

UNDERSTANDING FORM LM-30



U.S. Department of Labor
Office of Labor-Management Standards

February 14, 2012
Webinar Presentation for Union Officials

Overview of Today's Presentation

The purpose of this webinar is to reacquaint you with the Form LM-30, which is filed by labor organization officials (officers and employees other than purely clerical or custodial) in those years in which they have a reportable actual or potential conflict of interest.

1. We'll begin with a brief refresher about the Form LM-30's purpose as an introduction to the presentation.
2. Next, we'll provide you with an overview and a flow chart showing you how the new Form LM-30 works, along with the key definitions. The overview will provide a look at the three parts of the Form LM-30.
3. Then, we will apply specific fact patterns Parts A, B and C to illustrate (1) how to determine if a reportable transaction exists, and (2) how to complete that part of the form using the applicable fact pattern.
4. We'll close with some details on filing deadlines, which form to file and where to get further assistance.

Purpose of Form LM-30

- The publicly-available Form LM-30 is used by union officials to report specified transactions that constitute an actual or potential conflict between the personal financial interests of the official and his or her obligation to the union and its members. Actual or potential conflicts of interest may interfere with your fiduciary duty to your union.
- Generally, a union official must report if he or she engages in a financial transaction with the particular employers and businesses identified in Parts A, B and C of the form. However, not **all** such transactions are reportable. There are **general** exclusions that apply to Parts A, B, and C. If any one of these general exclusions applies to a particular transaction, then it is **not** reportable.
- In addition, there are also **specific** exclusions that apply just to a single part. If no general exclusions apply to a particular transaction, but a specific one does, then the transaction is **not** reportable.
- Otherwise, if there is a transaction with a Part A, B, or C employer or business and **neither** general nor specific exclusions apply, then the transaction must be reported.
- Form LM-30 is filed **only** in those years when there are transactions to report.

What is behind union official conflict of interest reporting?

- The LMRDA was the direct outgrowth of a Congressional investigation conducted during the 1950's by the McClellan Committee. One problem highlighted by its report was conflicts of interest involving union representatives:
 - “When a prominent union official has an interest in the business with which the union is bargaining, he sits on both sides of the table.”
- The McClellan report and later the LMRDA relied on disclosure of actual or potential conflict of interest for several reasons:
 - “Disclosure discourages questionable practices”
 - “Disclosure aids union governance”
 - “Disclosure creates a record.”
- The language of Section 202 of the LMRDA relied on the AFL-CIO Code of Ethics. One key provision of the AFL-CIO code stated:
 - “A basic ethical principle in the conduct of union affairs is that no responsible trade union official should have a personal financial interest which conflicts with the full performance of his fiduciary duties as a workers’ representative.”

Form LM-30

Labor Organization Officer and Employee Report

- Union officers and union employees report financial interests and transactions on Form LM-30.
- The Labor-Management Reporting and Disclosure Act (LMRDA) requires union officers and employees to file a report with the Department of Labor if they, their spouse, or their minor child have an actual or potential conflict of interest involving, directly or indirectly, any legal or equitable interest held in, gifts or payments received from, certain activities engaged with, or certain financial interests involving:
 - Represented Employers (i.e., employers whose employees their union represents or actively seeks to represent);
 - A business that buys from or sells to the represented employer, the filer's union, or a trust in which the filer's union is interested; and
 - Certain other employers from whom a payment would create an actual or potential conflict, as well as labor relations consultants to employers.

Who Is Covered By Form LM-30?

- If you, your spouse, or minor child has certain transactions, you must file the Form LM-30. If your spouse or minor child has a reportable transaction, you must file Form LM-30, not them.
- *You* – means an officer or employee of an LMRDA-covered union.
 - Those purely custodial or clerical employees are not covered!
- Shop stewards, union committee members, and similar union representatives who are not otherwise officers or employees of their union do not file Form LM-30.
- *Minor children* – means children (including stepchildren) under 21 years of age.

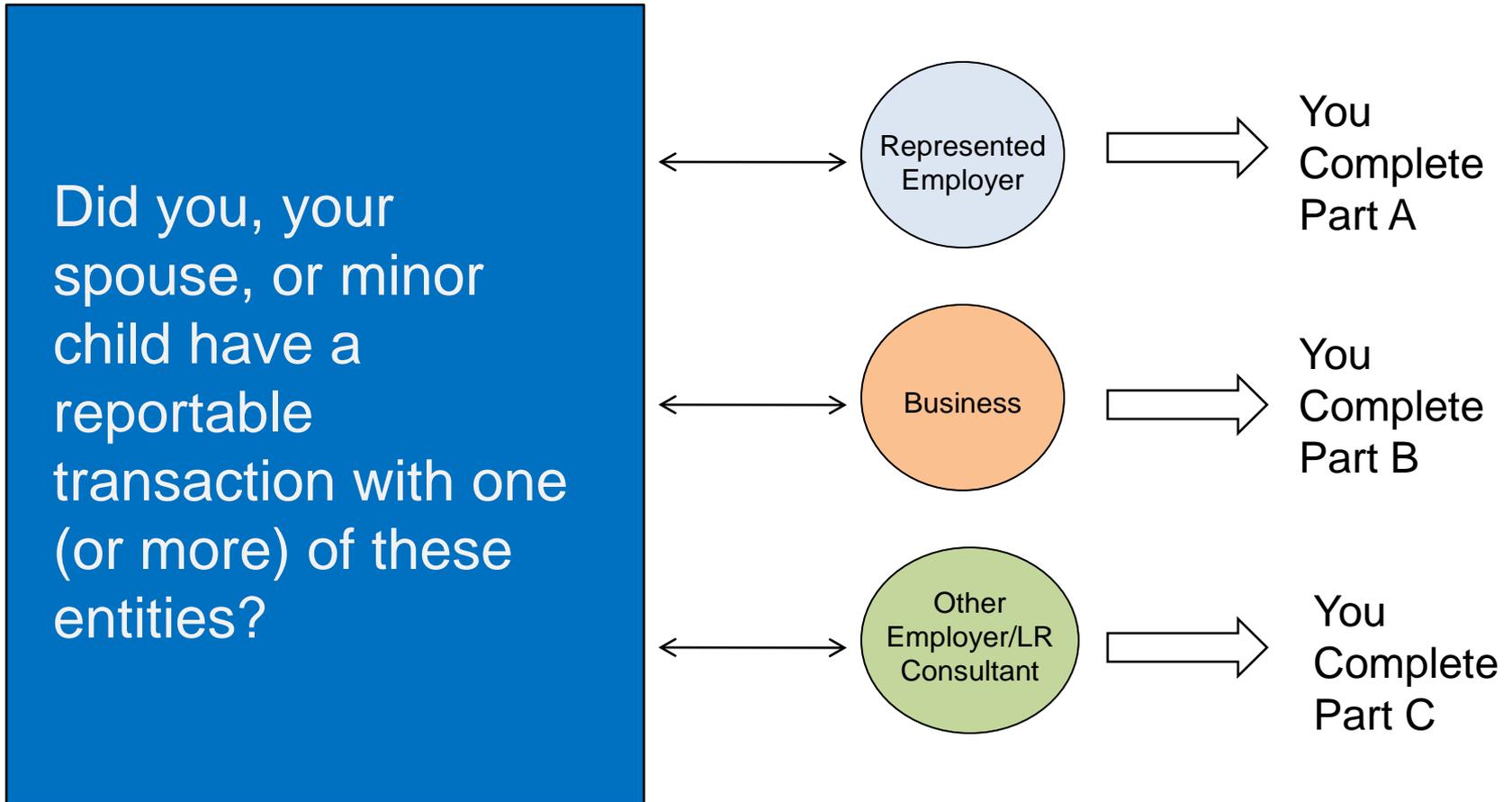
Reporting by Officials of High-Level Unions

- 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 (e.g., local, intermediate, national, or international) in which you serve as an officer or employee.
- 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).
- 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.

Direct and Indirect Transactions

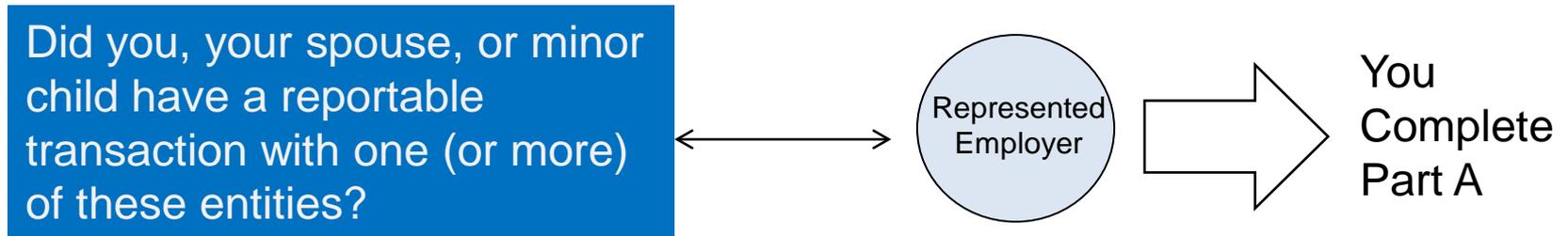
- *Directly* means you, your spouse or minor child received a payment or other benefit *without the intervention or involvement of another party*.
 - Example: An investment manager provides you and your spouse with transportation, lodging and meals to attend an investment seminar.
- *Indirectly* includes any payment or benefit *intended* for you, your spouse or minor child, or on *whose behalf this transaction or arrangement is undertaken*, if it is through a third party.
 - Example: You are contacted by a travel agent who advises that they are holding airline tickets, meal and lodging vouchers for you and your spouse to attend the same investment seminar (here, the investment manager has simply pre-paid all your expenses instead of giving you the tickets and money directly).

Reportable Transactions with “Parts A, B, and C” Entities



Represented Employers

- “Represented Employer” under Part A includes employers your union currently represents in collective bargaining and those employers your union is “actively seeking to represent.”



Reportable transactions with “represented employers” are reported in Part A of Form LM-30

Actively seeking to represent

- *Actively seeking to represent* means your union has taken *concrete steps* during your fiscal year to become the bargaining representative of employees of an employer including: sending organizers to an employer's facility, salting, circulating petitions or soliciting signatures on membership or representation cards, hand-billing or picketing, except informational or area standards picketing.
 - 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 union would not meet the “actively seeking to represent” standard.

PART A – REPRESENTED EMPLOYER. An employer whose employees your labor organization represents or is actively seeking to represent.

6. Name of represented employer _____

Contact name _____ Telephone _____

Street address _____

City _____ State _____ ZIP _____

7.a. Nature of interest, transaction, benefit, arrangement, income, or loan

7.b. Amount or value of interest, transaction, benefit, arrangement, income, or loan

15. Signature and Verification

The undersigned declares, under penalty of perjury and other applicable penalties of law, that all of the information submitted in this report (including the information contained in any accompanying documents) has been examined by the signatory and is, to the best of the undersigned's knowledge and belief, true, correct and complete.

Signed _____

On _____
Date (mm/dd/yyyy)

Telephone Number _____

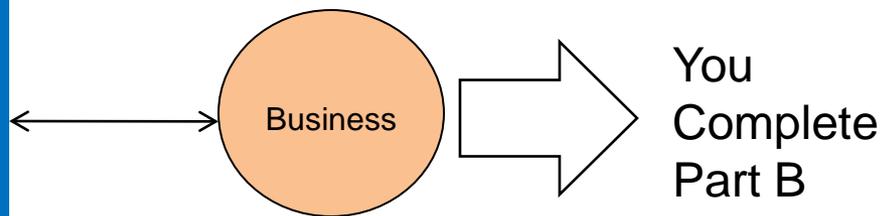
If you report in Part A, you'll need to supply the name and contact information of the employer (item 6), a description of the nature of the transaction or interest (item 7a) and an amount or value associated with the transaction or interest in item 7b.

See the Form LM-30 *Instructions* for further detail.

“Business”

- “Business” under Part B includes a vendor or service provider either (1) a substantial part (10% or more) of which consists of buying from, selling or leasing to directly or indirectly, or otherwise dealing with the business of a represented employer (described in Part A) or (2) any part of which consists of buying from, 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.

Did you, your spouse, or minor child have a reportable transaction with one (or more) of these entities?



Reportable transactions with “businesses” are reported in Part B of Form LM-30

“Dealing” and “Trust in which a labor organization is interested”

- *Dealing*: To engage in a transaction (bargain, sell, purchase, agree, contract) or to in any way traffic or trade (including solicitation for business).
- *Trust in which a labor organization is interested*: A trust or other fund or organization:
 - Created or established by a labor organization, or one or more of the trustees or members of the governing body of which is selected or appointed by a labor organization **and**
 - A primary purpose of which is to provide benefits for the labor organization’s members or their beneficiaries

<p>PART B – BUSINESS. A business, such as a vendor or service provider, (1) a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with the business of an employer described in Part A 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.</p>	
<p>8. Name of business _____</p> <p>Contact name _____ Telephone _____</p> <p>Street address _____</p> <p>City _____ State _____ ZIP _____</p>	<p>11.a. Nature of dealings</p>
<p>9. Business deals with <input type="checkbox"/> a. Labor Organization <input type="checkbox"/> b. Trust <input type="checkbox"/> c. Employer</p>	<p>11.b. Value of dealings</p>
<p>10. If 9.b. or 9.c. is checked give trust or employer's name _____</p> <p>_____</p> <p>Contact name _____ Telephone _____</p> <p>Street address _____</p> <p>City _____ State _____ ZIP _____</p>	<p>12.a. Nature of interest, benefit, arrangement, or income</p>
	<p>12.b. Amount or value of interest, benefit, arrangement, or income</p>

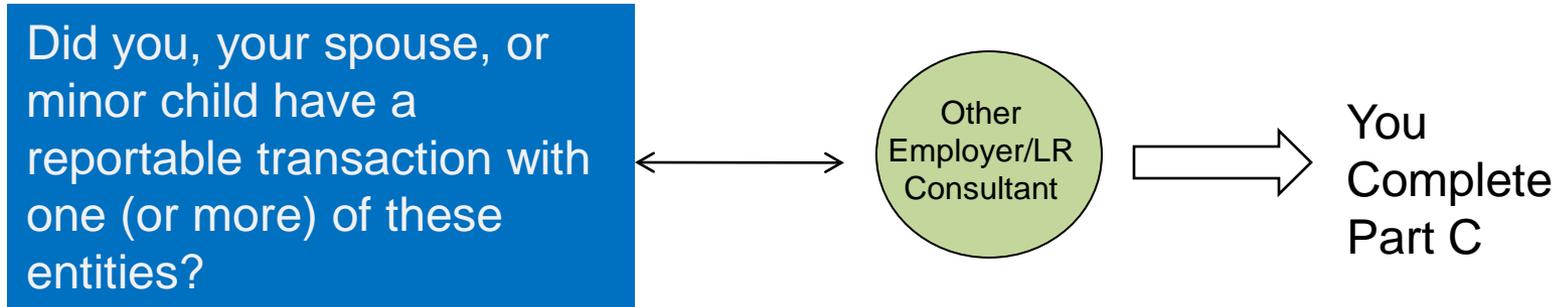
In Part B, for businesses, in item 8 report the name and contact information associated with the business; item 11a is used to describe the nature of the dealings with each business, and 11b records the value of those dealings; in 12a provide the nature of the interest or transaction, and in 12b provide the amount or value of each transaction or interest.

If the business deals with an employer or trust (reported in item 9b or c), complete item 10.

See the Form LM-30 *Instructions* for further detail.

Employers and Labor Relations Consultants

- “Employer,” under Part C includes an employer (other than those listed in Parts A or B) from whom a payment would create an actual or potential conflict between your personal financial interests and the interests of (or your duties to) your labor organization; also includes payments from a “labor relations consultant” to either such an employer or an employer listed in Part A.



Reportable transactions with “employers” and labor relations consultants are reported in Part C of Form LM-30

PART C – OTHER EMPLOYER OR LABOR RELATIONS CONSULTANT. An employer (other than an employer or business covered under Parts A and B above) from whom a payment would create an actual or potential conflict between your personal financial interests and the interests of your labor organization (or your duties to your labor organization); or a labor relations consultant to such an employer or to the employer listed in Part A.

<p>13.a. Contact information for employer or labor relations consultant</p> <p>Name of employer or labor relations consultant _____</p> <p>Contact name _____ Telephone _____</p> <p>Mailing address _____</p> <p>City _____ State _____ ZIP _____</p>	<p>14.a. Nature of payment</p>
<p>13.b. Type of entity: Is the entity <input type="checkbox"/> an employer or <input type="checkbox"/> a consultant?</p>	<p>14.b. Amount or value of payment</p>

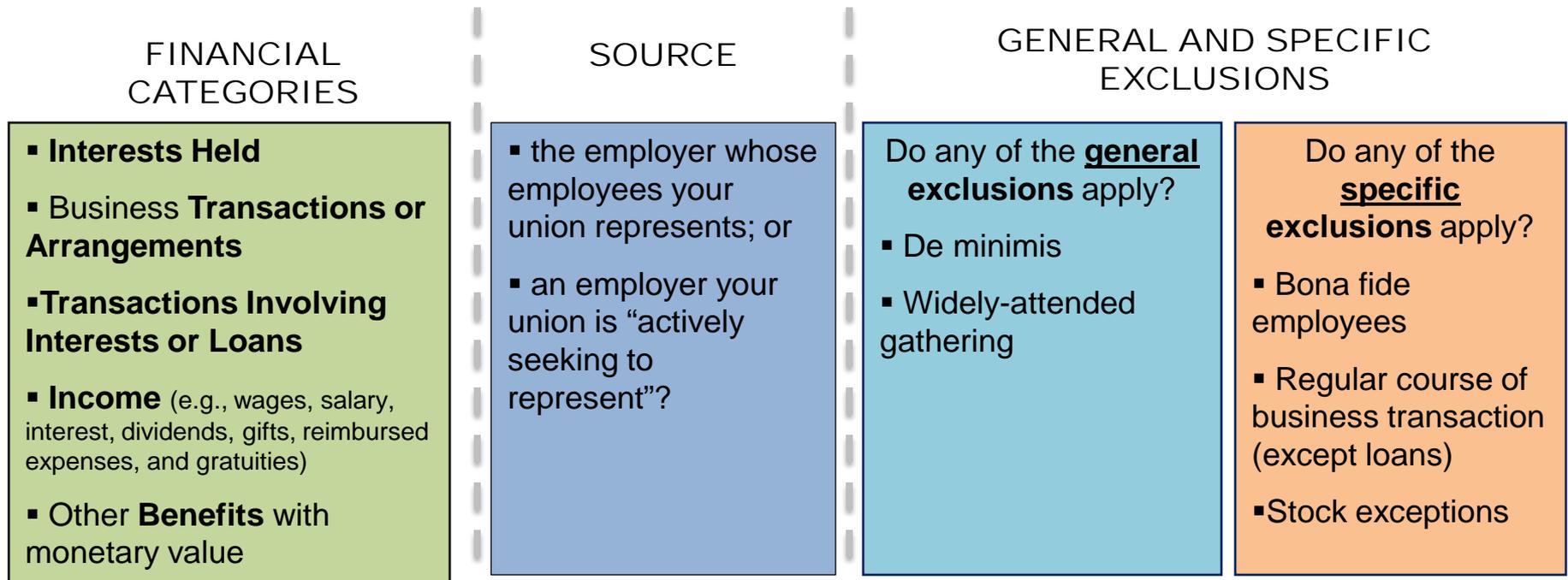
Finally, in Part C, if you have a reportable transaction, contact information is provided in item 13a and you must indicate whether the entity is either an employer or consultant in item 13b. Use item 14a to describe the nature of the payment and item 14b to detail the amount or value of the payment.

See the Form LM-30 *Instructions* for further detail.

LM-30 Part A

- As the next slide shows, there are four elements to consider when determining if you must complete Part A:
 - Look at the financial categories to determine if the interest or transaction is covered.
 - Review the source of the payment to be certain that it is covered.
 - Look to see if a general exclusion applies to this interest or transaction; if one does, then the interest or transaction is not reportable.
 - Even if a general exclusion does not apply, there may be a specific exclusion just for this particular part that applies. If it does apply, the interest or transaction is not reportable.

Elements To Consider When Determining Whether Each Potential Conflict-of-Interest Item Is Reportable in **Part A** (Represented Employer)



If the item in question is in one of the above financial categories, comes from one of the above employer sources, and is **not** exempted by a general or specific exclusion, then it is **reportable** in **Part A**.

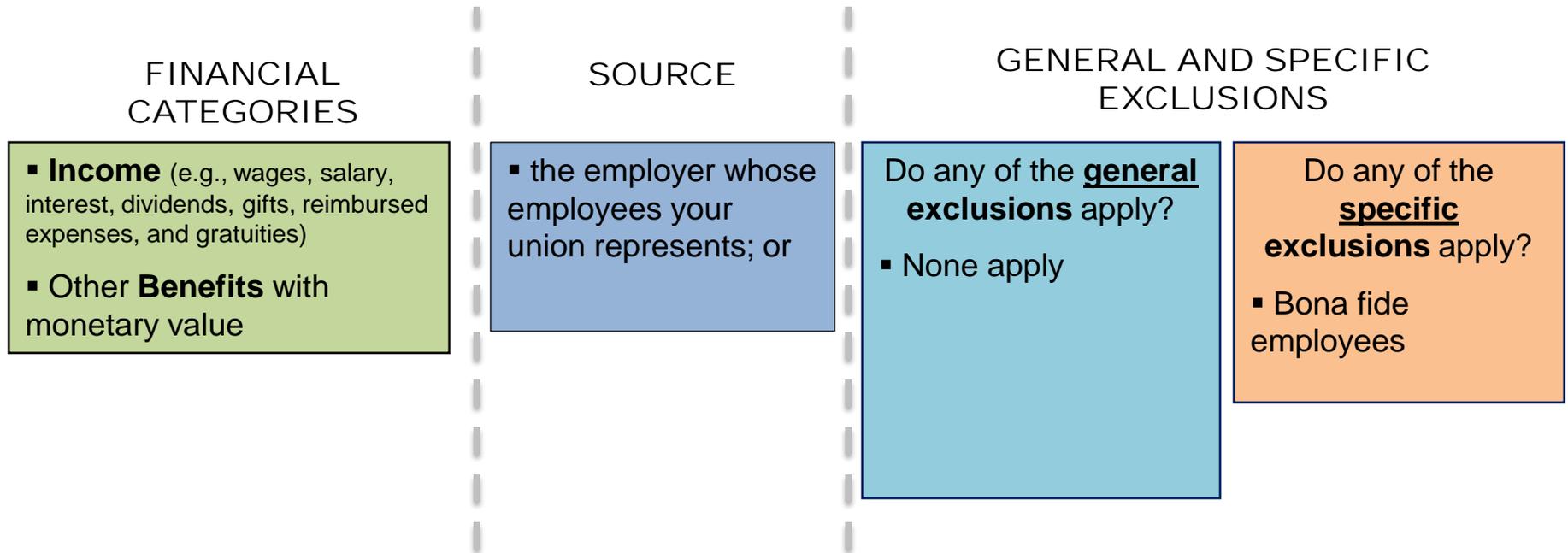
General Exclusions

- These general exclusions apply to Parts A, B and C:
 - **Exclusion #1 (Insubstantial Payments and Gifts):**
 - You do not have to report any payments or gifts totaling \$250 or less from any one source.
 - Payments or gifts valued at \$20 or less do not need to be included in determining whether the \$250 threshold has been met.
 - **Exclusion #2 (Widely-Attended Gatherings):**
 - You do not have to report benefits, such as food and entertainment, you received while attending 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.
 - A gathering is “widely attended” if a *large number* of persons are in attendance and the attendees include both union officers and employees as well as a *substantial number* of individuals with no relationship to a union or trust in which a labor organization is interested. Those with no relationship to the union or trust must be treated the same as those with a union/trust affiliation both at the event and when the employer or business advertises or distributes invitations for the event.
 - You do not have to include the value of those gatherings in determining whether the \$250 threshold (General Exclusion #1) has been met for the employer or business providing the meeting. If you attend three or more such widely-attended gatherings provided by the employer or business, you must report the value of all such events.

Part A Specific Exclusions

- **Transactions** involving purchases and sales of goods and services in regular course of business at prices generally available to *any employee* of the employer. (Note: Does not apply to loans)
- **Payments and benefits** received as a *bona fide employee* of the employer for past or present services, including wages and benefits received under a bona fide benefit plan, collective bargaining agreement (CBA), or custom or past practice pursuant to the CBA. This includes payments received pursuant to a bona fide union leave or no-docking arrangement with an employer.
- **Holdings of, transactions in, or income from** *bona fide investments* in Securities traded on one of the following exchanges: American, Boston, Chicago Board Options, Chicago, International Securities, NASDAQ, National, New York, Pacific and Philadelphia.
- **Holdings of, transactions in or income from** securities not listed or registered above, provided that the receipt is of insubstantial value or amount (holdings or transactions involving \$1,000 or less and receipt of income of \$100 or less in any one security are considered “insubstantial”) and occurs under terms unrelated to your status in a labor organization.

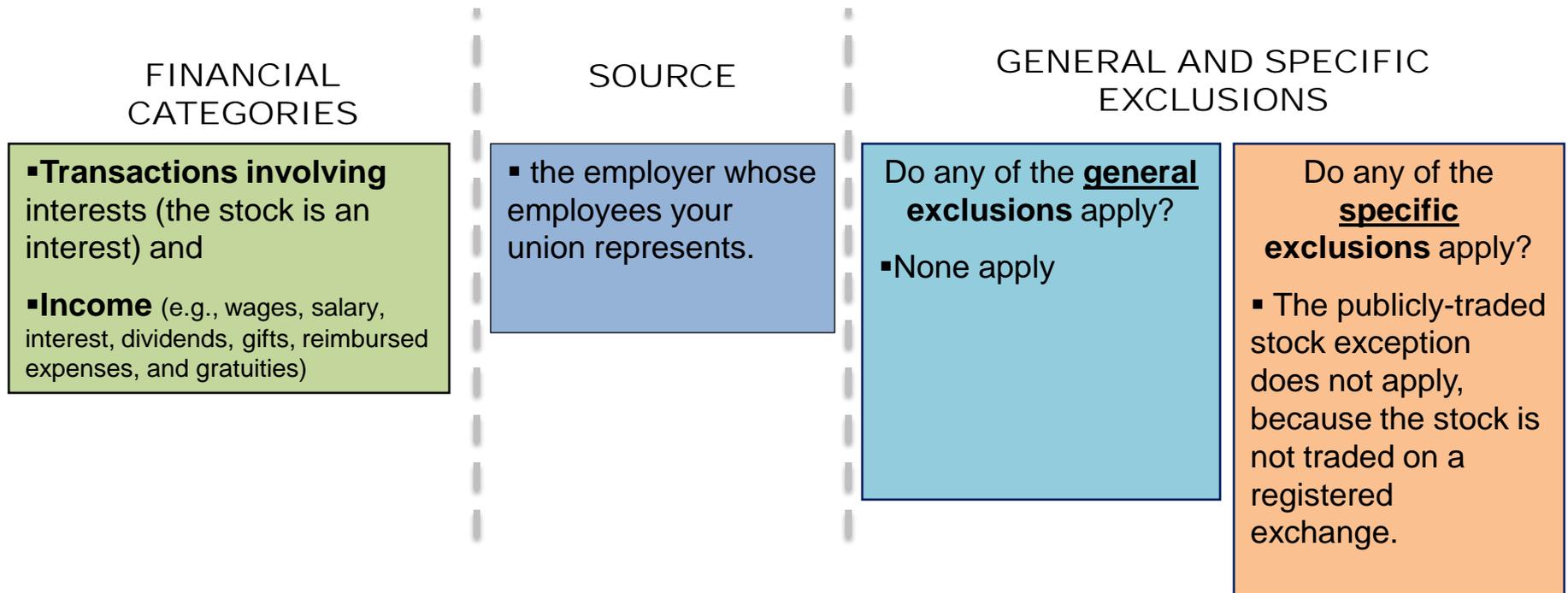
You are a union officer who, pursuant to a collective bargaining agreement, continues to receive your salary and benefits from the represented employer while conducting work for the union.



In the first example above:

- The financial categories which apply are income (salary from the employer) and benefits;
- The source is the represented employer;
- No general exclusions apply
- The bona fide employee specific exclusion does apply, so this is not reportable.

You are the secretary-treasurer of your local union and you own \$2,000 worth of shares in the represented employer's stock, which is not traded on any registered exchange.



In the second example above:

- The financial category that applies is that of interests (ownership of stock), which requires reporting the ownership and its value as well as the income (dividends).
- The source is the represented employer.
- No general exclusions apply.
- The specific exclusions do not apply, because the stock is not traded on a registered exchange.

PART A – REPRESENTED EMPLOYER. An employer whose employees your labor organization represents or is actively seeking to represent.

6. Name of represented employer _____

Contact name _____ Telephone _____

Street address _____

City _____ State _____ ZIP _____

7.a. Nature of interest, transaction, benefit, arrangement, income, or loan

7.b. Amount or value of interest, transaction, benefit, arrangement, income, or loan

After entering the name, contact name, telephone, address, city, state and zip of the represented employer whose stock you own, in item 7a, you must describe the number of shares of stock you own as well as any dividends or other income (such as from sales of shares) you received during the reporting year. In item 7b, report these amounts.

LM-30 Part B

- As the next slides show, there are four elements to consider when determining whether or not you must complete Part B:
 - Look at the financial categories to determine if the interest or transaction is covered.
 - Review the source of the payment to be certain that it is covered.
 - Determine if a general exclusion applies to this interest or transaction; if one does, then the interest or transaction is not reportable.
 - Even if a general exclusion does not apply, there may be a specific exclusion, just for this particular part that applies. If it does apply, the interest or transaction is not reportable.
 - However, if no specific or general exclusion applies, then you must complete Part B for each such transaction, if the item fits within the enumerated financial categories and derives from the listed sources.

REVIEW: Part B Relationships

- You must complete Part B if you, your spouse or minor child held an interest in or derived income or other benefit with monetary value, including reimbursed expenses, from a business:
 - A substantial part (10% or more) of which consists of buying from, selling or leasing to, or otherwise dealing with the business of a represented employer; or
 - Any part of which consists of buying from, 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.
- Dealing: To engage in a transaction (bargain, sell, purchase, agree, contract) or to in any way traffic or trade (including solicitation for business).
- Trust in which a labor organization is interested: A trust or other fund or organization:
 - Created or established by a labor organization, or one or more of the trustees or members of the governing body of which is selected or appointed by a labor organization **and**
 - A primary purpose of which is to provide benefits for the labor organization's members or their beneficiaries

Elements To Consider When Determining Whether Each Potential Conflict-of-Interest Item Is Reportable in **Part B (Business)**

FINANCIAL CATEGORIES

- **Interests Held**
- **Income** (e.g., wages, salary, loans, interest, dividends, gifts, reimbursed expenses, and gratuities)
- Other **Benefits** with monetary value

SOURCE

- Business (vendor or service provider):
- a **substantial part** consists of buying from, selling or leasing to, or otherwise dealing with the business of a Represented Employer under Part A
 - **any part** consists of buying from or selling or leasing directly or indirectly to, or otherwise dealing with (a) your union or (b) with a trust in which your union is interested.

GENERAL AND SPECIFIC EXCLUSIONS

- Do any of the **general exclusions** apply?
- De minimis
 - Widely-attended gathering

- Do any of the **specific exclusion** apply?
- Bona fide financial transactions with a credit institution, including loans
 - Stock exceptions

If the item in question is in one of the above financial categories, comes from one of the above business sources, and is **not** exempted by a general or specific exclusion, then it is **reportable** in **Part B**.

General Exclusions

- These general exclusions apply to Parts A, B and C:
 - **Exclusion #1 (Insubstantial Payments and Gifts):**
 - You do not have to report any payments or gifts totaling \$250 or less from any one source.
 - Payments or gifts valued at \$20 or less do not need to be included in determining whether the \$250 threshold has been met.
 - **Exclusion #2 (Widely-Attended Gatherings):**
 - You do not have to report benefits, such as food and entertainment, you received while attending 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.
 - A gathering is “widely attended” if a *large number* of persons are in attendance and the attendees include both union officers and employees as well as a *substantial number* of individuals with no relationship to a union or trust in which a labor organization is interested. Those with no relationship to the union or trust must be treated the same as those with a union/trust affiliation both at the event and when the employer or business advertises or distributes invitations for the event.
 - You do not have to include the value of those gatherings in determining whether the \$250 threshold (General Exclusion #1) has been met for the employer or business providing the meeting. 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.

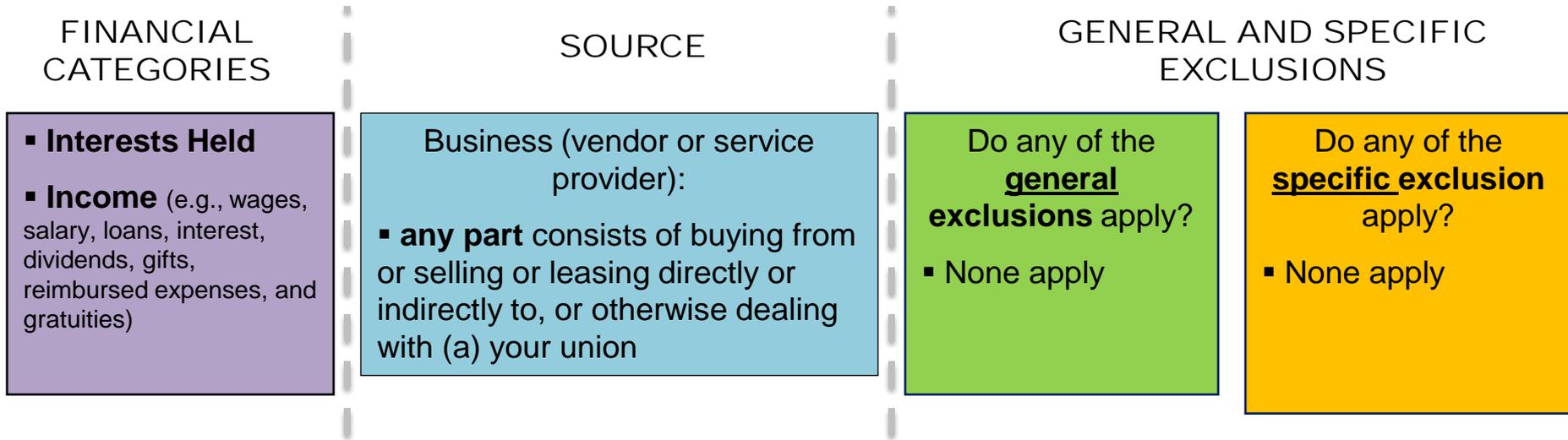
Part B Specific Exclusions

- **Bona fide loans**, including mortgages, if made on the credit institution's own criteria and made on terms unrelated to your status in the labor organization; and
- **Other marketplace transactions** with such bona fide credit institutions, such as credit card transactions (including unpaid balances), interest and dividends paid on checking, savings 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.
- **Holdings of, transactions in, or income from *bona fide investments*** in Securities traded on one of the following exchanges: American, Boston, Chicago Board Options, Chicago, International Securities, NASDAQ, National, New York, Pacific and Philadelphia.
- **Holdings of, transactions in or income from** securities not listed or registered above, provided that the receipt is of insubstantial value or amount (holdings or transactions involving \$1,000 or less and receipt of income of \$100 or less in any one security are considered "insubstantial") and occurs under terms unrelated to your status in a labor organization.

Examples of Part B Reportable Payments and Transactions Involving

- Those businesses with which the official has an interest:
 - Nature and value of interests held
 - All income and benefits derived from business
- Those businesses with which the official does not have an interest:
 - Gifts, gratuities, and reimbursed expenses above the de minimis threshold
 - All income (such as salary and wages) and benefits with a monetary value
 - Non-arms length loans with a credit institution and any loan with a non-credit institution

Your spouse owns an office equipment company that leases equipment to your local union



- Financial category: Your spouse owns a business.
- Source: The business deals with your union.
- General exclusions: None apply (above \$250).
- Specific Exclusions: None apply.

Therefore, this transaction is reportable.

Part B - Business

File Number U - _____

PART B – BUSINESS. A business, such as a vendor or service provider, (1) a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with the business of an employer described in Part A 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.

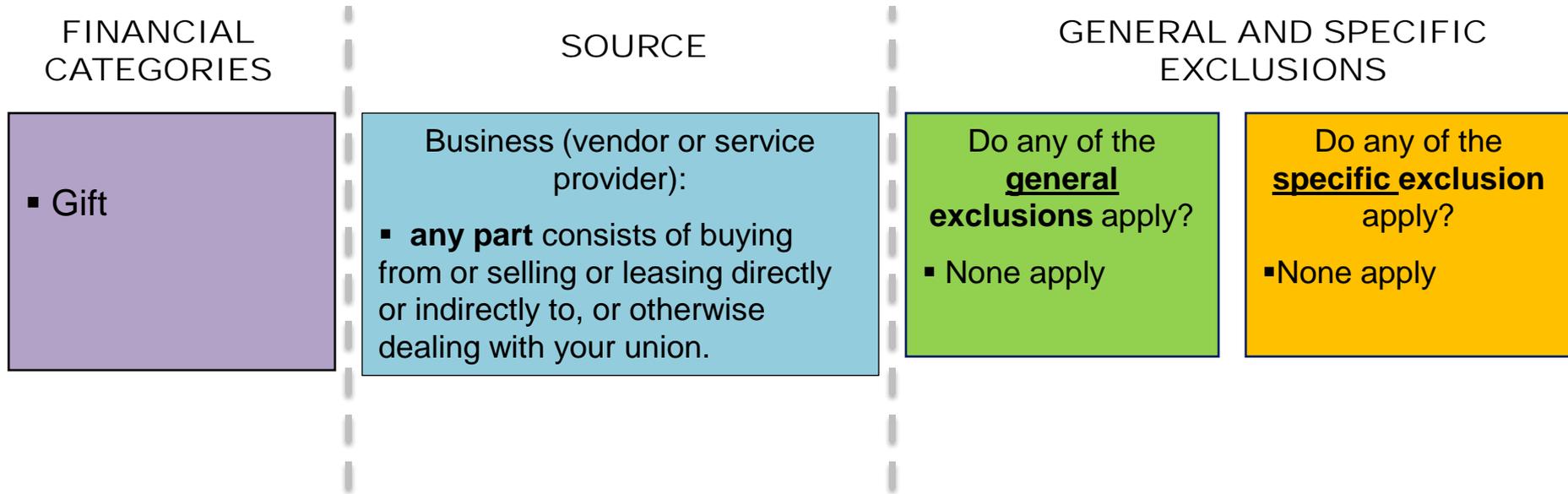
<p>8. Name of business _____</p> <p>Contact name _____ Telephone _____</p> <p>Street address _____</p> <p>City _____ State _____ ZIP _____</p>	<p>11.a. Nature of dealings</p>
<p>9. Business deals with <input checked="" type="checkbox"/> a. Labor Organization <input type="checkbox"/> b. Trust <input type="checkbox"/> c. Employer</p>	<p>11.b. Value of dealings</p>
<p>10. If 9.b. or 9.c. is checked give trust or employer's name _____</p> <p>Contact name _____ Telephone _____</p> <p>Street address _____</p> <p>City _____ State _____ ZIP _____</p>	<p>12.a. Nature of interest, benefit, arrangement, or income</p>
	<p>12.b. Amount or value of interest, benefit, arrangement, or income</p>

In item 8, list the name of your spouse's business, including contact name, street address, city, state and zip. In item 9, check "Labor organization". Because 9a is checked, you do not have to complete item 10.

In item 11a, describe the nature of the dealings with your union, and, in 11b, list the value (annual sales) to your union.

In item 12a, list all interests, benefits and income from the business, from all sources, with the amount or value in item 12b.

The union's accounting firm invites you, the local president, to its skybox for a World Series baseball game.



- Financial category: This is a gift.
- Source: This is from a business dealing with your union.
- General exclusions: None apply because the value of the skybox seat at a World Series game is very likely in excess of \$250.
- Specific Exclusions: None apply.

Therefore, this transaction is reportable.

Part B - Business

File Number U - _____

PART B – BUSINESS. A business, such as a vendor or service provider, (1) a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with the business of an employer described in Part A 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.

8. Name of business _____

Contact name _____ Telephone _____

Street address _____

City _____ State _____ ZIP _____

11.a. Nature of dealings

9. Business deals with a. Labor Organization

b. Trust

c. Employer

11.b. Value of dealings

10. If 9.b. or 9.c. is checked give trust or employer's name _____

Contact name _____ Telephone _____

Street address _____

City _____ State _____ ZIP _____

12.a. Nature of interest, benefit, arrangement, or income

12.b. Amount or value of interest, benefit, arrangement, or income

Complete item 8; check item 9a; complete items 11a, 11b, 12a and 12b.

LM-30 Part C

- As the next slide shows:
 - Look at the financial categories to determine if the interest or transaction is covered.
 - Review the source of the payment to be certain that it is covered.
 - Determine if a general exclusion applies to this interest or transaction; if one does, then the interest or transaction is not reportable.
 - Even if a general exclusion does not apply, there may be a specific exclusion, just for this particular part that applies. If it does apply, the interest or transaction is not reportable.
 - However, if no specific or general exclusion applies, then you must complete Part C for each such transaction, if it is listed in the financial categories and derives from the enumerated sources.

Elements To Consider When Determining Whether Each Potential Conflict-of-Interest Item Is Reportable in **Part C (Other Employer or Labor Relations Consultant)**

FINANCIAL CATEGORIES

- **Payments** (e.g., wages, salary, loans, interest, dividends, gifts, reimbursed expenses, and gratuities)
- Items of **Value**

SOURCE

- any other employer from whom a payment would create an actual or potential conflict
- a labor relations consultant to a Part A employer or Part C employer

GENERAL AND SPECIFIC EXCLUSIONS

- Do any of the **general exclusions** apply?
- De minimis
 - Widely-attended gathering

- Do any of the **specific exclusions** apply?
- Regular wages
 - Regular course of business transactions
 - Other LMRA Section 302 (c) payments
 - Bona fide loans
 - Interest on bonds or dividends on stock
 - Payments from trusts or other unions

If the item in question is in one of the above financial categories, comes from one of the above employer or consultant sources, and is *not* exempted by a general or specific exclusion, then it is **reportable** in **Part C**.

Part C Relationships (Other Employer or Labor Relations Consultant)

- You must complete Part C if you, your spouse or minor child received, directly or indirectly, any payment of money or other thing of value (including reimbursed expenses) from any employer other than one already covered by Part A or Part B from whom such payment would create an actual or potential conflict of interest.
- Part C employers include non-profit organizations that receive or are actively and directly soliciting donations from your labor organization.
- Part C employer also include an employer in competition with a Represented Employer, but only if you are involved with organizing, bargaining or contract administration or if you have significant authority or influence over such activities.
- Part C also includes a labor relations consultant making payments relating to an employees' right to organize and bargain collectively.

“Per Se” Reportable Payments

- 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.
- No exclusions, neither general nor specific, apply

General Exclusions

- These general exclusions apply to Parts A, B and C:
 - **Exclusion #1 (Insubstantial Payments and Gifts):**
 - You do not have to report any payments or gifts totaling \$250 or less from any one source.
 - Payments or gifts valued at \$20 or less do not need to be included in determining whether the \$250 threshold has been met.
 - **Exclusion #2 (Widely-Attended Gatherings):**
 - You do not have to report benefits, such as food and entertainment, you received while attending 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.
 - A gathering is “widely attended” if a *large number* of persons are in attendance and the attendees include both union officers and employees as well as a *substantial number* of individuals with no relationship to a union or trust in which a labor organization is interested. Those with no relationship to the union or trust must be treated the same as those with a union/trust affiliation both at the event and when the employer or business advertises or distributes invitations for the event.
 - You do not have to include the value of those gatherings in determining whether the \$250 threshold (General Exclusion #1) has been met for the employer or business providing the meeting. 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.

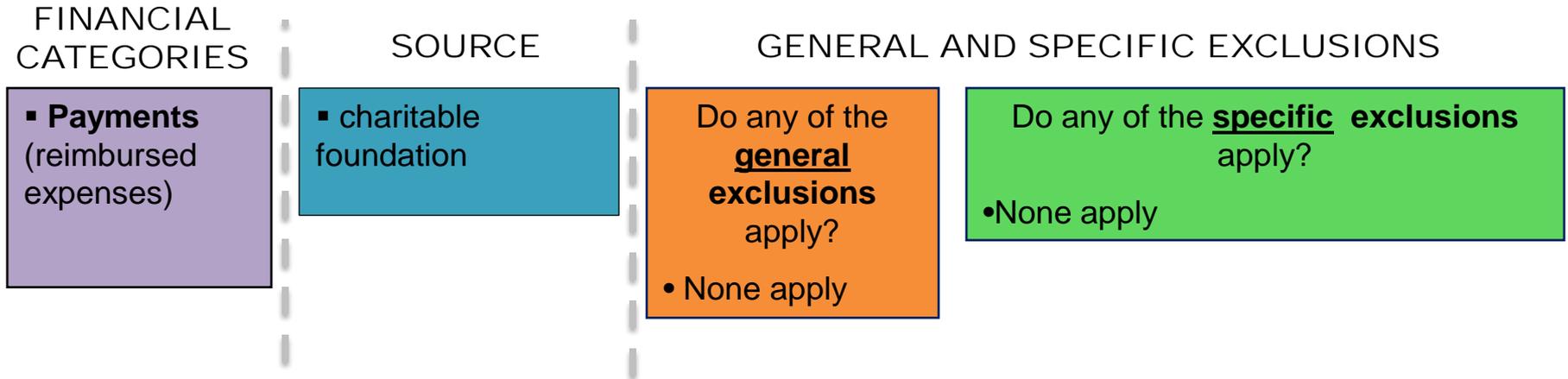
Part C Specific Exclusions

- Payments referred to in Section 302(c) of the Labor Management Relations Act, including 1) regular wages and 2) transactions that occur in the regular course of business.
- Bona fide loans including mortgages, interest or dividends, that are market-based, arms-length transactions from a bona fide credit institution.
- Interest or dividends on stock or bonds provided they have been acquired on terms unrelated to your status in a labor organization and the issuer is not an enterprise in competition with represented employers.
- Payments from trusts or labor organizations.

Examples of Part C Reportable Payments and Transactions

- Gifts, gratuities, and reimbursed expenses above the de minimis threshold, including gifts of stock and other interests
- Any “thing of value” not received as a bona fide employee or through an arms-length transaction
- Income, benefits, and interest not received as a bona fide employee of the employer
- Interest or dividends on stock or bonds that have been acquired because of status in union or have been acquired from an enterprise in competition with represented employers
- Non-bona fide loans

You are a union officer serving on the governing board of a charitable foundation that engages in fund-raising from area unions, including your union. The foundation reimburses you for your air travel and lodging expenses to attend board meetings and other foundation-related functions.



- Financial category: Reimbursed air travel and lodging expenses
- Source: Charitable foundation that solicits donations from your union
- General exclusions: Not a widely-attended gathering, greater than \$250, so none apply
- Specific Exclusions: None apply

Therefore, this transaction is reportable

PART C – OTHER EMPLOYER OR LABOR RELATIONS CONSULTANT. An employer (other than an employer or business covered under Parts A and B above) from whom a payment would create an actual or potential conflict between your personal financial interests and the interests of your labor organization (or your duties to your labor organization); or a labor relations consultant to such an employer or to the employer listed in Part A.

13.a. Contact information for employer or labor relations consultant

Name of employer or labor relations consultant _____

Contact name _____ Telephone _____

Mailing address _____

City _____ State _____ ZIP _____

14.a. Nature of payment

13.b. Type of entity: Is the entity an employer or a consultant?

14.b. Amount or value of payment

In item 13a, provide the contact information for the charitable foundation.

For item 13b, check “an employer”.

For 14a, describe your participation in the board meeting or other foundation-related function, and the nature of the reimbursed expenses you received.

For 14b, enter the total value of the reimbursed expenses you received for your participation in this meeting or function.

FORM LM-30

LABOR ORGANIZATION OFFICER AND EMPLOYEE REPORT

This report is mandatory under P.L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440.

For Official Use Only

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PLEASE READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

5. Labor Organization Identifying Information

Name		
Street address		
City	State	ZIP
File number		
Officer <input type="checkbox"/> Employee <input type="checkbox"/>		
Your officer position or job title		

1. LM-30 File Number: **U-** _____

2. Fiscal Year Covered: from _____ through _____
(mm/dd/yyyy) (mm/dd/yyyy)

3. Amended Report – If this is an amended report, check here:

4. Your Contact Information

Name (first, middle, last)		
Street address		
City	State	ZIP
Email address (optional)		

The top half of the Form LM-30 page 1 contains your contact information:

- If you have never filed Form LM-30 before, leave item 1 blank. Otherwise, use the same filing number you have used in previous reports.
- In item 2, your fiscal year corresponds to your tax year, which is generally January 1 – December 31.
- The remaining items, 3 through 5, should be self-explanatory. Please refer to the LM-30 *Instructions* if you have questions.

When and how do I file?

- The completed Form LM-30 must be filed within ninety (90) days of the close of your fiscal year. For most filers, their fiscal year is the same as their tax year, so it is due 90 days from January 1 of each year.
- Currently, Form LM-30 may only be filed manually.
- Copies of the Form LM-30 and the *Instructions* may be found at www.olms.dol.gov.

History of Form LM-30

- The Department issued the initial (pre-2007) Form LM-30 in 1963. The Form LM-30 implements section 202 of the LMRDA, which requires officers and employees of labor organizations to publicly disclose possible conflicts of interest between their personal financial interests and their duty to the labor union and its members.
- On July 2, 2007, the Department issued a revised (2007) Form LM-30, which significantly expanded the form and its reporting requirements.
- On October 26, 2011, the Department issued a revised Form LM-30 to streamline the reporting requirements, clarify the instructions, reduce the reporting burden on filers, and ensure that all actual or potential conflicts of interest are reported.

Which form must I file (and when)?

- For fiscal years beginning on or after January 1, 2012, union officials must file the 2011 Form LM-30.
- For fiscal years beginning before that date, OLMS will accept the Revised (2011) Form LM-30, the 2007 Form LM-30, or the Pre-2007 Form LM-30.
- For fiscal years beginning before January 1, 2012, OLMS will refrain from initiating enforcement actions against union officers and union employees due to failure to file the report required by section 202, based solely on the use of a particular form, as long as individuals meet their statutorily-required filing obligation in some manner.

What's changed (highlights)?

Element	2007 Form LM-30	2011 Form LM-30
Union stewards and other similar representatives covered by the Form LM-30 reporting requirements.	Yes	No
Union leave or no-docking payments generally must be reported.	Yes	No
Bona fide loans, mortgages, and credit card balances of union officials at financial institutions doing business with the union must be reported.	Yes	No
Payments from certain trusts and unions must be reported.	Yes	No

Where can I get help?

- Review the appropriate Form LM-30 instructions, and any related materials available, on the OLMS website (<http://www.olms.dol.gov>).
- Call OLMS for help: (202) 693-0123.
- Contact your nearest OLMS office. Contact information for all OLMS field offices is available at: <http://www.dol.gov/olms/contacts/lmskeyp.htm>.
- E-mail OLMS at olms-public@dol.gov.
- Get on our mailing list for updates: <http://www.dol.gov/olms/org/olms-mailinglist.htm>.

<p style="text-align: center;">Questions</p>	<p style="text-align: center;">Must be reported on Form LM-30 (Y/N)?</p>
<p>1. You are an intermediate body officer and your union’s annual meeting features a lavish reception (entertainment, open bar, food) hosted by an insurance vendor to your intermediate body. Those attending are union official delegates, officers, employees, and their guests.</p>	<p><u>Yes.</u> The widely-attended gathering exclusion does not apply.</p>
<p>2. You are a union officer whose union holds loans issued by, and conducts transactions with, First State Municipal Bank. You have funded the purchase of your home with a mortgage loan issued by this bank. The terms of the loan reflect the bank’s criteria and were unrelated to your status in the union. The bank is not a represented employer of your union members.</p>	<p><u>No.</u> This is an arms-length, bona fide loan and is therefore not reportable.</p>
<p>3. You are a union employee involved in organizing. An employer in the industry organized by your union gives you a holiday gift of golf clubs.</p>	<p><u>Yes.</u> This is a Part C reportable transaction.</p>
<p>4. Although you are a full-time officer of the local union, you maintain a welding certification that your previous bargaining unit position required. The employer continues to pay your licensing and annual certification fee, as it does for all employees.</p>	<p><u>No.</u> This is covered by the bona-fide employee exclusion specific to Part A.</p>
<p>5. Your spouse has a custom embroidery business whose clients include your union.</p>	<p><u>Yes.</u> This is a Part B transaction and no exclusions apply.</p>

Questions	True (T) or False (F)?
1. If you filed Form LM-30 once, you must then always file it, regardless of whether you have a reportable transaction or not.	<u>False.</u> You only file for the year(s) in which you have reportable transactions.
2. Office janitors and secretaries are covered by Form LM-30.	<u>False.</u> Employees who are primarily clerical or custodial are not covered by the Form LM-30 reporting requirements.
3. Union trustees of joint labor-management pension and health and welfare plans are not required to report reimbursed expenses from their plan on Form LM-30.	<u>True.</u> A specific exclusion to Part C applies here.
4. The “widely-attended gathering” rule applies to events at which only union officials are present.	<u>False.</u>
5. According to the <i>de minimis</i> rule, you only have to record payments that exceed \$25 and report if payments from a single entity that exceed \$250 in a reporting year.	<u>False.</u> The recordkeeping threshold is <u>\$20</u> per single payment, not \$25.