



OLMS Fact Sheet

Extortionate Picketing

Section 602 of the Labor-Management Reporting and Disclosure Act (LMRDA) (29 U.S.C. 522) prohibits the use of picketing on or about the premises of any employer to extort money or other items for personal profit from the employer (except a bona fide increase in wages or other employee benefits). The Office of Labor-Management Standards (OLMS) of the Department of Labor investigates allegations of extortionate picketing.

When is section 602 violated?

When picketing takes place

- on or about an employer's premises
- for the purpose of the personal profit or enrichment of any individual (or as part of any conspiracy or in furtherance of any plan for personal profit or enrichment) except a bona fide increase in wages or other employee benefits
- by taking or obtaining money or other thing of value from an employer against the employer's will or with that employer's consent

What are some examples of violations of section 602?

- A construction work site is picketed for the purpose of having the contractors make payments to various individuals other than for the increased payment of wages or other compensation in return for services to be performed by such individuals on behalf of the contractor.
- A car dealership is picketed for the purpose of having the owner provide car leases to union officials or other individuals at no cost or at a below market rate.
- A real estate developer is picketed for the purpose of having the developer sell property to a union official or other individual at a below market rate.
- A department store is picketed for the purpose of having the store purchase goods or services from a business affiliated with a union official or other individual.
- A business is picketed for the purpose of having the business make a contribution to a charity's sponsor for the sponsor's personal gain.
- A financial institution is picketed for the purpose of having that institution provide a loan to a union official or other individual at a below market rate.

What is the penalty for a violation of section 602?

An individual who willfully violates section 602 may be imprisoned for up to 20 years and/or fined up to \$250,000, 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, 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. A convicted person will also be barred from holding union office or employment covered by Section 504 of the LMRDA.

How can I learn when picketing is an unfair labor practice?

Certain types of picketing may constitute unfair labor practices, over which the Department of Labor does not have jurisdiction.

For more information, contact the National Labor Relations Board, a Federal agency independent of the Department of Labor. The addresses of their field offices are on their Web site at www.nlrb.gov.

What should I do if I think that extortionate picketing is occurring?

You should contact the nearest OLMS field office listed below.

Should I still contact OLMS even if the individual who personally profits from the extortionate picketing is not a union officer, employee or member?

Yes. Section 602 prohibits extortionate picketing for the personal profit or enrichment of *any* individual.

Office of Labor-Management Standards Field Offices

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

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

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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**