



BRIEFLY...

OLMS CAN DO MORE TO PROTECT WORKERS' RIGHTS TO UNIONIZE THROUGH ENFORCING PERSUADER ACTIVITY DISCLOSURE

WHY WE DID THE AUDIT

The Office of Labor-Management Standards (OLMS) is responsible for enforcing requirements under the Labor-Management Reporting and Disclosure Act of 1959 for disclosing persuader activity when an employer or organization hires someone to influence an employee regarding unionization. OLMS obtains and publicly releases persuader activity reports. Timely, complete, and accurate receipt and subsequent disclosure of this information enables employees to protect their rights and interests to unionize. In Fall 2022, OLMS requested we review its efforts to enforce these requirements and improve employers' and consultants' persuader activity reporting.

Given this request and the importance to workers, we conducted this audit to determine:

To what extent did OLMS enforce the Labor-Management Reporting and Disclosure Act's persuader activity requirements to protect workers' rights to unionize?

Our audit included analysis of the tip line process and collaboration with the National Labor Relations Board.

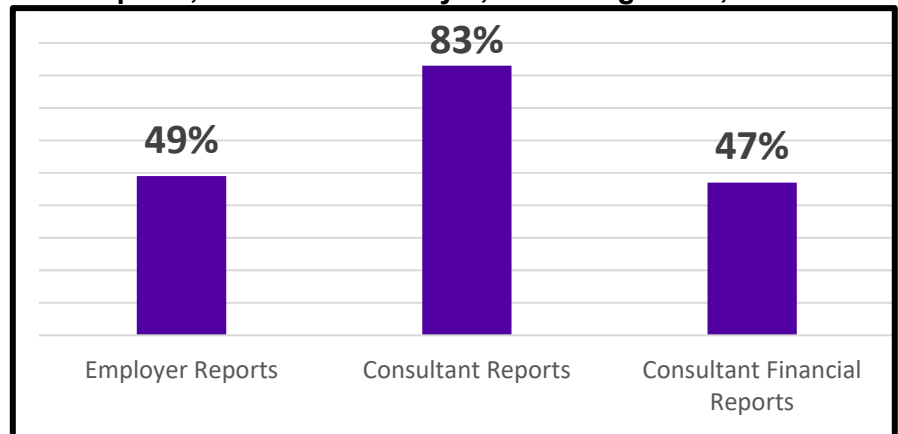
READ THE FULL REPORT

For more information, go to: <https://www.oig.dol.gov/public/reports/oa/2024/09-24-002-16-001.pdf>.

WHAT WE FOUND

We found OLMS did not effectively enforce persuader activity requirements to protect workers' rights to unionize. Specifically, OLMS did not effectively ensure required persuader activity reports were filed and that employers and consultants that filed did so timely and accurately. During the more than 3-year period we reviewed, only 428 employers and 211 consultants reported persuader activity. However, the National Labor Relations Board reported around 1,100 organizing campaigns in 2021, and research indicates employers hired persuader consultants in about 825 of those campaigns, raising concerns of significant underreporting. Further, our data analyses found that, of the reports filed during the reviewed period, 49 percent of employer reports, 83 percent of consultant reports, and 47 percent of consultant financial reports were filed after the required filing dates (see Figure).

Figure: Percentages of Delinquent Persuader Activity Reports, Received January 1, 2021–August 22, 2023



Source: OLMS Electronic Forms System

We also found OLMS did not ensure it addressed tips provided by the public. In addition, OLMS did not effectively coordinate with the National Labor Relations Board to obtain information related to persuader activities.

These issues occurred because OLMS: (1) had limited enforcement authority; (2) lacked sufficient policies, procedures, and systems for monitoring reports and tips; and (3) did not fully implement processes for sharing information and resources with the National Labor Relations Board. As a result, missing, untimely, and inaccurate reports may have negatively impacted workers from making informed decisions about unionization. In addition, missed tips as well as delayed responses may have eroded or may in the future erode trust in the tip line and deter tipsters from providing helpful information about persuader activities.

WHAT WE RECOMMENDED

We made six recommendations to OLMS to improve enforcement of persuader activity reporting. OLMS generally agreed with our recommendations.