



Affiliated with
the AFL-CIO, CLC

207 West 25th Street
4th Floor
New York, NY 10001
Tel: 212-730-1770
Fax: 212-730-7809

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INTERNATIONAL
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INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES, MOVING PICTURE TECHNICIANS,
ARTISTS AND ALLIED CRAFTS OF THE UNITED STATES, ITS TERRITORIES AND CANADA

December 14, 2020

VIA ELECTRONIC FILING (<https://www.regulations.gov/>)

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

**Comments on RIN 1245-AA10:
Labor Organization Annual Financial Reports: LM Form Revisions**

Dear Mr. Davis:

The International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO (“IATSE”) submits the following comments in response to the Department of Labor’s (“Department” or “DOL”) Notice of Proposed Rulemaking (“NPRM”) regarding revisions to the Form LM-2. The Office of Labor-Management Standards (“OLMS”) issued this NPRM on October 13, 2020 (85 FR 64726).

The IATSE is an international labor union representing workers throughout the United States and Canada. While we fully endorse and join the comments submitted in response to the proposed rule by the American Federation of Labor and Congress of Industrial Organizations (“AFL-CIO”), we write separately to emphasize our opposition to the Department’s contemplated LM-2 changes. The IATSE presently includes over 150,000 members working in all facets of the entertainment industry. Along with its autonomous, affiliated local unions and other organizations, we have utilized the existing Form LM-2 since its 2003 introduction and consequently gained significant experience and familiarity with the Department’s current reporting requirements. The IATSE devotes significant time and resources to these requirements annual. The proposed rule, if implemented, would impose new and added reporting burdens and would not substantially further the purposes of the Labor-Management Reporting and Disclosure Act (“LMRDA”) or the financial reporting obligations already imposed on labor unions. To the extent that the IATSE and its affiliates would be required to expend additional resources to comply with the proposed rule, we oppose it.

IATSE CANADIAN OFFICE: 22 St. Joseph Street, Toronto, Ontario M4Y 1J9 • (416) 362-3569 • Fax: (416) 362-3483

IATSE WEST COAST OFFICE: 2210 W. Olive Avenue, Burbank, California 91506 • (818) 980-3499 • Fax: (818) 980-3496

IATSE WESTERN CANADIAN OFFICE: 1000-355 Burrard Street, Vancouver, British Columbia V6C 2G8 • (604) 608-6158 • Fax: (778) 331-8841



The IATSE and its affiliates (like many large and national unions) frequently enlist both internal staff and external personnel to assist with recordkeeping, financial reporting, and LMRDA compliance. These operations tend to maintain and further the interests of the LMRDA's reporting and disclosure provisions as well as the fiduciary duties imposed thereunder. However, the administrative and fiscal costs of these measures are significant. And we believe the Department's proposed rule may exacerbate these burdens without full and complete consideration of the cost-benefit of the proposed changes. While the IATSE acknowledges the goals and objectives of the LMRDA, including the need for meaningful financial integrity, we disfavor the Department's proposals to the extent they may amplify already substantial administrative and compliance costs. In other words, we request that the Department completely reconsider the considerable expense of the proposed rule before additional costs are needlessly incurred by our organization and its affiliates.

We further fail to recognize precisely how the proposed rules would offer further benefits beyond those set forth in the LM-2's current (and already comprehensive) requirements. As a general matter, we are mindful of the interests of labor union membership in proper reporting. However, the Government's independent judgments about what proper reporting might entail—without well-informed and sufficient regard for the specific interests of affected union members—may not further the interests of members at all (and may instead be perceived as punitive or unnecessary bureaucratic commitments). Under the proposed rule, we are not satisfied that significant additional reporting would provide a corresponding benefit to union members.

For the foregoing reasons, we request that the Department withdraw its proposed revisions to Form LM-2.

Sincerely,

A handwritten signature in black ink, appearing to read "Samantha Dulaney". The signature is written in a cursive, flowing style.

Samantha Dulaney
General Counsel

SD:ld