



**International
Union of Bricklayers
and Allied Craftworkers**

James Boland

President

September 21, 2011

Andrew R. Davis
Chief of the Division of Interpretations and Standards
Office of Labor-Management Standards
United States Department of Labor
200 Constitution, Ave. NW Room N-5609
Washington, DC 20210

**Re: Comment on Department of Labor Notice of
Proposed Rulemaking RIN 1215-AB79; RIN 1245-AA03**

Dear Mr. Davis:

Please accept this letter as comment by the International Union of Bricklayers and Allied Craftworkers ("BAC"), its 120 constituent U.S. local unions, and its nearly 100,000 members, in support of the June 21, 2011 proposal by the Department of Labor ("DOL") to revise Forms LM-10 (Employer Report) and LM-20 (Agreements and Activities Report) and related Instructions. Those Forms are required by Section 203 of the Labor-Management Reporting and Disclosure Act ("LMRDA"). BAC welcomes these important changes proposed by DOL; endorses the comments filed separately by the American Federation of Labor – Congress of Industrial Organizations ("AFL-CIO"); and urges that the proposed rule be adopted.

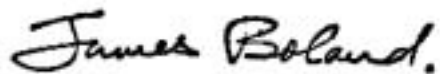
The current forms and instructions don't prevent violations of Section 203 by employers and consultants; they allow underreporting of a wide variety of activities that trammel the rights of employees under the guise of "advice." These activities are generally not ones that would be considered advice in other contexts – for instance video production, website content, providing fully-scripted presentation materials, and planning or conducting meetings. These highly orchestrated materials are not provided as "advice" to the employer; rather they are pre-packaged, full-service anti-union campaigns designed and carried out to thwart the right of employees to decide whether to organize and collectively bargain. The fact that these consultants may not actually deliver the canned speeches makes their involvement no less an activity. Indeed, the fact that these puppeteers may go unseen by the targeted employees is all the more reason these activities should be disclosed in writing.

DOL's proposed changes to the Forms and instructions heeds Congress' repeated call that "labor-management relations be conducted in the open" by requiring the public reporting of activities that at their core are directed on behalf of management to frustrate the free exercise of employee rights. Employees should know the extent to which their employer has relied upon outsiders to persuade them, and at what cost.

The proposal does not violate any privileged communication or require disclosure of actual advice to employers. It simply eliminates a loophole through which management and anti-union consultants have underreported their activities. By shedding light on the actions of labor consultants, these forms will ensure that employees have all the information they need when they make their decision whether or not to join the union – including from whence the anti-union message has come.

Again, we endorse the comments of the AFL-CIO, and we urge DOL to adopt the proposed changes to revise Forms LM-10 and LM-20.

Sincerely,

A handwritten signature in black ink that reads "James Boland." The signature is written in a cursive, flowing style.

James Boland
President