of the Civil Service Reform Act of 1978 and the Foreign Service Act of 1980, which extend comparable protections to federal labor unions. In addition, OLMS administers the Department’s responsibilities under the Federal Transit Act by ensuring that fair and equitable arrangements protecting mass transit employees are in place before the release of federal transit grant funds.

OLMS is the front-line agency responsible for safeguarding union assets, promoting democracy by enforcing the LMRDA through its criminal and civil investigations, and creating transparency about employer efforts to persuade workers on how to exercise their rights protected by federal labor laws. Criminal investigations include embezzlement, deprivation of rights by violence, extortionate picketing, willful failure to file reports, destruction of records, filing false reports, prohibition of convicted persons from holding union office or employment or holding any position with an employer or an association of employers in which they have “specific collective bargaining authority or direct responsibility in the area of labor-management relations,” and fraud related to union elections. Civil investigations include violations of the LMRDA involving union election procedures, union, employer,

and consultant financial disclosure requirements, and trusteeship standards. OLMS also conducts audits of union finances.

Compliance assistance also plays a major role in OLMS enforcement strategy. OLMS has an active compliance assistance program to promote voluntary compliance with the LMRDA by informing union officers and employees as well as employers and employer-consultants of their responsibilities and informing members of their legal rights.

Summary

This report consists of seven sections, with related tables and charts.

- Section 1 presents key fiscal year (FY) 2022 criminal enforcement and performance results pursuant to LMRDA Title V (financial safeguards for labor organizations) together with noteworthy criminal enforcement actions. A complete listing of the [2022](#) criminal actions is located on the OLMS website along with those for calendar years (CY) [2020](#) and [2021](#). It bears noting in this Summary that of the over 200,000 union officers and employees, fewer than 0.025% were convicted for having broken their trust with the members they represent. OLMS' 2022 experience is similar to its experience over the last 5 years.
- Section 2 presents key FY 2022 civil enforcement and performance results pursuant to LMRDA Title III (trusteeships) and Title IV (union officer elections) together with noteworthy union officer election case summaries for 2022. A listing of all [2022](#) voluntary agreements for OLMS-supervised union officer elections is located on the OLMS website along with those for CYs [2020](#) and [2021](#). CY [2022](#) court actions for election investigations are located on the OLMS website along with those for CYs [2020](#) and [2021](#). Final decision letters in election and trusteeship cases are located on the OLMS website in the [FOIA reading room](#). It bears noting that OLMS received and investigated 85 election complaints in a year that unions held about 7,000 elections, indicating that only a tiny percentage of union elections are the subject of complaints. Regarding trusteeships, reports were filed reflecting 40 subordinate bodies (local or intermediate unions) having been placed under trusteeship in FY 2022. OLMS opened 25 trusteeship cases, mostly on the basis of failure to report or deficient reporting, but also on the basis of complaints received. Just one trusteeship investigated was found to be improper, and that case was resolved through voluntary compliance. These FY 2022 results for elections and trusteeships are also consistent with OLMS' experience over the last 5 years.
- Section 3 presents reporting and disclosure data and related program activity pursuant to LMRDA Title II (reporting requirements). Section 3 also presents key FY 2022 reporting, enforcement and performance results. Reports are available for public disclosure on the [OLMS Online Public Disclosure Room](#).
- Section 4 summarizes grant certification activity pursuant to the section 13(c) program, which ensures fair and equitable arrangements protecting mass transit employees, as required by the Federal Transit Act.
- Section 5 provides an overview of the OLMS regulatory initiatives in FY 2022.
- Section 6 briefly describes compliance assistance activities conducted in FY 2022.

- Section 7 discusses OLMS outreach efforts undertaken in FY 2022.

OLMS [Annual Reports for 2004–2021](#) are located on the OLMS website.

Program Activities

1. Safeguarding Union Assets

As part of the effort to protect and safeguard the union funds and assets belonging to hard-working union members, OLMS investigates possible embezzlement from unions and other violations of criminal laws. Union officers, employees, and representatives have a duty to manage the funds and property of the union solely for the benefit of the union in accordance with its constitution. While the vast majority of union officers and employees do their work diligently and without incident, unfortunately criminal violations do sometimes occur and, when they do, the union is the victim. When a union officer or employee violates their position of trust by embezzling or misappropriating union funds or assets, they commit a federal crime punishable by imprisonment or fine, or both. OLMS is responsible for investigating these crimes.

Further, section 504 of the LMRDA prohibits individuals convicted of certain crimes from holding union office or employment or serving in other specified capacities with both unions and employers. The bar continues for 13 years after conviction or after the end of imprisonment, whichever is later. OLMS is also responsible for investigating violations of section 504 in addition to other violations including embezzlements of union funds and the willful failure to file complete and accurate financial and other reports with OLMS or to maintain records. These investigations may result in legal enforcement actions.

OLMS monitors activities involving union funds to help safeguard such funds from criminal conduct. There are over 20,000 unions that file LM reports with OLMS and, among those unions, approximately 200,000 elected officers and employees. During the past five years OLMS has opened on average more than 200 criminal investigations per year. Those investigations have led to an average of 61 criminal convictions annually over the last five years, 54 in FY 2022. While many of those convicted were union officers or employees, others were not. For example, out of the 48 criminal convictions reported for 2021 and 54 reported in 2022, five were convictions of employers, vendors, or others whose criminal conduct affected union funds.

OLMS also conducts audits of labor unions, both to detect embezzlements and promote compliance with the LMRDA. This effort extends to every level of labor organizations, from local unions to intermediate bodies, national and international unions. Compliance audit closing [letters](#) are located on the OLMS website. Because it is not feasible for OLMS to audit every union, OLMS developed a methodology to direct its auditing resources to unions whose metrics suggest the possibility that there may have been criminal activity, diverting resources from audits of organizations with less potential of criminal activity to other programs. The effectiveness of this methodology is measured by the percent of audits resulting in the opening of a “fallout” criminal case. A higher or lower than expected fallout rate measures only the “efficiency” of OLMS’ targeting strategies and says nothing (either positively or negatively) about the amount of criminal activity involving union funds.

In 2022, OLMS fell short of its performance goal in this area, achieving a fallout rate of 13.7 percent with a target of 17 percent. While the methodology discussed above uses data filed in union financial reports to identify the possibility of criminal activity, non-criminal reporting deficiencies and violations were discovered and addressed in more than 70 percent of the audits conducted.

OLMS Performance Goal – Financial Integrity	FY 2022 Target	FY 2022 Results
Percent of Audits Resulting in a Criminal Case	17%	13.7%

OLMS Enforcement Statistics – Financial Integrity	FY 2022 Plan	FY 2022 Results
Criminal Investigations Completed	184	176
Indictments	80	65
Convictions	80	54
Compliance Audits Conducted	259	250

Below are summaries of several notable cases resulting from OLMS investigations during FY 2022.

Former Union Officer Sentenced to Prison for Bank Fraud Tied to \$294,000 Embezzlement

In October 2021, Sarah Geddes Holmes, former Secretary-Treasurer of International Association of Machinists Local Lodge 24, located in Clinton, Maryland, was sentenced to six months in prison followed by six months of home detention and three years of probation. She was also ordered to perform 50 hours of community service and pay \$264,585 in restitution. In December 2020, Geddes Holmes pleaded guilty to one count of embezzlement from a labor organization and one count of bank fraud for embezzling \$294,585 from the union. The OLMS investigation found that between May 2015 and June 2018, while Geddes Holmes was in union office, she embezzled union funds by writing checks to herself, altering checks and entries in Local 24’s accounting software, and forging signatures. She spent the stolen union funds at casinos and to make personal purchases, including other gambling-related charges.

Former Union Employee Sentenced to Prison for Embezzling over \$4.6 Million

In November 2021, Scott Wilson, former Director of Information Technology for Operating Engineers Local 3, located in Alameda, California, was sentenced to five years in prison followed by three years of supervised release. He was also ordered to pay \$4,669,577 in restitution. In July 2021, Wilson pleaded guilty to one count of embezzlement from a labor organization. The joint investigation with the Federal Bureau of Investigation and the Department of Labor’s Office of Inspector General disclosed that between 2011 and 2017, Wilson used front companies to fraudulently invoice the union for IT-related goods and services that were never to be delivered, taking some funds directly through the front company, and taking other funds through kickbacks paid by his friend and relative. He also used the front companies to conceal payments made with union funds to his own family members, primarily for work that was never done.

Former Union Officer Sentenced to Prison for Conspiracy for a \$179,000 Embezzlement

In November 2021, Steven Whittick, former Treasurer of the Law Enforcement Employees Benevolent

Association (LEEBA), located in New York, New York, was sentenced to serve 28 months in prison followed by three years of supervised release. He was also ordered to pay \$179,766 in restitution. In July 2021, Whittick pleaded guilty to one count of conspiracy to defraud the United States and one count of false statements to federal investigators. The joint investigation with the Federal Bureau of Investigation and the Internal Revenue Service – Criminal Investigation found that Whittick conspired to evade more than \$250,000 in federal taxes, including payroll taxes owed by LEEBA and its employees, and his own personal income taxes and that he lied to federal officers during the investigation.

Former Union Officer Sentenced to Home Detention for Embezzling over \$129,000

In February 2022, Stephen Rooze, former Secretary-Treasurer of Brotherhood of Locomotive Engineers and Trainmen Local 662, located in Burbank, California, was sentenced to six months of home detention and three years of probation. Rooze previously paid \$127,943 in restitution and was ordered to pay the remaining \$1,078 in restitution. In August 2021, Rooze pleaded guilty to four counts of embezzling union funds. The OLMS investigation found that between 2011 and 2019, Rooze conducted 2,548 unauthorized transactions from the union’s bank account to embezzle funds. He received unauthorized payments from the union through union checks and benefited from union funds through unauthorized debit card purchases, ATM withdrawals, and electronic transfers to his personal bank account.

Former Union Officer Sentenced to Prison for Embezzling over \$86,000

In March 2022, James Michael Foote, former Treasurer of Steelworkers Local 9-137, located in Manchester, Tennessee, was sentenced to 10 months in prison and 36 months of supervised release. Foote was also ordered to pay \$86,268 in restitution. In October 2021, Foote pleaded guilty to one count of embezzlement of union assets. The OLMS investigation found that from May 2009 through September 2018, Foote embezzled union funds through unauthorized checks to self, personal purchases through PayPal, and payments for personal bills. He also forged other officers’ signatures, falsified LM reports, and falsified information on union records.

Former Union Official Sentenced to Prison for Wire Fraud Tied to \$384,000 Embezzlement

In March 2022, Arthur Penn, former Chairman of the Fraternal Order of Police – Pentagon Police Labor Committee, located in Arlington, Virginia, was sentenced to 18 months in prison followed by three years of supervised probation. He was also ordered to pay \$384,001 in restitution. In March 2021, Penn pleaded guilty to one count of wire fraud. The joint investigation with the Federal Bureau of Investigation found that from 1999 through 2015, Penn routinely embezzled funds for his personal benefit. He spent the stolen funds on gambling, personal travel, and day-to-day living expenses. He covered up his embezzlement by failing to consistently file LM reports and by embezzling most of the funds through cash transactions to avoid the creation of financial records.

Former Union Officer Sentenced to Home Confinement Following \$94,000 Embezzlement

In April 2022, Donald Snyder, former President of International Association of EMTs and Paramedics, affiliated with National Association of Government Employees Local R2-394, located in Amherst, New York, was sentenced to one year of home confinement and three years of probation. He was also ordered to pay \$94,649 in restitution. In July 2021, Snyder pleaded guilty to one count of embezzlement of union funds. The joint investigation with the Department of Labor’s Office of Inspector General found that between October 2013 and November 2019, while Snyder served as the union president, he embezzled funds by writing checks payable to himself and to cash, which he endorsed and withdrew,

and by making unauthorized bank withdrawals.

Former Union Officer Sentenced to Prison for Embezzlement and Identity Theft

In May 2022, Kevin Crownover, former Treasurer of Machinists Lodge 2947, located in Armona, California, was sentenced to 25 months of imprisonment followed by three years of supervision. Crownover was also ordered to pay restitution in the amount of \$51,463. In November 2021, Crownover was found guilty by a jury, following a two-day trial, for one count of embezzlement from a labor union and one count of aggravated identity theft. The OLMS investigation found that from June 2015 through October 2016, Crownover made unauthorized cash withdrawals and wrote unauthorized checks to himself, which he then endorsed and deposited into his own personal bank account. Crownover also forged signatures on checks to cover up his embezzlement.

Former Union Officer Denied Relief from the LMRDA Section 504 Prohibition

In May 2022, in the United States District Court for the Central District of Illinois, Jerry Conner, former President of International Brotherhood of Teamsters Local 279, located in Springfield, Illinois, filed a petition seeking a reduction in the statutory disability, pursuant to 29 U.S.C. Section 504(a), to seek union employment. Following an OLMS investigation, the Department filed a motion to oppose, and the court denied Conner's petition in September 2022. Conner's disqualification under Section 504 of the LMRDA is a result of his July 2016 conviction, in the same federal court, for falsifying union records. Conner was previously sentenced to one year of probation, fined \$2,500, and was ordered to pay restitution in the amount of \$26,009. Conner's 504 bar will expire in July 2029.

Former National Union Employee Sentenced to Prison for Embezzling over \$273,000

In May 2022, Donnell Owens, former secretary for the communications director of the American Federation of Government Employees (AFGE) National Union, located in Washington, D.C., was sentenced to 15 months in prison followed by three years of supervised probation and ordered to complete 200 hours of community service. Owens was also ordered to pay restitution totaling \$273,745. In October 2021, Owens pleaded guilty to one count of embezzlement from a labor union. The joint investigation with the Federal Bureau of Investigation found that between July 2015 and June 2018, when Owens worked at AFGE, he submitted false and fraudulent check requests for payments related to services that were purportedly provided to the union by vendors. The investigation further disclosed that these alleged vendors were Owens' associates, who he had recruited for the embezzlement scheme, and that the requests were for fake work assignments. Owens also used the union's Amazon account and linked credit card to embezzle more money. To cover up his fraud, he provided falsified signatures, fraudulent expense vouchers, and altered receipts for these items. In December 2022, Stacy Staples, Owens' associate, was sentenced to three years of probation and ordered to pay \$44,748 in restitution following pleading guilty to one count of conspiracy to embezzle. Owens' other associate, James Bradley, is awaiting sentencing after he also pleaded guilty to conspiracy to embezzle union funds.

Former Union Officer Sentenced to Home Confinement for Embezzling over \$219,000

In June 2022, George Bindas Jr., former President of International Longshoremen's Association Local 1295, located in Milwaukee, Wisconsin, was sentenced to eight months of home confinement and two years of probation. Bindas was also ordered to pay \$219,999 in restitution. In January 2022, Bindas pleaded guilty to one count of embezzlement of union funds and one count of theft from an employee welfare benefit plan. The joint investigation with the Employee Benefits Security Administration found that from February 2013 to January 2017, Bindas embezzled union and employee benefit funds by

making unauthorized cash withdrawals from a union account, depositing union and benefit fund checks into his personal account, and negotiating union checks and benefit fund checks for cash and cashier's checks.

Former Union Officer Sentenced to Home Confinement for Embezzlement

In June 2022, Scott E. Rodgers, former President of National Postal Mail Handlers Union Local 314, located in Hazelwood, Missouri, was sentenced to six months of home confinement and five years of probation. Rodgers was also ordered to pay \$78,765 in restitution. Rodgers previously paid \$2,000 in restitution prior to sentencing. In January 2022, Rodgers pleaded guilty to one count of embezzlement and theft of labor union assets. The OLMS investigation uncovered that from 2016 through April 2020, Rodgers made four unauthorized ATM withdrawals from the union account and used the union debit card for personal purchases. Rodgers also submitted fraudulent "lost time claims," i.e., requests for reimbursement from the union for wages allegedly lost while performing union duties, to embezzle additional money.

Former Union Officer Sentenced to Prison for Embezzling over \$2.2 Million

In July 2022, Timothy Edmunds, former Financial Secretary of United Auto Workers Local 412, located in Warren, Michigan, was sentenced to 57 months in prison. He was also ordered to pay \$1,963,740 in restitution and a \$1,000,000 fine. Edmunds previously paid \$260,715 in restitution. In March 2022, Edmunds pleaded guilty to one count of embezzling \$2,224,455 in union funds and one count of money laundering. The joint investigation with the Department of Labor's Office of Inspector General, the Federal Bureau of Investigation, and the Internal Revenue Service found that between 2011 and 2021, while Edmunds was in union office, he embezzled by using union debit cards for over \$142,000 in personal purchases, cashing union checks worth \$170,000 into accounts he personally controlled, and transferring \$1.5 million from union accounts into accounts that he personally controlled. Edmunds then created false bank statements and caused false LM reports to be filed to conceal his embezzlement.

2. Protecting Union Democracy

Title IV of the LMRDA establishes standards for conducting democratic and fair union officer elections, such as the frequency and method of election, the right of members in good standing to be candidates, rights of candidates, and member voting rights. While the vast majority of union officer elections are held without protest, OLMS investigates those properly filed complaints protesting union officer elections. Before filing a complaint with OLMS, union members must avail themselves of their union's internal protest procedures. If OLMS's investigation reveals a violation of Title IV of the LMRDA that may have affected the outcome of the election, OLMS seeks a voluntary compliance agreement with the union to allow OLMS to supervise a new election. If the union does not voluntarily agree to remedy the violation, OLMS takes legal action seeking to void the challenged election and conduct a new election supervised by OLMS. Under Title III of the LMRDA, the agency also conducts investigations to determine the validity of the imposition or continuation of trusteeships imposed by national unions on subordinate bodies. Trusteeship investigations are conducted upon receipt of a complaint from a member or subordinate body.

OLMS seeks to improve timely resolution of union officer election complaints, which is measured by the average number of elapsed days between OLMS' receipt of a complaint and OLMS' resolution.

The timely resolution of complaints is an important objective, as it removes the uncertainty and disruption that might arise from a claim that an election was not fair. As seen from the chart below, in 2022 OLMS achieved its elapsed time performance goal of 66 days by reducing the average number of elapsed days to resolve union officer election complaints to 55.2 days. OLMS tracks the number of election investigations and supervised elections, both of which are dependent upon the number of election complaints received by OLMS, since OLMS only has investigative authority when it receives a member complaint. The 2022 planning projections in those categories were based on historical averages, among other intelligence. OLMS does not project or estimate the number of lawsuits filed or voluntary compliance agreements obtained in a year, given that the number of these actions is largely out of OLMS' control.

OLMS Performance Goal – Union Democracy	FY 2022 Target	FY 2022 Results
Number of Days to Resolve Election Complaints	66	55.2

OLMS Enforcement Statistics – Union Democracy	FY 2022 Plan	FY 2022 Results
Election Investigations Conducted	88	85
Lawsuits Filed	N/A	4
Voluntary Compliance Agreements Obtained	N/A	7
Supervised Elections Completed	26	12
Trusteeship Investigations	14	17

In FY 2022, OLMS received and investigated 85 election complaints while unions held about 7,000 elections. Although election complaints filed in FY 2022 may have concerned elections held in prior years, the numbers nevertheless indicate that only about 1.2 percent of union elections are the subject of complaints. By the end of FY 2022, OLMS closed 62 election complaint cases without taking action, on the grounds that the complaints lacked merit or were procedurally defective. During the same time period, OLMS supervised a total of 12 rerun elections (i.e., elections in cases in which the union acknowledged, or a court found, that there were violations). Again, timing issues make comparison imperfect, but it is a safe estimate that the number of rerun elections represent about 14.1 percent of the complaints filed and .17 percent of all union elections conducted.

The following highlights some of the most significant OLMS election cases during FY 2022.

UAW Ordered by Federal Court to Conduct Referendum Vote with OLMS Oversight

As a result of a joint investigation by OLMS, the Department of Labor’s Office of Inspector General, the Federal Bureau of Investigation, and the Internal Revenue Service – Criminal Investigation, 10 high-level United Auto Workers (UAW) officers and employees were convicted of numerous criminal acts between November 2018 and July 2021. Following these convictions, the Department of Justice (DOJ) and the UAW entered into an agreement to resolve DOJ’s findings of fraud and corruption within the UAW. They jointly filed a proposed consent order with the United States District Court for the Eastern District of Michigan. Under the terms of the proposed settlement, the Court would appoint an

independent monitor for a period of six years and hold a binding secret-ballot referendum to determine the method the UAW would use to elect its international officers.

The Court agreed and ordered UAW to conduct a referendum vote to determine if the membership at large wanted to change from their delegate system of electing officers to a “one member, one vote” system. Based on this, the UAW and the court-appointed monitor conducted a referendum vote in 2021. Ballots were sent to over 1 million UAW members to let them determine how future leaders of the union would be elected.

OLMS provided substantial assistance and oversight in the referendum vote to ensure it was completed according to the principles laid out in Title IV of the LMRDA. Following the referendum vote, OLMS reviewed the entirety of the process to certify the referendum for the Court in accordance with the terms of the consent order. Ultimately, the referendum resulted in a historic decision by an overwhelming margin. Over 140,000 members cast ballots in this vote, and the decision to change the UAW’s election process to “one member, one vote” won by a 64% margin. The UAW is currently conducting the first such international officer election under the oversight of the appointed monitor. OLMS continues to provide significant LMRDA compliance assistance to the monitor and has investigated several election complaints filed with the Secretary of Labor regarding the ongoing officer election.

SMART Local 172-TD Agreed to Hold New Election under OLMS Supervision

In October 2021, OLMS entered into a voluntary compliance agreement with Sheet Metal, Air, Rail and Transportation Workers (SMART) Local 172-TD, located in Colwyn, Pennsylvania. The union agreed to conduct new nominations, a new election, and installation for the offices of president, vice president, secretary, treasurer, and trustees (three positions), under the supervision of OLMS. The investigation concluded that the union failed to provide proper notice of nominations when approximately half of its membership, who were furloughed during the nomination period, were not notified, in violation of Section 401(e) of the LMRDA. The supervised election concluded in January 2022 following a nomination meeting with uncontested positions that resulted in a change of several officers.

Woodward MPC Employees Representative Union Held New OLMS-Supervised Election

In November 2021, OLMS entered into a voluntary compliance agreement with the Woodward MPC Employees Representative Union, located in Niles, Illinois, concerning the union’s July 2021 election of officers. The union agreed to conduct new nominations, a new election, and installation for the offices of president, vice president, secretary, treasurer, and chief steward, under the supervision of OLMS. The investigation found that the union failed to provide proper notice of nominations and election. The investigation further found that candidates campaigned at nomination meetings and posted campaign material on union bulletin boards while other candidates were denied the same opportunities. The supervised polling site election was concluded in March 2022.

Department Filed Suit Against IUEC Local 18

In March 2022, in the United States District Court for the Central District of California, the Department filed suit against International Union of Elevator Constructors (IUEC) Local 18, located in Glendora, California, seeking to nullify the union’s June 2021 officer election. The lawsuit sought an order requiring Local 18 to conduct a new election for the offices of business manager, trustee, and three executive board members, under OLMS supervision. The complaint alleged that Local 18 violated Title IV of the LMRDA when, after issuing a second ballot package eight days after the first, it failed to

provide sufficient voting instructions to members, and failed to provide clear, timely notice that members who had already voted the first ballot were required to vote the revised ballot in order to have their vote counted. As a result, at least 135 members who only voted the first ballot were denied the right to vote when their ballots were not counted. The litigation is pending.

Teamsters Local 385 Agreed to Hold New Election under OLMS Supervision

In March 2022, OLMS entered into a voluntary compliance agreement with Teamsters Local 385, located in Orlando, Florida. The union agreed to conduct a new election (and new nominations, if necessary) for the office of third trustee, under the supervision of OLMS. The investigation concluded that Local 385 funds were used to promote the candidacy of certain candidates in that union vehicles were used for campaigning, in violation of Section 401(g) of the LMRDA. Local 385 hired an election service to conduct the ballot mailings and other election activities in New York. The ballot tally, which concluded the supervised election, was held in Orlando, Florida in June 2022.

TWU Local 241 Agreed to Hold New Election under OLMS Supervision

In May 2022, OLMS entered into a voluntary compliance agreement with Transport Workers Union (TWU) Local 241, located in New York, New York. The union agreed to conduct a new election and installation for the offices of vice president, treasurer, three at-large executive board members, one Juilliard executive board member, and one public safety board executive board member, under the supervision of OLMS. The investigation established that the union failed to mail a notice of election to all members at their last known home address not less than 15 days prior to the election, in violation of Section 401(e) of the LMRDA. The investigation further found that the union failed to properly secure unused ballots prior to the election, in violation of Section 401(c) of the LMRDA. The supervised election, conducted by polling site, was concluded in August 2022.

Department Filed Suit Against TWU Local 568

In May 2022, in the United States District Court for the Southern District of Florida, the Department filed suit against Transport Workers Union (TWU) Local 568, located in Miami, Florida, concerning its December 2021 election of officers. The investigation determined that Local 568 improperly disqualified a member in good standing from candidacy for the office of president based on discipline it imposed without providing the member with written specific charges or a full and fair hearing as required by Section 101(a)(5) of the LMRDA. The litigation is pending.

IWW NARA Agreed to Hold New Election under OLMS Supervision

In June 2022, OLMS entered into a voluntary compliance agreement with Industrial Workers of the World – North American Regional Administration (IWW NARA), located in Chicago, Illinois, concerning its November 2021 election of officers. The union agreed to conduct new nominations and a new election for the offices of general secretary-treasurer and seven seats on the general executive board, under OLMS supervision. The investigation disclosed that the union failed to permit members in good standing to be candidates. The union did not provide those members due process at a disciplinary hearing, which led to several nominated members being barred from running for office, despite pending appeals. The supervised election was held in November 2022.

Settlement Agreement Ends Litigation Involving IBEW Local 98 Election

In June 2022, in the United States District Court for the Eastern District of Pennsylvania, a settlement was reached between International Brotherhood of Electrical Workers (IBEW) Local 98, located in

Philadelphia, Pennsylvania, and the Department of Labor. The settlement agreement requires Local 98 to conduct its next regularly scheduled officer election, including new nominations, under OLMS supervision. This settlement agreement followed a civil suit filed by the Secretary of Labor following an OLMS investigation. The suit alleged that during Local 98's June 2020 officer election, the local deprived members of their right to nominate, be nominated, and vote or otherwise support candidates of their choice without penalty, discipline, or improper interference or reprisal. The supervised election will be held in June 2023.

Settlement Agreement Ends Litigation Involving APWU Local 1 Election

In June 2022, in the United States District Court for the Northern District of Illinois, a settlement was reached between American Postal Workers Union (APWU) Local 1, located in Chicago, Illinois, and the Department of Labor. The settlement agreement requires APWU Local 1 to conduct new nominations and election for the offices of president, secretary-treasurer, director of industrial relations/research and education, director of organization, director of human relations, clerk craft director, assistant clerk craft director A, assistant clerk craft director B, trustee clerk craft division, director MVS craft division, assistant director maintenance MVS division, and assistant director maintenance craft division, under OLMS supervision. The lawsuit alleged that during Local 1's December 2020 officer election, the local failed to provide proper notice of election when it changed the date of the mail ballot election without mailing a notice of the new date to the members at least 15 days prior to the date of the election. The supervised election was held in October 2022.

NTEU Chapter 282 Agreed to Hold New Election under OLMS Supervision

In September 2022, the Department entered into a voluntary compliance agreement with National Treasury Employees Union (NTEU) Chapter 282, located in Silver Spring, Maryland. The union agreed to conduct nominations, election, and installation for all chapter officer positions including, but not limited to, president, executive vice president, secretary, treasurer, chief steward, CBER vice president, DCER vice presidents, CDRH vice president, CFSAN vice president, CVM vice president, OC vice president, ORA/BTL district vice president, and CTP vice president. The investigation revealed that the union failed to hold an election in more than five years, in violation of Section 401(b) of the LMRDA. The supervised election will be held in December 2022.

3. Labor Union and Labor-Management Transparency

The LMRDA is predicated on the principle that union members, officers, and the public benefit by having access to information about labor unions, their officers and employees, employers, labor relations consultants, and surety companies. To this end, OLMS administers a comprehensive reporting and disclosure program. OLMS also offers compliance assistance sessions for union members and officials on the financial reporting obligations under the LMRDA.

Title II of the LMRDA requires that unions file annual financial reports, known as Labor-Management (LM) Reports (Forms LM-2, LM-3, LM-4, or simplified filings), with OLMS. Unions must also file trusteeship reports (Forms LM-15, LM-16) when they establish supervision or control over a subordinate body. Other entities, such as employers (Form LM-10), labor relations consultants (Forms LM-20, LM-21), union officers and employees (Form LM-30), and surety companies (Form S-1), are also required to file reports under certain circumstances. Reports are available for public disclosure on the OLMS Online Public Disclosure Room website, www.unionreports.gov. OLMS also collects and

maintains collective bargaining agreements (CBAs) filed by CBA signatories on a voluntary basis. These CBAs also are located on the [OLMS website](#).

During FY 2022, OLMS continued its “persuader” [initiative](#) to improve disclosure of persuader arrangements made between employers and labor consultants, as required under the LMRDA. In 2021 OLMS obtained a combined 480 Form LM-10 employer reports and Form LM-20 consultant reports disclosing employer-consultant agreements or arrangements to persuade employees to exercise or not to exercise their rights to organize and engage in collective bargaining. OLMS set a goal for FY 2022 to obtain 800 of these type of employer and consultant reports, and exceeded that goal by obtaining 982.

OLMS received, processed, and made the following reports publicly available in FY 2022.

OLMS LMRDA Reports Administration	FY 2022
Form LM-1 Labor Organization Information Reports	193
Form LM-2 Labor Organization Annual Reports	4,762
Form LM-3 Labor Organization Annual Reports	9,742
Form LM-4 Labor Organization Annual Reports	6,396
Simplified Labor Organization Annual Reports	1,132
Form LM-10 Employer Reports	496
Form LM-15 Trusteeship Reports (initial, semiannual, and 15A)	243
Form LM-16 Terminal Trusteeship Reports	32
Form LM-20 Labor Relations Consultant Agreement and Activities Reports	747
Form LM-21 Labor Relations Consultant Receipts and Disbursements Reports	104
Form LM-30 Labor Organization Officer and Employee Reports	420
Form S-1 Surety Company Annual Reports	69
Total Reports	24,336

OLMS utilizes a web-based Electronic Forms System (EFS) that filers use to complete and submit LM reports. Implementation of EFS is being conducted in phases. Currently, Form LM-1, LM-2, LM-3, and LM-4 Labor Organization reports, Form LM-10 Employer Report, Form LM-15 initial and semi-annual Trusteeship Reports, Form LM-15A Report on the Selection of Delegates and Officers, and Form LM-16 Terminal Trusteeship Report; Form LM-20 and LM-21 labor relations consultant reports, and Form LM-30 Labor Organization Officer and Employee reports can be filed via EFS. EFS allows any of these filers with a web-enabled computer to complete and electronically submit an LM report without any special software or a digital signature. EFS performs calculations for the LM report and completes a form error check prior to submission to OLMS. EFS also allows unions that maintain electronic accounting records to import financial data from their accounting programs directly into their LM form.

When labor organization annual reports are not filed in a timely manner or the reports filed are deficient, OLMS opens an investigation to obtain compliance. When reports due from employers, labor relations consultants, and union officers and employees are not timely or properly completed, OLMS also pursues delinquent and deficient reports from these entities. These investigations are known as “Special Reports” cases. Consistent with our renewed focus on timely and accurate filing of employer and consultant reports, not only did OLMS see an increase in persuader reports filed, but we conducted more investigations seeking persuader reports. We planned to complete 66 Special Report investigation seeking such reports in 2022 and completed 106, 36 more than in 2021.

During FY 2022, 100 percent of Form LM-2, LM-3, and LM-4 filers submitted their annual reports via EFS, which has increased timely and accurate filing. Additionally, nearly 96 percent of Form LM-30 reports were filed electronically while 100 percent of Form LM-10 reports were filed using EFS, both representing increases in electronic filing in these areas over last year. In 2022, OLMS exceeded its performance goal by increasing the percent of all LM reports filed electronically to 97.9 percent. OLMS tracks the numbers of delinquent and deficient reports and special reports cases completed.

OLMS Performance Goal – Reporting and Disclosure	FY 2022 Target	FY 2022 Results
Percent of Reports Filed Electronically	90%	97.9%

OLMS Enforcement Statistics – Reporting and Disclosure	FY 2022 Plan	FY 2022 Results
LM-2/3/4 Delinquent Reports Cases Completed	1,703	1,467
LM-2/3/4 Deficient Reports Cases Completed	232	204
Special Reports Cases Completed	66	106

During FY 2022, OLMS had success reducing the number of labor organizations on a “chronic delinquency” watch list. A union is chronically delinquent if it is late filing its report three years in a row. To prevent chronic delinquency OLMS reaches out to unions who have filed late in the previous two years. These are the unions most in danger of becoming chronically delinquent. The goal was to remove 553 unions from the list by assisting them to file on time. At year’s end, OLMS removed 676 from the chronic delinquency watch list.

4. Employee Protections

OLMS also administers responsibilities under federal transit law by ensuring that fair and equitable arrangements protecting mass transit employees are in place before the release of federal transit assistance. When federal funds are used to acquire, improve, or operate a transit system, federal law requires that arrangements must be made to protect the rights of affected mass transit employees. These arrangements must be approved by OLMS before the U.S. Department of Transportation’s Federal Transit Administration can release funds to mass transit employers.

In FY 2022, OLMS certified employee protections for 1,782 federal transit grants. With the exception

of one grant application, OLMS certified 100 percent of grants within a 45-day timeframe, well under the 60 days permitted by guidelines (29 CFR § 215). Pursuant to 29 CFR § 215.7, OLMS notified unions and the public of 307 rural grants, to which the FTA applied the Special Warranty Arrangement. More information about employee protections under federal transit law can be found on the [OLMS website](#).

5. Regulatory Initiatives

OLMS published, on December 30, 2021, a final rule rescinding the Form T-1 Trust Annual Report. The rule would have required annual reporting by [Form LM-2](#) filing labor organizations of financial information pertinent to certain related organizations, sometimes called “trusts in which a labor organization is interested”.

On September 13, 2022, OLMS published a proposed revision to the Form LM-10 Employer Report. See: <https://www.govinfo.gov/content/pkg/FR-2022-09-13/pdf/2022-19229.pdf>. The revision would require employers who are required to file an LM-10 Form to: (a) identify via a checkbox on that Form whether the employees they are persuading or surveilling work on a federal contract or subcontract and (b) if so, disclose their General Services Administration (GSA)-provided Unique Entity Identifier, and (c) name the Federal agency holding the contract. The proposed revision explained that the transparency created by these revisions would better inform workers in making determinations regarding the exercise of their rights to organize and bargain collectively.

6. Compliance Assistance

In FY 2022, OLMS undertook the following initiatives as part of a comprehensive compliance assistance program to educate unions, union officials, employers, and consultants about the LMRDA:

- OLMS continued its program of structured, nationwide compliance assistance seminars, but sought to reduce the number of sessions while increasing attendance through enhanced recruitment. The goal of this program is to provide an opportunity each year for the officers of every labor organization to attend a compliance assistance seminar. The content of the compliance assistance seminar is similar throughout the country so that every officer in attendance benefits from the same material. In 2022, OLMS conducted over 100 compliance assistance seminars, approximately 70 percent were available virtually. In total, OLMS provided formal compliance assistance seminars to 4,409 participants and recorded 9,188 contact hours (i.e., the number of participants multiplied by the number of hours of instruction).
- OLMS responded to all requests for compliance assistance seminars. OLMS also received and responded to hundreds of requests for information and policy interpretations.
- OLMS conducted a public webinar on September 28, 2022, on employer-consultant reporting.
- Beginning in FY 2010, OLMS has worked with the nation’s most prominent international and national unions in the Voluntary Compliance Partnership (VCP) initiative, leveraging their resources to improve the compliance performance of over 16,000 affiliates. During FY 2022, the VCP program covered 47 partner national/international unions. VCP continued to solidify its platform as a national compliance assistance effort focused on improving timely reporting, bonding

coverage, accurate and complete reporting including the submission of union constitutions and bylaws, and the implementation of financial safeguards to prevent unions from becoming victims of financial fraud. VCP is a strategic leadership effort that requires executive level involvement from OLMS and officer level involvement from the union, which helps to drive compliance throughout the labor-management community by providing tools, information, and assistance. The overall late-filing rate for unions under the VCP initiative is significantly lower than for non-VCP unions, and the late filing rate decreased again in FY 2021 (the latest available union fiscal year) to 20% overall (17% for VCP unions and 35% for non-VCP unions). OLMS leadership met directly with the presidents and secretary-treasurers of 27 VCP member unions in 2022. OLMS leadership met directly with the presidents and secretary-treasurers of 27 VCP member unions in 2022, generating approximately 90 compliance assistance contact hours. In total, OLMS distributed 34 comprehensive annual VCP informational reports, specifically tailored for the different VCP international and national unions.

- OLMS strengthened its Persuader Reporting Orientation Program (PROP), a compliance assistance initiative to inform employers and their representatives about potential reporting obligations under the [LMRDA](#). PROP enables OLMS to contact employers involved in representation elections – and any parties that have notified the National Labor Relations Board (NLRB) of their status as representatives for such employers – to inform them of potential LMRDA reporting requirements. OLMS provides information on where to locate reporting forms and instructions and how to contact OLMS to ask questions or obtain additional information. OLMS also provides a [fact sheet](#) on employer-consultant agreements. In FY 2022, OLMS expanded the program by sending a PROP-type letter to labor unions, notifying them of the employer and consultant reporting requirements and encouraging them to submit tips to OLMS concerning potentially delinquent or deficient reports.
- OLMS managed a public email address, enabling it to respond to over 2,400 inquiries and requests in the year.
- OLMS continued its Labor Organization Orientation Program (LOOP), which distributed information letters to newly registered labor organizations. In FY 2022, OLMS expanded LOOP to send letters to non-filing organizations that submitted union representation election petitions with the NLRB, notifying them of the LMRDA’s union reporting and other requirements.

7. Outreach

In FY 2022, OLMS continued our initiative to educate workers, unions, policy makers and the public more broadly about OLMS’ work and the important role labor unions play in the modern American economy. These efforts include:

- A redesigned website to better describe the results of OLMS’ enforcement activities in the broader context of the labor movement and the enforcement activities of other Department of Labor worker protection agencies (Wage and Hour Division, Occupational Safety and Health Administration, Mine Safety and Health Administration, Office of Federal Contract Compliance Programs, and Employee Benefits Security Administration).
- Enhancing the website to improve accessibility of employer and consultant information.

- A series of blog posts by the OLMS Director under the website heading “From the Director’s Desk” discussing in a narrative form OLMS’ work and the role of the labor movement in the modern American economy.
- Presentations on varied labor topics (in person and virtually) by the Director to the regulated community.
- Restarting a program originally developed in the 1980s designed to shine a light on the benefits of labor-management partnerships.
- Assisting the Department in connection with the White House Task Force on Worker Organizing and Empowerment.