



VIA ELECTRONIC FILING

August 19, 2015

Andrew R. Davis  
Chief of the Division of Interpretations and Standards  
Office of Labor-Management Standards  
U.S. Department of Labor  
200 Constitution Avenue, N.W., Room N-5609  
Washington DC 20210

Dear Mr. Davis:

Please accept these comments of the United Food and Commercial Workers International Union (UFCW) regarding the proposal to make electronic filing the exclusive means of submitting Form LM-3 and LM-4 reports. 97 Fed. Reg. 29096 (May 20, 2015).

The UFCW is opposed to requiring the smaller unions that must file LM-3 and LM-4 reports to do so electronically. Towards this end, we fully support and adopt the comments regarding this proposed rule that have been submitted by the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). We will not reiterate the AFL-CIO's arguments here except to emphasize that our primary concern is that requiring smaller unions to file LM reports electronically will prove to be unduly burdensome for them. Recognizing the constraints faced by smaller unions, the Labor Management Reporting and Disclosure Act (LMRDA) directed the Department of Labor (DOL) to create a simplified LM report for them to file. Yet, as the AFL-CIO comments explain, 60% of the unions that file these simplified reports file paper reports rather than electronic ones. This is likely because they do not have the technology to file electronically. Requiring smaller unions to obtain technology they may not already possess to file these simplified reports undercuts both the spirit and the benefit of the LMRDA's initial accommodation. Therefore, the UFCW opposes this proposed rule.

In addition, the UFCW wholeheartedly supports the AFL-CIO's suggestion that the DOL seek smaller unions' support for electronic filing by creating an outreach, education, and technical assistance program to encourage and assist them in doing so. Reaching out to smaller unions regarding their concerns about electronic filing will enable the DOL to determine what the barriers are and to assist the unions in eliminating them.

Thank you for your consideration of the UFCW's comments.

Sincerely,

Nicholas W. Clark  
General Counsel