

U.S. DEPARTMENT OF LABOR  
LABOR-MANAGEMENT SERVICES ADMINISTRATION  
Washington

NICHOLS, LEONARD OAM

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OAM

June 22, 1970

LABOR-MANAGEMENT SERVICES ADMINISTRATION ORDER NO. 3-1

Subject: Advisory Council on Employee Welfare and Pension  
Benefit Plans

1. Purpose. This Order assigns responsibilities and prescribes operating procedures with respect to the Advisory Council on Employee Welfare and Pension Benefit Plans (hereinafter referred to as the "Council").

2. Authority. Authority for this LMSA Order and its assignments is provided in Secretary's Order No. 16-68 which delegated the authority to the LMSA Administrator and authorized him to redelegate the same to appropriate officials in the organization.

3. Responsibilities. As provided by Section 14 of the Act, it is the duty of the Council to advise the Secretary of Labor with respect to the carrying out of his functions under the Act and to submit to the Secretary recommendations with respect thereto. To enable the accomplishment of these duties the following responsibilities shall apply within the LMSA:

a. The LMSA Administrator will:

- (1) serve in the capacity of Chairman of the Council;
- (2) call all regular and special meetings of the Council;
- (3) approve the agenda for all Council meetings;
- (4) select members for appointment by the Secretary to the Council as noted in Paragraph 4 below; and,
- (5) insure the submission of annual reports of Council operation to the Deputy Under Secretary pursuant to Secretary's Order No. 38-69 relating to the "Establishment of Regulations for the Formation, Use and Operation of Advisory Committees."

b. The Director, Office of Labor-Management and Welfare-Pension Reports (LMWP) shall:

- (1) review recommendations for membership on the Council and advise the LMSA Administrator concerning possible appointments;

(2) prepare agenda for Council meetings and submit them to the Administrator for approval;

(3) furnish to the Council an Executive Secretary and such secretarial, clerical, and other services as are deemed necessary to the conduct of its business;

(4) call upon other agencies of the Government for statistical data, reports, and other information which will assist the Council in the performance of its duties; and,

(5) submit the Council's recommendations to the Secretary, through the Administrator, for inclusion in the annual report which the Act requires the Secretary to transmit to the Senate, and the House of Representatives at the beginning of each regular session of Congress.

#### 4. Operating Procedure.

a. Representation. As provided by the Act the Council shall consist of thirteen members representing the following groups: one from the insurance field; one from the corporate trust field; two from management; four from labor; two from other interested groups; and, three from the general public.

#### b. Appointments.

(1) Members of the Council, other than those representing the general public, will be selected by the Administrator, for appointment by the Secretary, from among persons recommended by organizations in the respective groups.

(2) Adequate public notice will be given by the Administrator to those organizations likely to desire to recommend persons for appointment to the Council prior to any change in the membership.

(3) In the case of resignation, disabling illness, death, or other incapacity of a member of the Council, the Administrator will select a replacement to serve the remainder of the term in accordance with the procedures specified in 4b(1) and 4b(2).

(4) Membership in the Council shall be for terms as deemed appropriate, but not to exceed two years. Changes in membership shall be made with a view to obtaining the benefits which accrue from the advice of new individuals possessing fresh viewpoints. However, there shall be no restriction on the reappointment of a member nor on the number of terms a particular individual may serve.

(5) A rotation procedure will be used whereby approximately half the members are appointed one year and the others are appointed the following year.

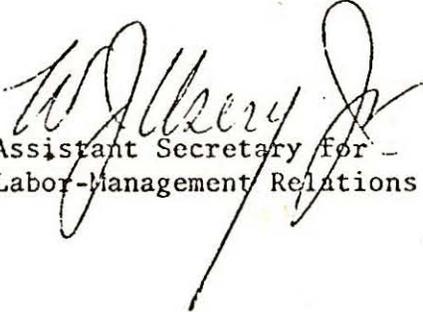
c. Meetings.

(1) Regular and Special Meetings will be held at such times and places as will be designated by the Administrator. Regular meetings shall be held not less frequently than twice a year.

(2) Notice. Adequate personal notice of the time, place, and agenda of each meeting of the Council shall be mailed to its members by the Executive Secretary.

(3) Minutes of each meeting shall be kept which shall, as a minimum, contain a record of persons present; a description of matters discussed and conclusions reached; and copies of all reports received, issued, or approved by the Council. The accuracy of all minutes shall be certified to by the Executive Secretary.

5. Effective Date. This Order is effective immediately.

  
Assistant Secretary for  
Labor-Management Relations

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