



July 22, 2025

Representative Tim Walberg  
Chair  
House Committee on Education & Workforce  
2176 Rayburn House Office Building  
Washington, DC 20515

Representative Rick Allen  
Chair  
Subcommittee on Health, Education, Labor, and Pensions  
House Committee on Education & Workforce  
2176 Rayburn House Office Building  
Washington, DC 20515

Dear Chair Walberg, Subcommittee Chair Allen, and members of the House Committee on Education & Workforce:

The Coalition for a Democratic Workplace (CDW) writes in response to your [request for comments](#) on reforming the Labor-Management Reporting and Disclosure Act (LMRDA). As you rightly explain in your letter, current law does not provide “rank-and-file workers [with] the timely information and meaningful voice they need to hold elected leaders accountable for both fiscal and political decisions.” Increasing transparency and accountability under the LMRDA is particularly important now as unions have increased their leverage both politically and at the bargaining table. Employees have a right to understand the choices that unions are making in bargaining and with respect to lobbying and political spending. CDW therefore urges the following reforms to the Act. We’ve broken them down based on the following overarching categories you identified in your request for comments:

- Strengthening Member Governance and Voting Rights
- Fiscal Transparency and Fiduciary Duty
- Political Expenditures and Member Consent
- Digital Disclosure and Data Accessibility
- Enforcement, Compliance Assistance, and Whistleblower Protections
- Additional Issues

CDW is a broad-based coalition of hundreds of organizations representing hundreds of thousands of employers and millions of employees in various industries across the country concerned with a longstanding effort by some in the labor movement to make radical changes to the National Labor Relations Act without regard to the severely negative impact they would have on employees, employers, and the economy. CDW was formed in 2005.



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### **Strengthening Member Governance and Voting Rights:**

The rights guaranteed in Title I of the LMRDA are stated in broad terms and subject to undefined qualifications. For example, every union member has the right of free speech and assembly, but these rights are subject to “reasonable rules as to the responsibility of every member toward the organization as an institution.” Should Congress consider clarifying the rights in Title I granting union members democratic rights within their union?

- The LMRDA currently does not define key terms that specify the obligations of unions and the rights of union members. As the Committee’s letter points out, workers’ rights can be subject to “reasonable rules” imposed by the union, but this term is never clarified or limited to ensure workers’ rights are not infringed upon unnecessarily or inappropriately. Without a clear definition as to what constitutes “reasonable rules,” unions can undermine the LMRDA’s worker protections, and enforcement can be inconsistent and subjective. Congress should add clear statutory language to limit when and how a union can limit its members’ rights.

Should a union be required to hold a secret ballot vote of membership to ratify a collective bargaining agreement or authorize a strike?

- Secret ballots should be mandatory for ratification of a collective bargaining agreement (CBA), authorization of a strike, and any other action that will have a significant impact on union members’ work and financial security. Union members should be free to vote their conscience on such actions, and secret ballots are the only method of determining the will of the workforce that provides safeguards against the intimidation, harassment, or coercion of workers to vote one way or another. As federal courts, Congress, and the National Labor Relations Board (NLRB) have routinely affirmed, secret ballots protect workers from pressure campaigns by unions, their colleagues, or employers and are the superior method of establishing what workers actually want. Other methods of determining workers’ positions needlessly expose workers to unfair treatment. In 2023, CDW released a [white paper](#) outlining the shortfalls and dangers of card check in union representation elections, and these same points can easily be applied to other significant activities pursued by the union, including ratification of CBAs and authorization of strikes. Mandating secret ballot votes on such activities will protect workers and ensure they can vote without undue pressure.

How can Congress ensure that every member receives timely notice of union official nominations and elections and has an equal opportunity to vote? Should unions be required to hold direct elections of national union officers?

- Congress should mandate clear safeguards and timely notice for union official nominations and elections. The LMRDA should be amended to require minimum notice requirements, notification via multiple communication channels (including modern communication platforms), and direct elections via secret ballots in union official elections. These reforms would ensure every member has advanced notice of who is running and when and how to vote in the elections, guaranteeing transparency in the process and workers are fully informed before having to vote in an election that can have a significant impact on their work lives and financial circumstances. Moreover, secret ballot, direct elections for union



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officials can help minimize union favoritism of candidates and corruption, ensuring the candidate with the most genuine support among union members wins. These reforms can also be achieved without imposing excessive costs or burdens.

Would permitting members to initiate recall elections for officers strengthen accountability, and what signature or turnout thresholds would be appropriate?

- Members should have the authority to initiate recall elections to remove union officers who are not acting in the union's or its members' best interest. Union members must have the ability to act against such bad actors, and providing and protecting that authority would more effectively and completely incentivize union officers to act appropriately in their roles.

Are additional protections needed to guard against intimidation or retaliation when members campaign for office or express dissent?

- The LMRDA, in its current form, does not sufficiently shield union members who campaign for office or express dissent with the union. The democratic process can only thrive if participants are protected from retaliation. Further measures are needed to safeguard union members, whether or not they support the union's candidates or positions.

Should unions be required to publish candidate statements, debate recordings, and internal campaign-finance reports to give voters better insight into each candidate's platform and support?

- Unions should be required to publish materials vital to union official elections, including candidate statements, debate recordings, and internal campaign-finance reports. Union members can only make a fully informed choice in an election if they have all the relevant information, but this isn't possible if unions can control access to that information. Publicizing this information would improve transparency and accountability and allow union members to effectively participate in these elections.

What information should a union be required to share with membership during contract negotiations and before a strike authorization?

- Workers must be fully informed during contract negotiations, before authorizing a strike, and for any other collective bargaining activity that can have a significant impact on their work lives and financial stability. This can only be achieved by mandating that unions share all necessary information, including fiscal implications and potential outcomes, with membership during the development or consideration of such activities. The LMRDA should be amended to require unions to keep workers abreast of changes or considerations during the negotiation or deliberation process. Penalties should be applied to unions that fail to fully and consistently share such information with its members. These mandates and penalties will disincentivize unions from withholding information that could sway workers one way or the other, especially when that information could be detrimental to the union's positions or goals.

What barriers prevent members from introducing motions or resolutions at union meetings, and how might the LMRDA be amended to lower those barriers?



- The biggest barriers relate to rules – or the lack thereof – around what constitutes a quorum, notice requirements for meetings, and how to get items on the agenda. Unions can often hold votes for important issues (e.g., strike authorization, ratification votes, leadership votes) with little to no notice or hold multiple votes until they get the result they want. Setting limits on what constitutes a valid quorum, valid notice time, and communication requirements for motions and resolutions would improve the current situation.

Is the current three-year maximum interval between local officer elections adequate, or should Congress encourage more frequent contests?

- The current three-year maximum interval is not adequate. We recommend implementing a two-year maximum interval, as is required for members of the House of Representatives.

Would a national “union member bill of rights” poster required to be displayed at union offices improve awareness of statutory protections?

- A “union member bill of rights” poster should be displayed prominently in union offices or distributed to members via electronic means. This would serve as an educational tool for union members and ensure they are fully aware of their rights and protections with regard to their union. Unions should be required to ensure their members are fully aware of their rights.

#### **Fiscal Transparency and Fiduciary Duty:**

Is the current Form LM-2 sufficient for members to understand how dues are allocated among collective bargaining, political activities, and other expenditures? What additional or disaggregated categories would be useful?

- The current Form LM-2 can and should be improved to provide increased transparency to union members. For example, spending should be broken down into additional categories in order to allow members to more easily understand how their dues are being allocated. At the very least, “organizing” should be separated out as a distinct category of financial reporting (see Representational Activities, Line 50 below). Additionally, unions should be required to report salts on their Form LM-2. Salts are union employees who are paid to infiltrate a nonunionized workplace to foment workplace grievances and support for unionization. There are currently no requirements within the LMRDA requiring unions to register or disclose their use of salts, despite salts being inherently coercive and misleading workers. This leaves workers vulnerable to being manipulated about union organizing. When employers engage in persuader activities, they must report such activities to the Department of Labor (DOL), and unions should be held to the same standard. CDW supports the Start Applying Labor Transparency (SALT) Act, which would amend the LMRDA to require unions to register their salts with DOL.
- In addition, we recommend the following changes to specific lines and schedules:
  - o Line 50 – Representational Activities
    - Clarify "Representational Activities" to include only direct and contract-specific work (e.g., grievances, bargaining).
    - Exclude items like merchandise, events, organizing, travel, and legal costs unrelated to contract enforcement.



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- Add a separate “Organizing Activities” category.
- Schedule 6 – Vehicles: Report make, model, purchase price, book value, miles driven (work vs. personal), and driver’s name/title.
- Schedule 7 – Other Assets: Separate strike funds from general assets.
- Schedule 10 – Other Liabilities: Disclose terms and nature of legal settlements (not individuals’ names but type of dispute and remaining payments).
- Schedules 11 & 12 – Officer/Employee Compensation:
  - Disclose all sources of union-related income for officers (e.g., parent organizations, stipends).
  - Disclose specific job titles rather than vague terms like “staff.”
- Show totals for all employees earning under \$10K and number of such employees.
- Schedule 13 – Membership Status: Break membership into the below defined categories and report dues by category to prevent inflating numbers by counting unrepresented workers or retirees (e.g., AFT, SEIU).
  - Full dues-paying, legally represented members
  - Partial dues-paying members (e.g., retirees, honorary)
  - Fee payers and non-represented supporters
- Schedule 14 – Other Receipts: Require detailed explanation of reimbursements (e.g., for staff time, office use)
- Schedule 15 – Representational Activities: Itemize spending into: organizing, services, social events, training, etc and split costs between staff and officer representation.
- Schedule 17 – Contributions, Gifts & Grants: Spell out purpose of donations or contracts (e.g., not “AK Organizing” but “Video for fast food campaign”)
- Schedule 20 – Benefits List: detailed benefits information for officers vs. staff (e.g., retirement plan costs, plan types, coverage differences).

Should the dollar-thresholds that trigger LM-2, LM-3, and LM-4 reporting be updated? If so, how?

- While arguably thresholds should be updated to reflect inflation, doing so would reduce transparency into union operations and finances at a time when union members are demanding increased insight into the use of their dues. We caution that increasing the reporting thresholds may result in lowered transparency for union members. This is especially true for smaller, startup unions.
- The thresholds should, therefore, only be updated if additional changes are simultaneously made that would help increase transparency for union members. This should include the following as well as many of the other recommendations we make in these comments.
  - Congress should require unions to separate out their reporting of representational activities for current members from organizing activities for potential members. Union members should be able to determine how much of their dues are going toward the union’s efforts to bring in more members versus how much is spent on improving their own workplace conditions and benefits.
  - Congress should strengthen enforcement of union reporting. This can be done by allocating more resources to DOL to audit and enforce unions’ LM-2, LM-3, and



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LM-4 reports. Unions should face sufficient scrutiny to ensure dues are spent appropriately and bad actors are held accountable.

- Congress should amend the LMRDA to require non-profit and advocacy groups, including worker centers, to file disclosure reports with DOL. Worker centers were historically non-profit organizations that offered services to members, but today, these groups act identically to labor organizations. They target specific employers or industries and try to change workplace policies on behalf of workers they claim to represent. They, in effect, act as union organizers and should be subject to the same reporting requirements and held to the same standards as unions.

Would requiring unions to post LM reports on their public websites or in union publications meaningfully improve access for members and researchers?

- Congress should require unions to post their LM reports on their websites and in union publications. This would improve access for members, researchers, the media, DOL, the NLRB, Congress, and any other entity that has oversight over unions' actions. This would also improve transparency, ensuring union members are aware of their unions' financial stability and where their dues are going as well as providing members with the information they need to hold their unions accountable if they fail to appropriately represent their members. Moreover, union members currently have little recourse if their union officers expend funds in an unnecessary, wasteful, or even corrupt manner. Publicizing this information and making it easily accessible will at least provide union members with the knowledge they need to hold their union officers accountable and demand changes.
- The National Labor Relations Act formerly included provision 9(f), which specified that unions that had not complied with their reporting obligations to DOL (*i.e.*, current constitution, bylaws, and financial documents) could not file petitions or charges with the NLRB. *See Phillip B. Wilson, The Case for Reform of Union Reporting Laws* (2002). This section made compliance with reporting obligations self-policing. It was repealed by the Landrum-Griffin Act, but Congress should reinstate this provision or one like it.

How can technology enable near real-time disclosure of large union expenditures—e.g., posting transactions above a \$5,000 threshold within 30 days?

- Technology has made it possible for unions to provide near real-time disclosures of large union expenditures at very little cost or administrative burden. Secure online reporting platforms can be used to update membership on transactions that meet certain thresholds or criteria. The LMRDA should be amended to require this reporting to union membership, as it can provide much-needed accountability and transparency to union finances. With these changes, members can have confidence that their union is acting in their best interest and have access to the information they need to hold union officials accountable if they act inappropriately or against the wishes of union members.

Union officials, agents, and shop stewards hold positions of trust in labor organizations and must act in the best interests of their union. The LMRDA does not describe in detail the nature and scope of the fiduciary duties of union officials. How can Congress clarify or strengthen fiduciary responsibilities of union officers?



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- Congress should provide in the LMRDA detailed legal definitions of union officials' fiduciary duties. This clarity would improve accountability and help union officials better understand their obligations under the law.

How can Congress clarify or strengthen fiduciary responsibilities of union officers for pension or benefit funds that are not covered by the Employee Retirement Income Security Act (ERISA)?

- Union officers responsible for pension or benefit funds not covered by ERISA should be required to comply with fiduciary requirements. Congress should amend the LMRDA to make those obligations clear, strong, and enforceable. Such requirements would protect workers' benefits from irresponsible actions, provide members with pathways for holding unscrupulous actors accountable, and provide union officers with clear expectations about their responsibilities.

Should Congress expressly define which union positions fall under LMRDA fiduciary duties to eliminate loopholes?

- Congress should amend the LMRDA to clearly and succinctly delineate the obligations of union officials to act as fiduciaries of their unions and in their members' best interest. This should include clarifying that all union representatives fall under the LMRDA's fiduciary provisions and requirements. Doing so would eliminate loopholes unions exploit to evade accountability, such as classifying key representatives so they remain outside the scope of the Act's fiduciary provisions. Anyone with control or decision-making authority over a union's finances should be held to the same standards and be required to comply with the LMRDA's fiduciary provisions. Additionally, Congress should provide more enforcement authority to DOL to investigate breaches of fiduciary duties by a union or its representatives and establish protections for any union members who report violations of the Act's fiduciary provisions.

Should the LMRDA be amended to state that an officer who knowingly fails to report another officer's breach is personally liable for aiding the violation?

- The LMRDA should be amended to hold personally liable any union representative who knowingly fails to report another officer's breach of their fiduciary obligations. Currently, the Act does not impose liability for such inaction, creating a loophole that can be exploited by unions or their representatives. This leaves union members vulnerable to exploitation and unions to financial mismanagement and a lack of accountability.

### **Political Expenditures and Member Consent:**

What reforms would give members more direct control over the portion of their dues used for lobbying, campaign contributions, or ballot-measure advocacy?

- Reforms are needed to give union members more direct control over the portion of their dues that are used by unions for political and other non-representational activities. The Supreme Court in *CWA v Beck* established that unions cannot compel their members to financially support their union's political activity. These rights are critical to protecting union members' freedom of speech rights, and they should be codified into the LMRDA. Moreover, there should be opt-in requirements for dues to be used for political activities.



Would greater alignment between LMRDA reporting and Federal Election Commission disclosures help members trace the flow of funds?

- Greater alignment between LMRDA reporting requirements and FEC disclosures would provide union members with the ability to easily trace the flow of union funds. Reporting standards between the two should be harmonized to reduce confusion, enable union members, government agencies, and the public to review and understand the reports, and instill greater confidence among union members as to how unions are spending their dues.

Should unions be required to hold membership referenda before spending dues on certain high-dollar political activities, such as independent expenditures above a specified threshold?

- Union members should have the opportunity to voice their say on how their union spends dues. Congress should require membership referenda for high-dollar political activities, including independent expenditures above certain thresholds. This would ensure unions are aligning their spending and political activities with the will of the members they represent.

Are there effective models for maintaining a segregated political fund that protects dissenting members from subsidizing political activities, and should Congress encourage their adoption?

- Union members who do not support a union's political activities should never be forced to subsidize those expenditures. Congress should encourage the use of segregated political funds for dissenting members to protect their rights.

#### **Digital Disclosure and Data Accessibility:**

In what ways can technology be leveraged to reduce paperwork while improving the accuracy and timeliness of LMRDA filings?

- Technology should be leveraged to reduce paperwork and improve the accuracy and timeliness of LMRDA filings. This should include secure digital filing systems.

#### **Enforcement, Compliance Assistance, and Whistleblower Protections:**

Do current criminal and civil penalties under the LMRDA adequately deter embezzlement, vote rigging, and false reporting? If not, how should they be updated?

- There is a long history of corruption within the union movement. National and local unions have engaged in embezzlement, vote rigging, and false reporting over the years, violating the trust of their members and their obligations under the law. Several examples of this misconduct are outlined in CDW's recently issued [report](#). Unfortunately, current penalties under the LMRDA are not strong enough to deter such misconduct. Penalties should be increased significantly to disincentivize unions and union officers from disregarding their legal responsibilities under the law and moral obligations to their members. Additional transparency requirements related to unions' financial expenditures would also help deter inappropriate financial behavior. As we explained earlier, union members currently have little recourse if their union officers expend funds in an unnecessary, wasteful, or even corrupt manner. Publicizing this information and making it easily accessible to union members will at least provide union members with the knowledge they need to hold their



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union officers accountable and demand changes as well as disincentivize union officers from engaging in financial misconduct.

Should Congress establish a private right of action or a more robust whistleblower protection program to assist members with reporting wrongdoing?

- Language should be added to the LMRDA to establish a private right of action for union members who file a lawsuit against their union as well as to impose more robust penalties for unions that violate whistleblower protections. The LMRDA currently does not provide sufficient disincentives for unions to follow the law, especially in regard to their disclosure obligations to their members. It also does not sufficiently protect union members who raise concerns about their union or union officers. Clear damages and additional penalties are needed to safeguard union members' rights. Enhanced protections will empower union members to report wrongdoing without the threat of retaliation hanging over them.

Do existing LMRDA provisions governing trusteeships adequately protect local unions from unfair or politically motivated takeovers by parent bodies? Should Congress reform the criteria, duration limits, reporting requirements, or member appeal rights related to the imposition of trusteeships?

- Current LMRDA provisions do not protect local unions from unwarranted control by parent bodies. For example, local unions are vulnerable to parent bodies if they choose to buck their parent bodies' directions or positions in an effort to more fully and accurately represent the will of their members. More transparency and accountability are needed to ensure the trusteeship process is used for appropriate purposes and not abused for unfair or politically motivated takeovers. Congress should clarify the criteria for imposing trusteeships on locals. This should include duration limits, more comprehensive reporting requirements, and appeal rights for union members who disagree with the need for or the implementation of a trusteeship.

### **Additional Issues:**

Penalties should be imposed on unions that fail to respond fully to a request for information from a union member or fail to provide required information to members. Unions should not be allowed to withhold or hide information from members that could be crucial to their decision-making related to the union, collective bargaining activities, or the workplace. Penalties for such action would deter unions from acting in bad faith against their members.

Congress should require unions to abide by standard accounting principles in their LM-2, LM-3, and LM-4 filings. These forms are not organized like the typical financial statement of a public company or non-profit organization. Imposing general financial accounting standards on unions would be consistent with the purposes of the LMRDA, because it would create a more accurate accounting of the present value of union assets, liabilities, and disbursements.

DOL should reinstate and Congress should codify the so-called [Form T-1 rule](#), which required labor unions with \$250,000 or greater in total annual receipts to file a separate report covering the finances of certain trusts, including apprenticeships and training plans trusts, labor-management



cooperation committees, strike funds, and building corporations. The Biden administration inappropriately rescinded this rule in 2021 despite the needs for transparency in this area due to the 2021 United Auto Workers corruption scandal.

Additional consideration should be given to the fact that the enforcement mechanisms within the LMRDA rely heavily on union members initiating legal action. The onus should not necessarily be left to the workers. Congress should consider expanding DOL's investigative and enforcement authority, increasing penalties for willful misconduct by unions and their representatives, streamlining processes for investigations, and strengthening whistleblower protections. These actions will put the responsibility to investigate and hold unions accountable more appropriately on DOL while protecting union members who voice concerns or trigger measures that lead to unions or their officers being held accountable for wrongdoing.

Unions should be required to publicize member dues amounts on union authorization cards during organizing campaigns. Workers should be fully aware of the impact union organizing may have on their financial circumstances before deciding whether or not they wish to support unionization. This information can be critical to workers in their decision-making processes.

Union officers should be required to report all compensation from all positions in one place. This should include salaries or reimbursements from affiliate bodies, including international unions, locals, councils, and trust funds, among others. Union members should be able to see how much of their dues are going to individual union officers and if their dues are being misappropriated for the benefit of one or more individuals.

Sincerely,

Coalition for a Democratic Workplace