

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



November 2020

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TAB 1: AGENCY ORGANIZATIONAL OVERVIEW

Mission

The Office of Labor-Management Standards (OLMS) in the U.S. Department of Labor is the Federal agency responsible for administering and enforcing most provisions of the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA). For more detailed information please visit [DOL.gov](https://www.dol.gov).¹

Authorizing Legislation

The Secretary of Labor enforces certain provisions of the LMRDA and has delegated that authority to OLMS. For more information, please visit [DOL.gov](https://www.dol.gov).²

Organizational Structure

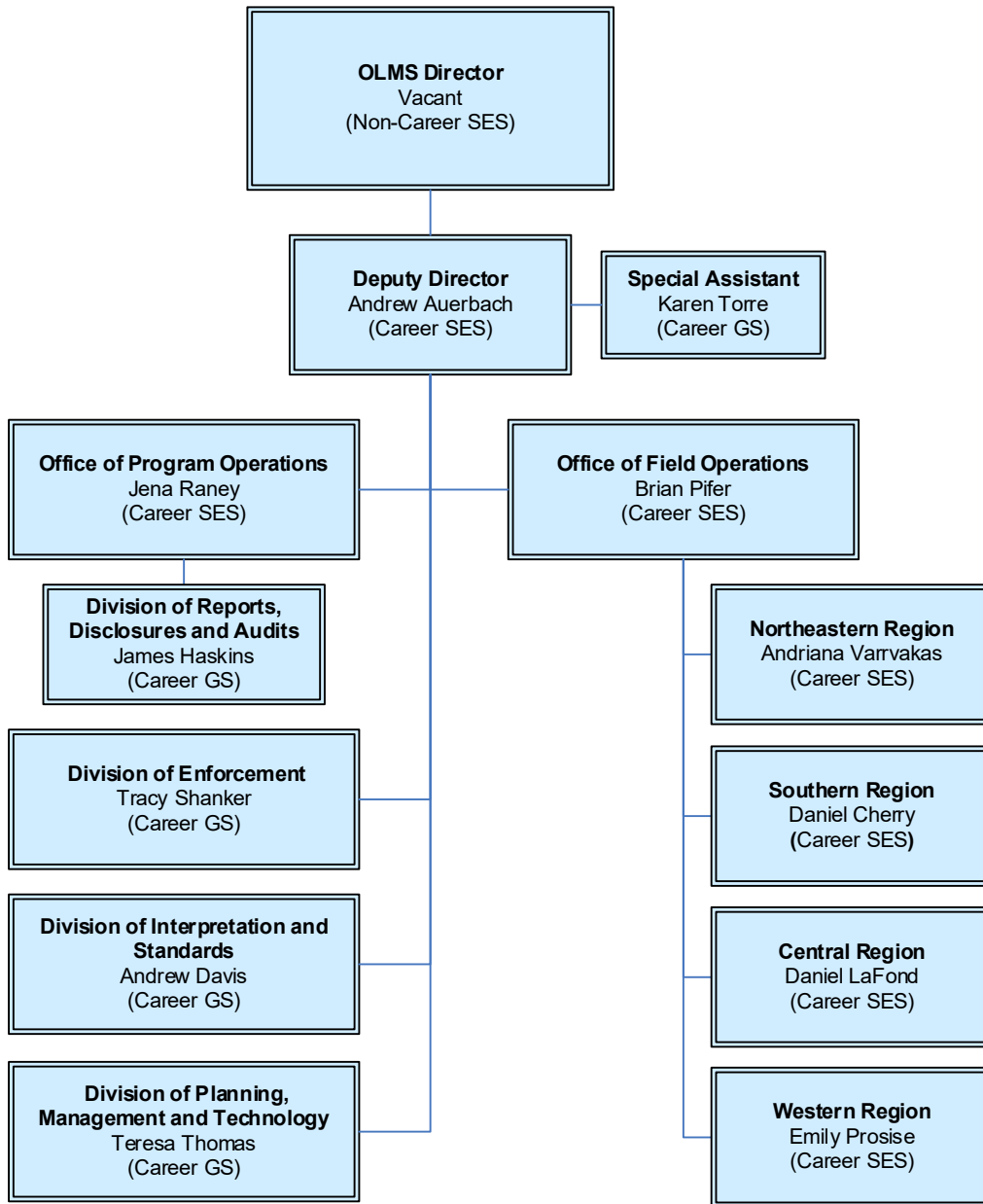
Approximately 195 Federal and 12 contract employees staff OLMS. The structure includes five national office components in addition to the offices of the director and deputy director, and 16 field offices including 4 regional offices and 12 subordinate district offices. National office components employ approximately 39 employees and 12 contractors; the field offices comprise approximately 144 employees, the majority of whom are investigators.

¹ https://www.dol.gov/olms/about/mission_and_purpose.htm

² https://www.dol.gov/olms/about/mission_and_purpose.htm

TAB 1: Agency Organizational Overview

Organizational Chart



TAB 1: Agency Organizational Overview

Workforce At-A-Glance

**DEPARTMENT OF LABOR EMPLOYMENT *
AS OF 11/1/2020 - OLMS**

AGENCY			
Subagency	National Office	Regional Office	Total
OLMS	46	152	198
Total	46	152	198
RACE & GENDER			
Ethnicity	F	M	Total
American Indian	0	1	1
Asian	5	3	8
Black	31	10	41
Hawaiian/PI	1	0	1
Hispanic	11	4	15
White	67	65	132
Total	115	83	198

BARGAINING UNIT	
Local 12	12
NCFL	13
Non-BU	63
NULI	110
SUPERVISORY**	
Non Supervisor	160
Supervisor	38
WORK SCHEDULE	
F-Full Time	194
P-Part Time	4
REGIONS	
1 Boston	7
2 New York	20
3 Philadelphia	12
4 Atlanta	17
5 Chicago	40
6 Dallas	15
7 Kansas City	11
8 Denver	5
9 San Francisco	19
10 Seattle	6
Natl Ofc	46
Total	198

GRADE DISTRIBUTION	
00	6
04	1
05	5
07	18
09	13
11	12
12	65
13	31
14	28
15	19
Total	198
DISABLED STATUS	
No Disability	177
Non-targeted	21
APPOINTMENT TENURE	
Indefinite	4
Permanent	194
RETIREMENT ELIGIBILITY	
Early Out	33
Eligible	30
Not Eligible	135

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	35	
PATRIOTS PLAZA	11	
Total	46	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
Asian	0	1
Black	6	5
Hawaiian/PI	1	0
Hispanic	4	1
White	33	33

* Permanent and Temporary Employees

** Supervisor count includes manager levels 2 and 4

Organizational Changes During the Past Four Years

In Fiscal Year (FY) 2020, OLMS dissolved the Division of Statutory Programs. The Division administered DOL responsibilities under the Federal Transit Act by ensuring that fair and equitable arrangements protecting mass transit employees are in place before the release of federal transit grant funds. These arrangements protect against infringement to collective bargaining and other rights by the transit authorities receiving the grant funds. Due to Information Technology (IT) advances and streamlining of agency processes, the process for certifying the grants had been so simplified as to no longer require a standalone division. The responsibility for administering this program was transferred to the Division of Interpretations and Standards.

Key Leaders

- **Vacant**, Director
- **Andrew Auerbach**, Deputy Director
- **Brian Pifer**, Director of the Office of Field Operations
- **Jena Raney** (Acting), Director of the Office of Program Operations
- **Dan Cherry**, Regional Director (Southern Region)
- **Dan LaFond**, Regional Director (Central Region)
- **Andriana Vamvakas**, Regional Director (Northeastern Region)
- **Emily Prosize**, Regional Director (Western Region)
- **Andrew Davis**, Chief, Division of Interpretations and Standards
- **Teresa Thomas**, Chief, Division of Planning, Management and Technology
- **James Haskins**, Chief, Division of Reports, Disclosure and Audits
- **Tracy Shanker**, Chief, Division of Enforcement

TAB 2: STATE OF PLAY

Key Meetings, Decisions and Announcements

Nothing scheduled

Policy and Regulatory Issues

- The Office of Labor-Management Standards (OLMS) proposed a regulation on October 9, 2020 that would revise the annual public disclosure report filed by labor unions, the Form LM-2. It would also introduce a new form, the Form LM-2 LF, which would be applicable to unions with \$8,000,000 or more in annual receipts. The comment period closes December 14, 2020.
- OLMS placed on the regulatory agenda a Notice of Proposed Rulemaking relating to the Form LM-30, Officer and Employee Report. Labor organization officers and employees complete Form LM-30, when they engage in certain transactions with employers and businesses. This is a conflict-of-interest report and OLMS will review the form and instructions to enhance transparency for union members and the public.
- Policy work over the past four years includes the establishment of the Form T-1 Trust Annual Report. Every covered labor organization, with total annual receipts of \$250,000 or more or which otherwise files the Form LM-2, must file a Form T-1 each year for each trust in which it is interested, if certain conditions exist.

Enforcement

- OLMS conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws. These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.
- In FY 2020, OLMS investigated 100 union elections after complaints of violations and supervised 17 rerun elections due to election violations, in our efforts to promote democracy in labor organizations. OLMS conducted 223 criminal investigations, and recorded 61 indictments and 69 convictions. OLMS conducted over 4,000 participant hours of compliance assistance instruction, helping labor organizations comply with the law. OLMS obtained restitution, or orders of restitution, of \$3,886,997. OLMS also exceeded its goals by reducing the average number of days to resolve union officer election complaints to 64.9 days. OLMS finds evidence of criminal misconduct in 20% of its targeted audits.

Key Agency Stakeholders

All labor organizations representing private sector or federal employees are Office of Labor-Management Standards (OLMS) stakeholders. Large national and international labor organizations are key stakeholders, in that 43 of them are members of OLMS' voluntary compliance partnership (VCP) program. VCP is intended to help strengthen the compliance performance of approximately 16,000 intermediate and local labor union affiliates. OLMS VCP staff meets with international and national union staff to exchange information and strategize on how to best help affiliated local unions achieve compliance with the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA). In addition, all large national and international labor organizations are subject to audit under OLMS' International Compliance Audit Program (I-CAP).

Transit authorities that make applications for grants for federal funds for capital or operating expenses, and the labor organizations representing affected employees, are stakeholders in [OLMS' 13\(c\) program](#). More information can be found at <https://www.dol.gov/agencies/olms/foia/transit>.

TAB 3: CALENDAR

Event	Date
No calendar events currently scheduled	

TAB 4: BUDGET

Budget Authority and FTE Summary

(Dollars in millions)

	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Pres. Bud.	FY 2022 Request
Budget Authority	\$40.2	\$41.2	\$43.2	\$50.4	\$54.3
FTE	189	186	193	238	238

At-A-Glance

- OLMS is a single budget activity agency and is funded through an annual appropriation. Prior to FY 2009, OLMS was a part of the Employment Standards Administration (ESA). In 2009, ESA was eliminated and OLMS became an independent agency reporting directly to the Secretary of Labor.

Budget and FTE Trends

- OLMS' budget authority has ranged from a high of \$45.3 million in FY 2009 to a low of \$38.2 million in FY 2017.
- OLMS' funding was stable until it was reduced by \$2.2 million for sequestration in FY 2013. During sequestration, OLMS originally planned to absorb reductions by furloughing all employees for seven days. Due to unexpected attrition, however, OLMS was able to reduce the number of furlough days to 2.5. The agency absorbed the remainder of the reduction by eliminating performance bonuses, training, travel, and reducing its payment to the Working Capital Fund.
- The agency's budget authority was not increased from sequestration levels until FY 2016. However, the FY 2017 Enacted appropriation brought the agency back to sequestration levels. As a result, the Department's Operating Plan provided OLMS with an additional \$1.145 million to eliminate the need for furloughs and maintain program operations.
- The FY 2018 Enacted appropriation provided OLMS with a \$2 million increase above the FY 2017 level. However, OLMS still required a transfer of \$1.2 million from the State Unemployment Insurance and Employment Service Operations (SUIESO) in FY 2018 to cover Salary and Expenses (S&E) expenses and prevent furloughs.
- The FY 2019 enacted budget provided resources to restore the OLMS core enforcement program and to bring the International Union Compliance Audit Program into full operation. However, OLMS required and received a transfer from ETA SUIESO for \$1,235,000 to fully fund FTE in Salaries and Expenses which increased the total apportionment to \$42.4 million.
- The FY 2020 enacted budget provided resources to restore core enforcement programs to better protect union financial integrity and democracy and to bring the International Union Compliance Audit Program into full operation. In Q3 OLMS required a transfer of

\$1.3 million from Community Service Employment for Older Americans CSEOA to cover S&E expenses and prevent furloughs.

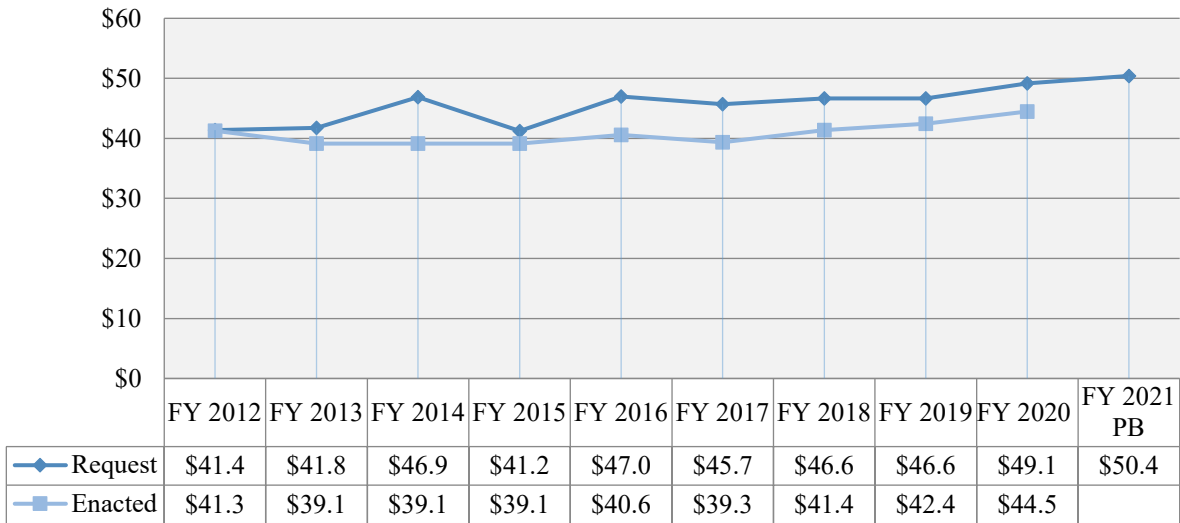
- The FY 2021 President's Budget of \$50.4 million and 238 FTE will allow OLMS to conduct more compliance audits of unions to uncover violations of the LMRDA and carryout more criminal investigations. This will expand the forum to provide compliance assistance regarding statutory reporting and recordkeeping requirements, and to deter and identify potential criminal violations.
- The FY 2022 request of \$54.3 million and 238 FTE will greatly enhance its ability to pursue program improvements that deliver more effective and efficient protection of union financial assets through increased compliance audits and leveraging compliance assistance resources for e-filing, union election procedures, and bonding requirements.

Upcoming Issues

The electronic Labor Organization Reporting System (e.LORS) is the only business process technology supporting the various aspects of the OLMS mission (e.g., enforcement of the LMRDA, internal staff operations, data management, and public access to the information obtained). The system uses 20+ year old client-server technology that has no vendor support nor is it supportable by DOL's cloud-based enterprise platform infrastructure. With modernization funding, OLMS will leverage the existing technology gains of the DOL enterprise platform, and also develop additional functionality that is not available from the platform but is required by the mission business processes using modern technology. Additionally, hiring support staff with knowledge of the Delphi technology has become increasingly difficult to fill vacant positions. The Office of the Chief Information Officer (OCIO) has identified e.LORS as one of highest priority systems for modernization due to the inherent risks associated with using outdated legacy technology.

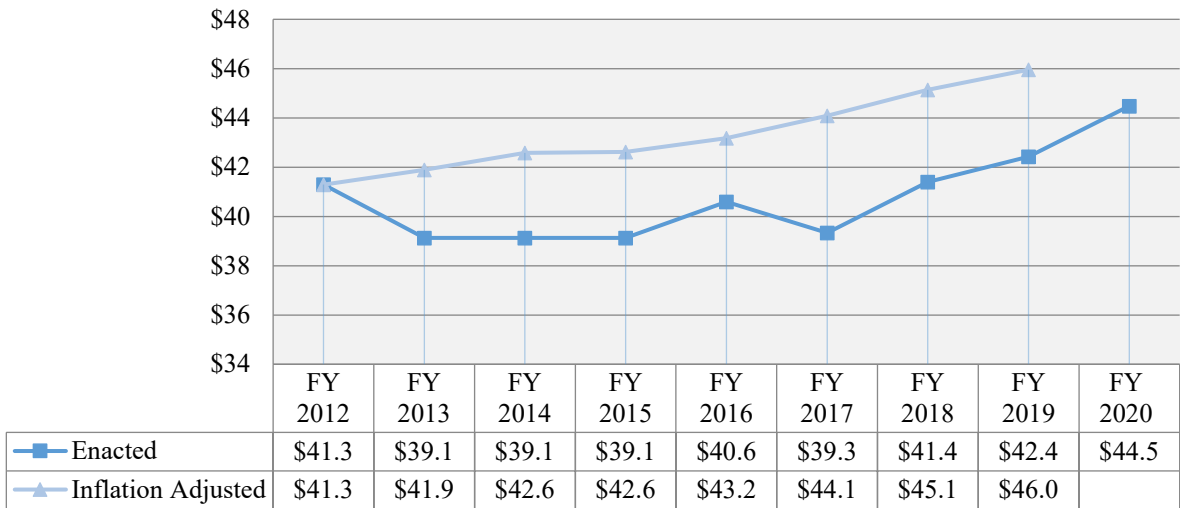
OLMS

Request vs. Enacted, FY 2012-FY 2021
(Dollars in millions)



OLMS

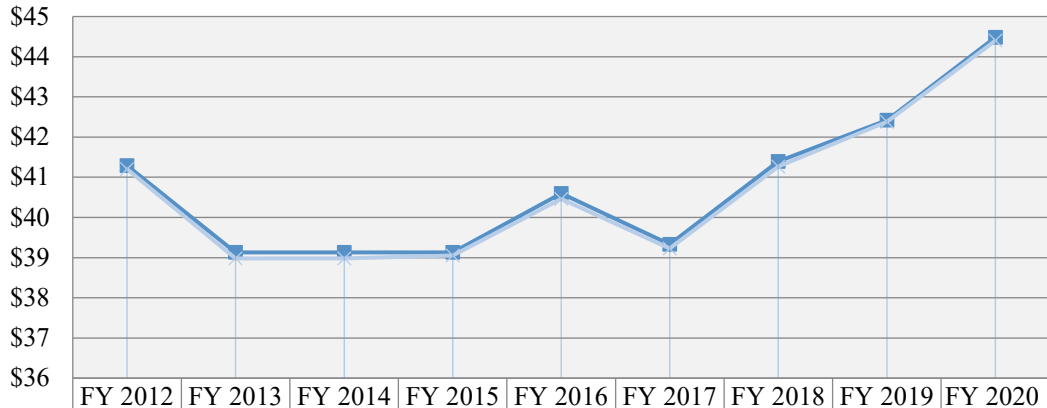
FY 2012 Inflation Adjusted BA vs. FY 2012-FY
2020 Enacted BA
(Dollars in millions)



OLMS

Budget Authority vs. Obligations, FY 2012-FY 2020

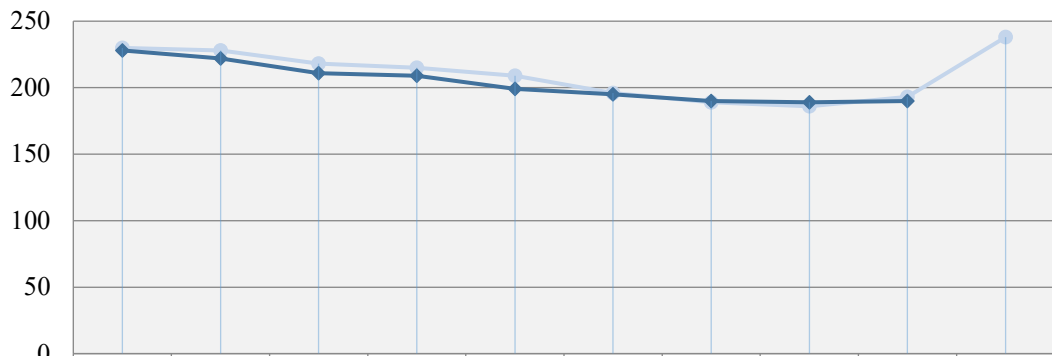
(Dollars in millions)



Enacted	\$41.3	\$39.1	\$39.1	\$39.1	\$40.6	\$39.3	\$41.4	\$42.4	\$44.5
Obligations	\$41.2	\$39.0	\$39.0	\$39.1	\$40.5	\$39.2	\$41.3	\$42.4	\$44.4

OLMS

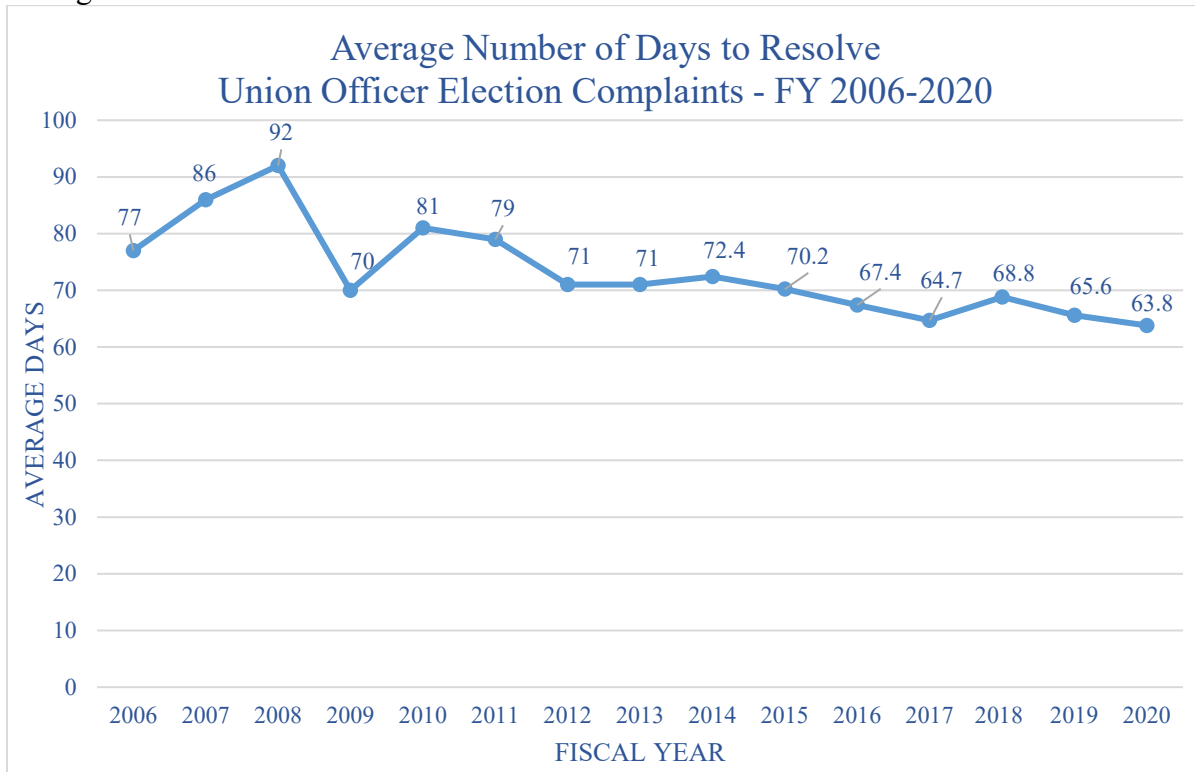
Authorized FTE vs. Actuals, FY 2012-2021



Authorized	230	228	218	215	209	196	189	186	193	238
Actuals	228	222	211	209	199	195	190	189	190	

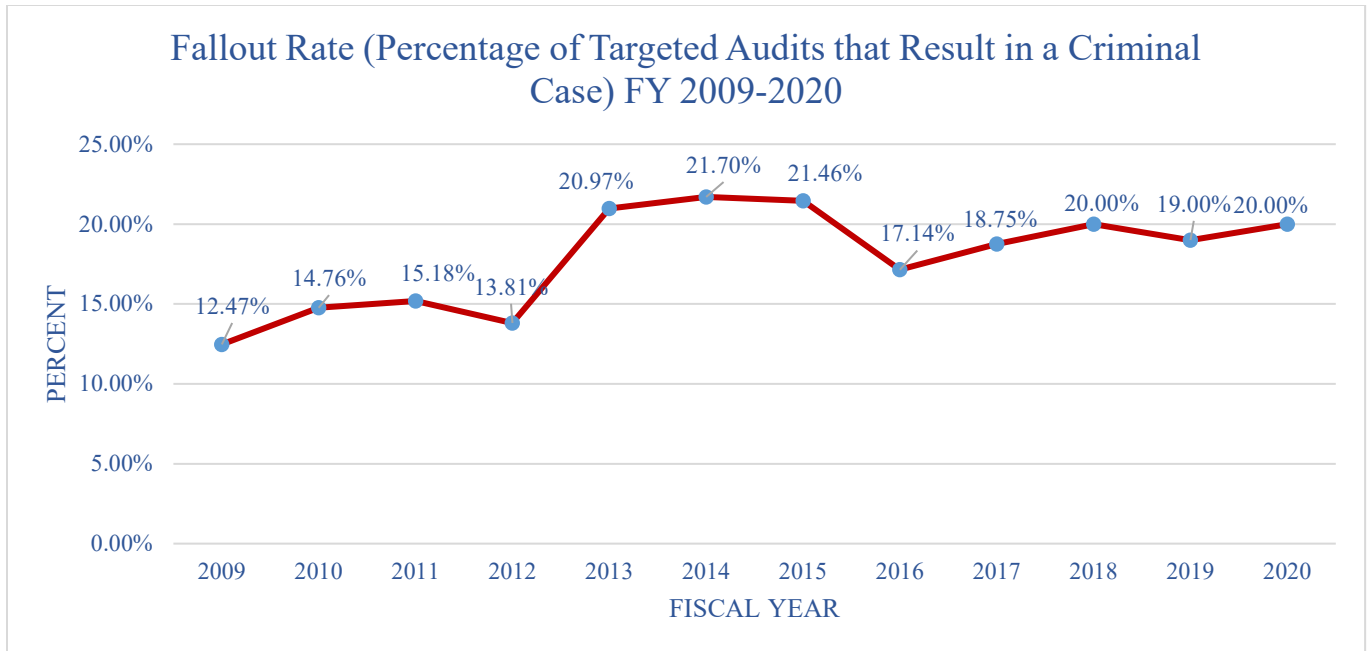
TAB 5: AGENCY PERFORMANCE

OLMS has implemented a number of changes in its internal processes to become more efficient. For instance, through changes such as increased communications between national and field offices, among staff and management, and its partnership with the Office of the Solicitor (SOL), OLMS has reduced the average number of days to resolve union officer election complaints from 77 days in Fiscal Year (FY) 2006 to 65.6 days in FY 2019. OLMS has further reduced the average to 63.8 in FY 2020.



Because it is not feasible for OLMS to audit every union for malfeasance, OLMS developed a methodology to direct its auditing resources to unions where criminal activity is more likely to be found. Criminal cases arising from audits are known as “fallouts.” The “fallout” measure tracks the number of targeted audits that result in a criminal case. Improved targeting has allowed OLMS to mitigate somewhat the expected decline in criminal cases that could have resulted from the declining number of OLMS staff. While the decline in staff has resulted in a decrease in the number of both audits and criminal investigations, increased effectiveness, efficiency and targeting prevented the decline in cases processed from being significantly greater. Beginning in FY 2012, when OLMS formally began using a targeting model, the fallout rate increased from 13.81 percent to 19 percent in FY 2019. By the end of FY 2020, the fallout rate has increased to 20 percent.

TAB 5: Agency Performance



Under the LMRDA, unions, employers, labor consultants and others must file a number of reports and documents. Some of these reports can be filed electronically through the OLMS electronic Labor Organization Reporting System (e.LORS). Some unions, employers, and other individuals continue to file paper versions of their documents, and OLMS must ensure these too are available for disclosure. OLMS ensures the public has access to these documents through the OLMS website. Increasing the percentage of forms filed electronically cuts costs by eliminating the need to scan manually submitted forms, aids in transparency by making electronically submitted forms available on the website almost instantaneously, and ensures that electronic submissions are submitted in accordance with a series of business rules to avoid inaccuracies. Through outreach and other efforts, OLMS has increased the percentage of reports filed electronically from 21.4 percent in FY 2011 to 85.3 percent in FY 2019 and 89.6 percent in FY 2020. The regulatory requirement for LM-3 and LM-4 filers to file electronically, which began with the 2017 filing year, has helped to markedly increase the e-filing rate.

