

# INTERNATIONAL UNION OF OPERATING ENGINEERS

LOCAL UNION NO. 150, 150B, 150A, 150C, 150RA, 150D, 150G, 150M

AFFILIATED WITH THE A.F.L.-C.I.O. AND BUILDING TRADES DEPARTMENT

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United States Department of Labor  
Washington, DC

RE: Comment on "Persuader" Rule Advice Exception

I strongly support the Department of Labor's ("DOL") proposed rule that employer consultants and lawyers report so-called "persuader" activity that was previously considered "advice." I also believe it is essential that the DOL improve its enforcement of the requirement that consultants be required to report direct "persuader" activity.

I have worked for most of my career in the maritime construction industry. For the last six years, I have been employed as an organizer for Local 150 of the International Union of Operating Engineers, AFL-CIO. During that time I have worked on at least 30 campaigns involving at least 150 employees.

Throughout that time I have frequently encountered consultants and lawyers who direct anti-union campaigns. In one recent NLRB election, the Company's lawyer prepared a pamphlet which he distributed to employees which included materials from the Union's internal election of officers. Needless to say, this campaign propaganda was unflattering, and the Company lawyer used it with great effect.

I am convinced that enhanced enforcement of the "persuader" rule reporting requirements and closing the "advice" loophole is only fair to American workers.

Thank you for considering this comment.

Very truly yours,

INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 150, AFL-CIO

Allen Bingham  
Business Agent