Public reporting burden for this collection of information is estimated to average 22 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. Reporting of this information is mandatory and is required by the Labor-Management Reporting and Disclosure Act of 1959, as amended, for the purpose of public disclosure. As this is public information, there are no assurances of confidentiality. If you have any comments regarding this estimate or any other aspect of this information collection, including suggestions for reducing this burden, please send them to the U.S. Department of Labor, Office of Labor-Management Standards, Division of Interpretations and Standards, Room N-5609, 200 Constitution Avenue, NW, Washington, DC 20210.

**DO NOT SEND YOUR COMPLETED FORM LM-15A TO THE ABOVE ADDRESS.**

# INSTRUCTIONS FOR FORM LM-15A
# REPORT ON SELECTION OF DELEGATES AND OFFICERS

## GENERAL INSTRUCTIONS

### I. WHY FILE

The Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), the Civil Service Reform Act (CSRA), and the Foreign Service Act (FSA) require public disclosure of certain matters pertaining to a trusteeship which a labor organization imposes on a subordinate body. The Secretary, under the authority of the LMRDA, the CSRA, and the FSA has prescribed the filing of the Report on Selection of Delegates and Officers, Form LM-15A, to satisfy the requirement to disclose matters relating to selection of officers of the parent body imposing the trusteeship and the selection of delegates to a convention of the parent body imposing the trusteeship.

### II. WHO MUST FILE

Every labor organization subject to the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), the Civil Service Reform Act (CSRA), or Foreign Service Act (FSA) which has established a receivership, trusteeship, or other method of supervision or control, suspending the autonomy otherwise available to a subordinate labor organization under its constitution and bylaws, must file trusteeship reports with the Office of Labor- Management Standards (OLMS) of the U.S. Department of Labor

You must file Form LM-15A, Report on Selection of Delegates and Officers, with a semiannual Trusteeship Report, Form LM-15, or a Terminal Trusteeship Report, Form LM-16, if the following occurred during the period covered by the Form LM-15 or the Form LM-16:

- a convention or other policy-determining body met to which the trusteed labor organization sent delegates or would have sent delegates if not in trusteeship; or
- the labor organization imposing the trusteeship held an election of officers.

As provided in the instructions for answering Item 9 on Form LM-15 and Item 6 on Form LM-16, if your labor organization answered **YES** to either part of the questions above, you must complete and attach a Form LM-15A.

### III. WHAT FORMS TO FILE

Form LM-15A, if required (see Section II), must be filed with the initial or semiannual trusteeship report, Form LM-15, or the terminal trusteeship report, Form LM-16.

### IV. WHO MUST SIGN THE REPORT

Form LM-15A must be signed by the president and treasurer or corresponding principal officers of the parent labor organization **and** the trustees of the subordinate labor organization.

### V. WHEN TO FILE

If you are required to file Form LM-15A, you must submit the report ***with*** the semiannual Trusteeship Report, Form LM-15, or the Terminal Trusteeship Report, Form LM-16, as appropriate. The semiannual Trusteeship Report, Form LM-15, is required to be filed within 30 days after the end of each 6-month period of a trusteeship. The Terminal Trusteeship Report, Form LM-16, must be filed within 90 days after the termination of a trusteeship.

### VI. WHERE TO FILE

The completed Form LM-15A, with the accompanying Form LM-15 or Form LM-16, and any required attachments and additional pages must be mailed to the following address:

U.S. Department of Labor
Office of Labor-Management Standards
200 Constitution Avenue, NW, Room N-5603
Washington, DC 20210

## VII. PUBLIC DISCLOSURE

Pursuant to the LMRDA, the U.S. Department of Labor is required to make all submitted reports available for public inspection. You may examine the Form LM-15A reports at, and purchase copies from, the OLMS Public Disclosure Room at the address listed in Section VI, or at the OLMS field office in whose jurisdiction the trusteed labor organization is located. At the end of these instructions is a list of OLMS field offices.

## VIII. OFFICER RESPONSIBILITIES AND PENALTIES

Each individual required to sign Form LM-15A is personally responsible for its filing and accuracy. Under the LMRDA, these individuals are subject to criminal penalties for willful failure to file a required report and/or for false reporting. False reporting includes making any false statement or misrepresentation of a material fact while knowing it to be false, or for knowingly failing to disclose a material fact in a required report or in the information required to be contained in it or in any information required to be submitted with it.

The reporting labor organization and the officers and trustees required to sign Form LM-15A are also subject to civil prosecution for violations of filing requirements. According to Section 210 of the LMRDA, "whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring a civil action for such relief (including injunctions) as may be appropriate."

Under the CSRA and FSA and implementing regulations, false reporting and failure to report may result in administrative enforcement action and litigation. Individuals responsible for signing Form LM-15A are also subject to criminal penalties for false reporting under section 1001 of Title 18 of the United States Code.

## IX. RECORDKEEPING

The individuals required to file Form LM-15A are responsible for maintaining records which must provide in sufficient detail the information and data necessary to verify the accuracy and completeness of the report. You must retain the records for at least 5 years after the date the report is filed. You must retain any record necessary to verify, explain, or clarify the report including, but not limited to, vouchers, worksheets, receipts, and applicable resolutions.

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

## X. COMPLETING FORM LM-15A

*Read these instructions carefully before completing Form LM-15A.*

**Information Entry.** Entries on the report should be typed or clearly printed in black ink. Do not use a pencil or any other color ink.

**Additional Pages.** If you need additional space to complete an item, enter the additional information on a separate letter-size (8.5 x 11) page(s), indicating the number of the item to which the information applies. Print clearly at the top of each attached page the following information: (1) full name of the trusteed organization, (2) its 6-digit file number as reported in Item 3 of Form LM-15A, and (3) the ending date of the period covered as reported on the second line of Item 2. All attachments must be labeled sequentially 1 of_, 2 of _, etc.

### IDENTIFICATION ITEMS 1 - 3

**1. FILE NUMBER—**Enter the 6-digit file number assigned by OLMS to the labor organization held in trusteeship. If you do not know the organization's file number and cannot obtain it from prior reports filed by the organization held in trusteeship, contact the nearest OLMS field office listed at the end of these instructions for information on the 6-digit file number.

**2. PERIOD COVERED**—Enter the beginning and ending dates of the period covered by this report. When the Form LM-15A accompanies a semiannual Trusteeship Report, Form LM-15, the period covered will be the 6 months covered by the semiannual report. When the Form LM-15A accompanies a Terminal Trusteeship Report, Form LM-16, the period covered will end with the date of the termination of the trusteeship.

**3. NAME AND ADDRESS OF LABOR ORGANIZATION HELD IN TRUSTEESHIP—** Enter the full name and the complete mailing address of the labor organization held in trusteeship, including any building and room number. Include the affiliation or organization name (for example, International Association of Factory Workers); any designation which specifically identifies the trusteed organization (for example, Local, Lodge, Branch, Joint Council, District Council, etc.); and any designation number or other identifier by which the trusteed organization is known (for example, Local 123 or Southeast Joint Council).

### PART A - SELECTION OF DELEGATES, ITEMS 4-12

Complete Part A, Items 4 through 12 if, during the reporting period, a convention or other policy-determining body met to which the trusteed labor organization sent delegates or would have sent delegates if not in trusteeship. If more than one such

convention or policy-determining body met during the reporting period, you must file a separate Form LM-15A for each convention or policy-determining body meeting.

**NOTE:** *Section 303 of the LMRDA makes it unlawful to count the vote of delegates from a trusteed labor organization in any convention unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such organization were eligible to participate. A similar standard is set forth in 29 CFR 458.27 for labor organizations subject to Title VII of the CSRA.*

**4. CONVENTION OR OTHER POLICY-DETERMINING BODY**—Enter in Item 4(a) the name of any convention or other policy-determining body which met during the reporting period. A policy-determining body means any body convened by the parent labor organization or other labor organization which is composed of delegates from labor organizations and which formulates policy on such matters as wages, hours, or other conditions of employment or recommends or takes any action in the name of the participating labor organization. Such a body includes, for example, a district council, area conference, or joint board.

Enter in Item 4(b) the location(s) of any meetings of any convention or other policy-determining body which met during the reporting period.

Enter in Item 4(c) the type of convention or other policy-determining body which met during the reporting period such as a district council, area conference, or joint board.

Enter in Item 4(d) the date(s) of any meeting of any convention or other policy-determining body which met during the reporting period.

**5. REPRESENTATION OF THE TRUSTEED ORGANIZATION—**Select **YES** in Item 5 if the trusteed organization was represented at the convention or other policy-determining body reported in Item 4. If you selected **NO** in Item 5, you must explain in Item 20 (on page 2) why the trusteed organization was not represented at the convention or other policy-determining body.

**6. PARTICIPATION OF THE TRUSTEED ORGANIZATION**—Select **YES** in Item 6 if delegates from the trusteed organization participated in the business of the convention or other policy-determining body, including any election of officers, in the same manner as delegates from organizations not in trusteeship. Select **NO** in Item 6 if any restrictions were placed on the delegates from the trusteed organization; you must explain the restrictions in Item 20.

**7. MANNER OF SELECTION—**Select Item 7(a) if the delegates were appointed by the trustee. Select Item 7(b) if the delegates were elected by the membership of the labor organization held in trusteeship. Select Item 7(c) if the delegates were selected by another procedure; provide a description of the selection procedure in Item 20.

If the officers of the trusteed organization were delegates to a convention or other policy-determining body by virtue of their office, Select Item 7(a), 7(b), or 7(c), as appropriate, to indicate whether the officers were appointed, elected, or selected by some other means.

***Complete Items 8 through 12 only if you selected Item 7(b).***

**8. METHOD OF NOMINATION—**Select Item 8(a) if the delegates were nominated at a membership meeting of the trusteed organization. Select Item 8(b) if the delegates were nominated by written nomination. Select Item 8(c) if the delegates were nominated by petition. Select Item 8(d) if another method of nomination was used and explain the nomination procedure in Item 20.

**9. CANDIDATE ELIGIBILITY**—Select **YES** in Item 9 if every "member in good standing" of the trusteed organization was eligible to be a candidate for delegate subject to reasonable qualifications uniformly imposed. If you selected **NO** in Item 9, explain in Item 20.

The LMRDA defines "member in good standing" as any person who has fulfilled the requirements for membership in the organization and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

**10. ELECTION NOTIFICATION**—Select Item 10(a) if you mailed a notice of the date, time, and place of the delegate election to members of the trusteed organization at their last known home address at least 15 days prior to the date of the delegate election. Select Item 10(b) if members were notified by posting a notice at the work site. Select Item 10(c) if members were notified by placing a notice in the union newspaper. Select Item 10(d) if another method was used and explain the method used in Item 20.

**NOTE:** *If the delegates elect officers of a national or international labor organization or of an intermediate body in a regularly scheduled election, section 401(e) of the LMRDA requires that a notice of the date, time, and place of the delegate election be mailed to members at their last known home address not less than 15 days prior to the date of the delegate election.*

**11. VOTER ELIGIBILITY**—Select **YES** in Item 11 if every "member in good standing" of the trusteed organization was eligible to vote in the delegate election

subject to reasonable qualifications uniformly imposed. If you selected **NO** in Item 11, explain in Item 20.

See Item 9 for the LMRDA definition of "member in good standing."

**12. SECRET BALLOT ELECTION**—Select **YES** in Item 12 if the delegate election in the trusteed organization was held by "secret ballot." If you selected **NO** in Item 12, explain in Item 20.

The LMRDA defines "secret ballot" as the expression by ballot, voting machine, or other wise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

## PART B—ELECTION OF OFFICERS, ITEMS 13 - 19

Complete Part B, Items 13 through 19 if, during the reporting period, the labor organization imposing the trusteeship held an election of officers.

**NOTE:** *Section 303 of the LMRDA makes it unlawful to count the vote of delegates from a trusteed organization in any election of officers of the labor organization imposing the trusteeship unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of the trusteed organization were eligible to participate. A similar standard is set forth in 29 CFR 458.27 for labor organizations subject to Title VII of the CSRA.*

**13. DATE OF ELECTION**—Enter the date of the election of officers of the labor organization imposing the trusteeship.

**14. POSITIONS ELECTED**—Enter the title of each elected officer.

**15. PARTICIPATION OF THE TRUSTEED ORGANI ZATION**—Select **YES** in Item 15 if the trusteed organization participated in the election of officers. If you selected **NO** in Item 15, explain in Item 20.

**16. METHOD OF ELECTION**—Select Item 16(a) if the officers were elected at a convention reported in Item 4. Select Item 16(b) if the officers were elected by membership referendum. Select Item 16(c) if the officers were elected by another method; explain the method in Item 20.

***Complete Items 17 through 19 only if you selected Item 16(b).***

**17. ELECTION NOTIFICATION**—Select **YES** in Item 17 if an election notice was mailed to all members of the trusteed organization at their last known home address at least 15 days prior to the date of the election. Select **NO** in Item 17 if the members were notified of the election by another method; explain the method in Item 20.

**NOTE:** *For a regularly scheduled referendum election of officers, section 401 of the LMRDA requires that a notice of the date, time, and place of the election be mailed to members at their last known home address at least 15 days prior to the date of the election.*

**18. VOTER ELIGIBILITY**—Select **YES** in Item 18 if every "member in good standing" of the trusteed organization was eligible to vote in the election subject to reasonable qualifications uniformly imposed. If you selected **NO** Item 18, explain in Item 20.

The LMRDA defines "member in good standing" as any person who has fulfilled the requirements for membership in the organization and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

**19. ELECTION**—Select **YES** in Item 19 if the election was held by "secret ballot." If you selected **NO** in Item 19, explain in Item 20.

The LMRDA defines "secret ballot" as the expression by ballot, voting machine, or other wise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

## ADDITIONAL INFORMATION AND SIGNATURES

**20. ADDITIONAL INFORMATION—**Use Item 20 (on page 2) to provide additional information as indicated on Form LM-15A and in these instructions. Enter the number of the item to which the information relates in the item number column. If there is not enough space in Item 20, report the additional information on a separate letter-size page(s). Be sure to include the following at the top of each attached page: (1) the name of the labor organization held in trusteeship, (2) its 6-digit file number as reported in Item 1 of Form LM-15A, and (3) the ending date of the period covered as reported on the second line of Item 2.

**21 - 24. SIGNATURES**—The completed Form LM-15A which is filed with OLMS must be signed by the president and treasurer or corresponding principal officers of the organization which has imposed the trusteeship, **and** all the trustees designated to supervise the affairs of the organization held in trusteeship. If the report is signed by an officer other than the president and/or treasurer, so indicate in Items 21 and/or 22 by (1) crossing out the pre-printed officer title(s) and (2) inserting the appropriate officer title(s). If the trustees have a different title such as administrator, cross out the printed title and enter the correct title in Items 23 and 24. If there are more than two trustees, the additional

trustee(s) should sign and date the Form LM-15A in the space below the officers' and trustees' signatures in Items 21-24. You must have original signatures on the Form LM-15A; stamped or mechanical signatures are unacceptable.

Enter the date the report was signed and the telephone number(s) used by the signatories to conduct official business. You do not have to report a private, unlisted telephone number.

***If You Need Assistance***

The Office of Labor-Management Standards has field offices located in the following cities to assist you if you have any questions concerning LMRDA and CSRA reporting requirements.

Atlanta, GA
Birmingham, AL
Boston, MA
Buffalo, NY
Chicago, IL
Cincinnati, OH
Cleveland, OH
Dallas, TX
Denver, CO
Detroit, MI
Fort Lauderdale, FL
Honolulu, HI
Kansas City, MO
Los Angeles, CA
Milwaukee, WI
Minneapolis, MN
Nashville, TN
New Orleans, LA
New York, NY
Philadelphia, PA
Phoenix, AZ
Pittsburgh, PA
St. Louis, MO
San Francisco, CA
Seattle, WA
Tampa, FL
Washington, DC

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

Information about OLMS, including key personnel and telephone numbers, compliance assistance materials, the text of the LMRDA, and related Federal Register and Code of Federal Regulations (CFR) documents, is also available on the Internet at**:** http://www.olms.dol.gov. Additionally, you can call the OLMS national office at (202) 693-0123 or email OLMS-Public@dol.gov.

(Technical Revisions 3/2015; 11/2016)