OLMS Fact Sheet

Deprivation of Rights of Union Members Under the LMRDA by Violence

Section 610 of the Labor-Management Reporting and Disclosure Act (LMRDA) (29 U.S.C.) prohibits the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which the member is entitled under the provisions of the LMRDA. The Office of Labor-Management Standards (OLMS) of the Department of Labor investigates allegations of violations of section 610.

When is section 610 violated?

- Section 610 is violated when:
- a person
- through the use of force or violence or threats of the use of force or violence
- restrains, coerces, or intimidates, or attempts to restrain, coerce, or intimidate
- any union member
- for the purpose of interfering with or preventing the exercise of any right to which the member is entitled under the LMRDA.

What are some examples of violations of section 610?

- a union member is threatened or assaulted because of the member's expression of views, arguments or opinions concerning union affairs
- a union member is threatened or assaulted for attending or participating in a union meeting
- a union member is threatened or assaulted because the member sued the union or appeared as a witness in such a law suit
- a union member is threatened or assaulted because the member protested a union officer election
- a union member is threatened or assaulted because the member protested the imposition or the continuation of a trusteeship over the union
- a union member is threatened or assaulted because the member is or intends to be a candidate for union office
- a union member is threatened or assaulted because the member supports an opposition candidate for union office

What rights are protected under Section 610 of the LMRDA?

Union member rights protected by the LMRDA include the right to:

- meet and assemble freely with other members, and express views, arguments and opinions concerning union affairs
- participate in union meetings and other activities
- vote upon the business of union meetings
- inspect or obtain copies of collective bargaining agreements between an employer and the union
- notice and fair hearing before being disciplined
- file a law suit pertaining to union affairs
- participate in setting rates of dues, fees, and assessments
- examine information required to be in reports filed with the Secretary of Labor by a union
- run for, and hold, union office
- nominate candidates for union office
- support candidates for union office
- cast a secret ballot for freely chosen candidates in an election of local union officers
- protest the conduct of an election of union officers

What is the penalty for depriving union members of their rights through violence?

Any individual who willfully violates section 610 may be imprisoned for up to one year and/or fined up to $100,000, or twice the value of any pecuniary gain he or she derives from the offense or twice the value of any pecuniary loss to some other person from the offense, or $250,000 if death results from the offense, whichever amount is greater, for each violation of the statute.

A convicted person may also be sentenced to pay restitution to the victim(s) and other conditions of sentence. In the case of aggravated assaults, the convicted person will also be barred from holding union office or employment by LMRDA Section 504.

What should I do if someone threatens or assaults me because I exercised one of my rights as a union member?

You should report this activity to local law enforcement authorities immediately and contact the nearest OLMS field office listed below.

Should I still contact OLMS even if the individual who threatened or assaulted me is not a union officer, employee, or member?

Yes. Section 610 prohibits *any* person from depriving a union member of his or her rights under the LMRDA by force or violence or the threat of force or violence.

Office of Labor-Management Standards Field Offices

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For the address and telephone number of our field offices, please consult local telephone directory listings under United States Government, Labor Department, Office of Labor-Management Standards, or view our online organizational listing at **http://www.dol.gov/olms/contacts/lmskeyp.htm**.

OLMS

Office of Labor-Management Standards

U.S. Department of Labor

February 2010 (Revised May 2014)

Visit us at **www.olms.dol.gov**

E-mail us at **olms-public@dol.gov**

Call the DOL Toll-Free Help Line at **1.866.487.2365**