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Description of document: Department of Labor (DOL) Office of Labor-Management Standards (OLMS) Agency Management Plans for 2022 and 2023

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Source of document: FOIA Request
Office of Labor-Management Standards
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U.S. Department of Labor – OLMS
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Washington, DC 20210
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[Department of Labor eFOIA](#)

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August 24, 2023

BY ELECTRONIC MAIL

RE: Freedom of Information Act (FOIA) Request 2023-F-10864

This is in response to your June 26, 2023 request made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You emailed your request to the Office of the Solicitor in the U.S. Department of Labor, and it was forwarded here, to the U.S. Department of Labor's Office of Labor-Management Standards (OLMS), for a disclosure determination. Your FOIA requests "A copy of the two most recent Agency Management Plans for each DOL agency (which might be, for example, the FY23 Agency Management Plans and the FY22 Agency Management Plans). These records are held at the Performance Management Center of OASAM."

OLMS is committed to the principles of openness and transparency in making disclosure determinations, and it is the policy of the Department of Labor to disclose information to the maximum extent practicable. See 29 C.F.R. §70.3. I have searched the appropriate files, indices, and databases for information responsive to your request and found 75 pages of relevant records. The FOIA requires that any reasonable segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under 5 U.S.C. § 552. I have released the enclosed 66 pages that are within the scope of your request. The instances of partial redaction indicate the FOIA Exemptions 5, 6, and/or 7(E). I am withholding 9 full pages, pursuant to FOIA exemption 5. The purpose and application of the FOIA exemptions are explained below.

Exemption 5 of the FOIA, 5 U.S.C. §552(b)(5), protects inter-agency or intra-agency memoranda or letters which would not be available by law to a private party in litigation with the agency. Incorporated within Exemption 5 are virtually all civil discovery privileges, including the deliberative process privilege. In concept, the deliberative process privilege protects not merely the documents themselves, but also the integrity of the process. The privilege has been interpreted to permit an agency to withhold documents or portions of documents that reflect opinions, recommendations and deliberations of agency personnel, which are part of the process of formulating government decisions and policies. In order to invoke the deliberative process privilege that is embodied in Exemption 5, the courts have traditionally established two requirements, both of which must be met. First, the communication must be pre-decisional. Second, the communication must be deliberative.

Exemption 5 is invoked to withhold 9 pages that contain the analyses, opinions and recommendations, as well as investigative plans. Release of this information would effectively demonstrate the investigator's mental and factual distillation processes; disclosure would reveal which factors the investigator considered to be significant in the decision-making process. Moreover, release would likely stifle honest and frank communication within the agency. I have determined that it is foreseeable that release of the material at issue would cause harm to the deliberative process of the federal government if disclosed and, therefore, is covered by the deliberative process privilege.

Exemption 6 of the FOIA, 5 U.S.C. §552(b)(6), permits the nondisclosure of information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." Exemption 6 is applicable to the personal, intimate details of an individual's life. Accordingly, Exemption 6 is invoked to redact third-party information contained in the files in which there is a viable privacy interest that would be violated if the information were released.

Exemption 7(E) of the FOIA, 5 U.S.C. §552(b)(7)(E), allows for the withholding of information that discusses approaches, techniques, and procedures, or would disclose guidelines for carrying out investigations. I assert 7(E) to justify withholding of information in the released records that pertain to investigatory techniques utilized.

With regard to the applicable charges for the production of records, you are considered a Category 4 Requestor pursuant to 29 C.F.R. §70.40(c)(4). Requestors in this category are responsible for search and reproduction costs, with an exception for the first 100 pages of reproduction and first two hours of search. 29 C.F.R. §70.40(c)(4). Accordingly, there are no fees associated with this request.

I believe that OLMS has been responsive to your request to the maximum extent practicable. If you need any further assistance or would like to discuss any aspect of this response to your FOIA request, please contact me at OLMS-FOIA@dol.gov or 202-693-0123. In addition, the DOL FOIA Public Liaison, Thomas Hicks, is available (hicks.thomas@dol.gov or 202-693-5427) to resolve any issues arising from our response to your FOIA request. Alternatively, you may request mediation services regarding any concerns with our response by contacting the Office of Government Information Services (OGIS), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001; 202-741-5770, 1-877-684-6448 (toll free), 202-741-5769 (fax), or ogis@nara.gov.

If you have made attempts to discuss your issues with us directly or through our Public Liaison and are still not satisfied with our response to your FOIA request, you may administratively appeal by writing to the Solicitor of Labor within 90 days from the date of this letter. Send your appeal to foiaappeal@dol.gov or to the Solicitor of Labor, Division of Management and Administrative Legal Services, **FOIA Appeal**, U.S. Department of Labor, 200 Constitution Ave., NW, Room N2420, Washington, DC 20210.

An appeal must reference "**FOIA Appeal 2023-F-10864**" and state in writing the grounds for the appeal. You may include any supporting statements or arguments, but such statements are not

required. In order to facilitate processing of the appeal, please include your mailing address and daytime telephone number, as well as a copy of the initial request, this letter, and the disclosed records, if any. Any subsequent amendment to an appeal must be made in writing and received by the office of the Solicitor, by the same means, prior to its decision on your appeal.

Sincerely,

Andrew Auerbach
Deputy Director

By: 
Andrew Davis, Director of the Office of Program Operations
Office of Labor Management Standards
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United States Department of Labor

OFFICE OF LABOR-MANAGEMENT STANDARDS (OLMS)

Fiscal Year 2022 Agency Management Plan

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Agency Introduction:

The Office of Labor-Management Standards (OLMS) is responsible for administering and enforcing most provisions of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), and related laws. These laws primarily establish safeguards for union democracy and union financial integrity. Additionally, the LMRDA promotes labor union and labor-management transparency through reporting and disclosure requirements for labor unions and their officials, employers, labor relations consultants, and surety companies.

OLMS also administers DOL responsibilities under the Federal Transit Act by ensuring that fair and equitable arrangements protecting mass transit employees are in place before the release of federal transit grant funds.

OLMS' mission of ensuring that workers have the right resources and connections to enhance the power of their voice in the workplace match the needs, themes, and requirements of the FY 2022-2026 DOL Strategic Plan through Strategic Goal 2: *Ensuring Safe Jobs, Essential Protections, and Fair Workplaces* under Strategic Objective 2.2: *Promote Union Financial Integrity, Transparency and Democracy*

For FY 2022, OLMS has identified a set of themes and supporting strategies that align with our agency's strategic objective.

Theme Number	Theme Name	Strategy	Strategy Short Name
1	Worker Empowerment and Organizing	1.1 Promote Union Financial Integrity	Integrity
1	Worker Empowerment and Organizing	1.2 Promote Transparency	Transparency
1	Worker Empowerment and Organizing	1.3 Promote Democratic Unions	Democracy
1	Worker Empowerment and Organizing	1.4 Track the Prevalence and Effects of Persuader Strategies	Fostering Organizing and Labor Management Cooperation
1	Worker Empowerment and Organizing	1.5 Enhance Benefits for Workers from Cooperative Labor-Management Relationships	Advancing Union Representation
2	Improve Compliance with the Law	2.1 Modernize and Increase the Effectiveness of Compliance Assistance	Compliance Assistance
2	Improve Compliance with the Law	2.2 Enhance Union Outreach	Outreach
3	DOL as a Model Workplace	3.1 Engage Employees in Building a Modernized Workforce	Modernized Workforce

Theme Number	Theme Name	Strategy	Strategy Short Name
3	DOL as a Model Workplace	3.2 Develop a Diverse, Equitable, and Inclusion-Focused Organization	Diversity, Equity and Inclusion

Agency Theme, Strategies, and Activities

Agency Theme 1: Worker Empowerment and Organizing

Strategy 1.1: Promote Union Financial Integrity

Union officers and employees are entrusted by rank-and-file members to safeguard union funds. In the vast majority of cases, union officers and employees perform their jobs reliably and without incident. But to help ensure that union assets are protected, OLMS conducts targeted compliance audits of union financial operations to detect when a union is the victim of embezzlement, fraud, and other criminal and civil violations. When criminal violations against a union are uncovered, OLMS conducts investigations to pursue enforcement action against law violators and recover the loss of union funds. In addition to audits and investigations of potential criminal violations, OLMS promotes financial integrity of unions through adopting and promoting safeguards, including those pertaining to financial reporting, recordkeeping, bonding and loans.

OLMS constantly seeks new ways to identify unions who may be the victims of fraud and embezzlement.

(b)(7)(E)

Activities:

(b)(7)(E)

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
Enforcement	--	82

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
OLMS-FI-01	Criminal Investigations	221	(b)(7)(E)				
OLMS-FI-02	Compliance Audits	202					
OLMS-FI-03	Percent of targeted audits that result in a criminal case	15.25%					

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
N/A	None at this Time	N/A

Enterprise Risk Management (Optional)

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
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(b)(5); (b)(7)(E)

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned (Optional)

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
(b)(5); (b)(7)(E)	
Enhancing Technology	e.LORS and its sub components will provide for improved customer experience for the public by making it cloud capable. This will provide for workforce mobility via virtual desktop capabilities and enable mobile-friendly applications and services to both workforce and citizens. This will allow OLMS to maximize the data made available to the public.

Strategy 1.2: Promote Transparency

OLMS helps ensure that workers have a voice in the workplace, which contributes to building a modern, inclusive workforce. OLMS promotes labor-management transparency by making available reports showing union financial conditions, union officer and employer potential conflicts of interest, and employer expenditures for labor relations consultant activities in persuading workers during union organizing campaigns. The transparency created by these requirements is designed to promote union member self-governance and to better inform workers in making determinations regarding the exercise of their rights to organize and bargain collectively. Unions and collective bargaining are essential for growing and sustaining a more inclusive workforce.

In FY 2020, unions reported collecting more than \$11 billion in membership dues. Financial transparency of the collection and disbursement of these funds empowers each union member with the information needed to participate in the governance process and make decisions during union officer elections. In FY 2022, OLMS will continue to promote financial transparency of labor organizations but will also prioritize enforcement resources to focus on reporting requirements for employers and labor relations consultants. It is crucial for the worker that employer and consultant reports – in conjunction with reports required from unions - are accurate, complete, and filed in a timely manner. Lastly, OLMS will enhance efforts to correct incomplete trusteeship reports and deficient reports filed by surety companies to further advance transparency.

Transparency is supported by OLMS' efforts to make these reports available to union members, other government officials, researchers, and the general public. In an effort to improve transparency and voluntary compliance regarding reporting requirements, OLMS has mandated electronic filing (e-filing) for almost all required reports. Built-in data checks help promote accuracy.

OLMS is continually gathering information and analyzing data necessary to consider whether to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under Title II of the LMRDA and such other reasonable rules and regulations as necessary to prevent the circumvention or evasion of the reporting requirements.

Activities:

(b)(7)(E)

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
Compliance Assistance – Outreach	--	3
Enforcement	--	8
Public Disclosure – Website	--	4

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
OLMS-RPD-01	Deficient Reports Cases	177	(b)(7)(E)				
OLMS-RPD-02	Delinquent Report Investigations	1,836					
OLMS-RPD-03	Number of LM-10 and LM-20 Reports Filed on Employer-Consultant Persuader Agreements	480					
OLMS-RPD-05	Percent of disclosure reports filed electronically	97.4%					
OLMS-RPD-06	Number of Chronically Delinquent Filers for Labor Organization Financial Reports	805					
OLMS-MISC-02	Basic Investigations	42					

* This measure cannot be reduced to quarterly goals because it represents a decrease in the overall number of chronically delinquent filers, who file annually.

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
N/A	Not at this time	N/A

Enterprise Risk Management (Optional)

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned (Optional)

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
Improved Targeting	The accumulation and analysis of data will inform enforcement determinations of the agency.

Strategy 1.3: Promote Democratic Unions

OLMS promotes labor union democracy through administering democratic standards for conducting union officer elections, including the frequency and method of election, voter secrecy, voting rights of members, and the rights of members in good standing to nominate, and to be nominated as, candidates. The law provides that union members who believe there were violations of rules governing elections may file a complaint with the Secretary of Labor after pursuing internal union remedies. OLMS investigates each timely and properly filed election complaint and, if a violation is found that may have affected the election outcome, seeks to remedy any such violation by supervising a new election. If the union does not voluntarily agree to a remedial election supervised by OLMS, the Secretary of Labor must file a civil suit within 60 days after the member filed the complaint, absent agreement by the union to extend the filing date. If, after investigation, OLMS determines that no supervised re-run election is required, OLMS must issue a statement of reasons why it reached that conclusion. There is no statutory time requirement for issuing the statement of reasons. A complaining member who disagrees with OLMS's decision not to seek a re-run election may sue the Secretary and obtain a court order requiring OLMS to supervise a re-run election if the member proves that the Secretary's decision was an abuse of discretion.

Due to the statutory time requirement for bringing a law suit seeking a supervised re-run election, OLMS must investigate election complaints expeditiously. Timely resolution of election complaints is a paramount goal of OLMS. By improving its election case processing and resolution time, OLMS can better protect union democracy by obtaining a timely remedy, when appropriate, and by assuring the union and its members that there was no election violation in circumstances where there were none.

Activities:

(b)(7)(E)

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
Compliance Assistance - Outreach	--	3
Enforcement	--	35

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
OLMS-DEM-01	Average number of days to resolve union officer election complaints	66.9	(b)(7)(E)				
OLMS-DEM-02	Election Investigations	78					

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
N/A	Not at this time	N/A

Enterprise Risk Management (Optional)

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned (Optional)

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
Election Complaint Trends	(b)(7)(E)

Strategy 1.4: Track the Prevalence and Effects of Strategies

The LMRDA establishes reporting and recordkeeping requirements for employers and labor relations consultants who enter into an agreement or arrangement to persuade employees about 1) exercising their rights to organize and bargain collectively or 2) to supply an employer with certain information concerning the activities of employees or a labor organization in connection with a labor dispute involving the employer. Labor relations consultants who are engaged in “persuader activity” and the employers who hire them must disclose the terms of any agreement, a description of the services to be performed, including the amount the employer has paid for their services. The transparency created by these requirements is designed to better inform workers in making determinations regarding the exercise of their rights to organize and bargain collectively. For example, with the knowledge that the source of the information received is an anti-union campaign managed by an outsider, workers will be better able to assess the merits of the arguments directed at them and make an informed choice about how to exercise their rights and whether to vote for or against union representation.

(b)(5); (b)(7)(E)

Activities:

(b)(7)(E)

(b)(7)(E)

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
N/A	--	2

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
OLMS-RPD-03	Number of LM-10 and LM-20 Reports Filed on Employer-Consultant Persuader Agreements	480	(b)(7)(E)				

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
N/A	Not at this time	N/A

Enterprise Risk Management (Optional)

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned (Optional)

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
Persuader Activity	(b)(7)(E)
Persuader Activity	

Strategy 1.5: Enhance Benefits to Workers from Cooperative Labor-Management Relationships

Organized labor has been in the forefront of promoting policies and legislation designed to improve the lives of American workers. Evidence suggests that workers employed under union-negotiated collective bargaining agreements earn higher wages and receive more benefits than those who are not, and workers in states that do not have Right to Work laws enjoy higher wages and better benefits than those who work in Right to Work states. Despite organized labor's critical role in improving the lives of working Americans, and the Department's role in that same objective, OLMS is the only agency at the Department that has direct interaction with America's unions.

OLMS promotes labor-management transparency as well as labor union democracy and financial integrity through standards for union officer elections and union trusteeships and safeguards for union assets. The agency's enforcement activities are designed to give assurances to workers (and to the public more broadly) that the conduct of union officers and employees is regulated. While enforcement of the LMRDA serves to strengthen the labor movement, it cannot overshadow the important service unions engage in to make our society work in the interest of working people. The vast majority of union officials and employees do their work diligently and without incident, but civil and criminal violations do sometimes occur and, when they do, the union is typically the victim. OLMS is committed to serving the workers whose interests we represent with this common understanding of the important role unions have played and continue to play in the American economy.

Activities:

- In an effort to advance bargaining in FY 2022, OLMS will fairly report the data it posts to the OLMS website in relation to enforcement results and final decisions regarding union officer election investigations. In addition, OLMS through its website will become more of a resource center for

information about union organizing and collective bargaining, including examples of the benefits of cooperative labor-management relationships.

- In FY 2022, the OLMS Director will publish periodic blog posts that discuss in narrative terms issues of importance to the labor movement and to workers and employers arising from OLMS' enforcement.
- In an effort to improve a cooperative labor-management relationship and advance transparency to inform the labor movement, OLMS will continue to increase the percentage of LMRDA required reports that are filed electronically in order to expedite their posting on the OLMS website. This will be tracked under measure OLMS-RPD-05, *Percent of Disclosure Reports Filed Electronically*.
- OLMS will establish programs and sponsor convenings that highlight the benefits to workers and employers from cooperative labor-management relationships achieved through collective bargaining.

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
N/A	--	--

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
OLMS-RPD-05	Percent of Disclosure Reports Filed Electronically	97.4	(b)(7)(E)				

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
N/A	Not at this time	N/A

Enterprise Risk Management (Optional)

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned (Optional)

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
N/A	--

Agency Theme 2: Improve Compliance with the Law

Strategy 2.1: Modernize and Increase the Effectiveness of Compliance Assistance

Activities:

Ultimately, the more unions, union officers and employees, employers, labor relations consultants, and surety companies understand and comply with the law, the more safe and fair our nation's unions and workplaces will be. By increasing compliance assistance, outreach and engagement, and investing in their workforce, OLMS will better be able to protect labor organizations which in turn promotes wealth equity in disadvantaged communities. OLMS seeks to improve and modernize the platform in which compliance assistance is offered in order to engage all interested parties. In FY 2022, OLMS will undertake the following activities in this strategy.

- **Update Technical Assistance Guidance** – OLMS has mandated electronic filing (e-filing) for required reports in order to promote transparency. In order to increase voluntary compliance with e-filing, OLMS will continue to improve and expand its available compliance assistance to help users with the process of preparing and completing these forms electronically. To enhance technical assistance, OLMS will support and train contractors outsourced by the agency to assist individuals with technical questions regarding e-filing, so that they are able to conduct their duties and responsibilities more effectively. To promote e-filing compliance, OLMS software will support legislative and regulatory safeguards so that people with disabilities and the non-English speaking public are able to use the system to e-file required reports.
- **Update Compliance Assistance** - OLMS will continue to improve and expand its compliance assistance materials. This will include updating any compliance assistance guidance and making the public website more user friendly. OLMS will continue to monitor contacts by non-English speaking workers and translate compliance assistance materials into Spanish and, depending on the need, other non-English languages. OLMS will update compliance assistance to include inclusive language to make all interested parties feel welcomed and heard. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*.
- **Modernize Compliance Assistance Platform** - OLMS will continue to improve its compliance assistance platform to offer compliance assistance virtually. Hosting virtual seminars is more efficient, cost effective, and reaches a more diverse audience. In the past, most compliance assistance activities were designed to meet the needs of union officers and employees. Moving into a virtual platform will allow OLMS to expand compliance assistance to meet the needs of all interested parties, including surety companies, labor relations consultants, employers, the non-English speaking public, and union members. Providing a virtual platform to present compliance assistance will also contribute to OLMS' networking success with other law enforcement entities. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*.

- **OLMS will Utilize Spanish-Speaking Translation Team (SSTT)** - SSTT is composed of investigators and managers who translate documents and assist in the investigation of civil and criminal cases in Puerto Rico and other locations where the ability to speak Spanish is required. Team members may also assist in handling inquiries from the Spanish-speaking public. OLMS will advance the goals of the SSTT by improving access to more compliance assistant publications and seminars. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*.

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
Compliance Assistance - Outreach	--	3

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
OLMS-MISC-03	OLMS Participant Hours of Compliance Assistance provided	8,294	(b)(7)(E)				
OLMS-MISC-09	Compliance Assistance Events	99					

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
N/A	Not at this time	N/A

Enterprise Risk Management

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

LEARNING: COMPLETED, UNDERWAY, OR PLANNED

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
N/A	--

Strategy 2.2: Enhance Union Outreach

By increasing compliance assistance, outreach and engagement, and investing in their workforce, OLMS will better be able to protect labor organizations which in turn promotes wealth equity in disadvantaged communities. OLMS' mission supports strengthening unions. Unions address inequality and help advance the economic aspirations of diverse communities. In 2018, the Center for American Progress compared wealth of union-member and non-member households. In its findings concerning White workers, union families' median household wealth was around 50% higher than non-union households. For Black and Hispanic workers, median union household wealth was roughly 10 times greater than for non-union households. The study can be found at: <https://cdn.americanprogress.org/content/uploads/2018/08/29074054/UnionMembershipNarrowsRacialGap-Brief1.pdf>

OLMS is furthering its support in advancing equity for all, including people of color and others who have been historically underserved and adversely affected by inequality by increasing compliance assistance and increasing outreach and education. OLMS will better ensure that underserved communities have access to disclosure reports and electronic filing through more intentional and inclusive outreach.

The Voluntary Compliance Partnership (VCP) program is a strategic leadership program. In this program, OLMS partners with international and national labor unions to assist those union in maximizing their affiliated unions' compliance with various requirements of the law. VCP focuses on the following compliance initiatives: (a) improving the timely filing of the annual union financial reports; (b) confirming the filing of affiliate union constitutions and bylaws; (c) ensuring all affiliate unions are adequately bonded; (d) providing a summary of areas of financial concern in order to develop safeguards to prevent the misuse of union funds; (e) sharing the

results of compliance audit and desk audits conducted by OLMS; and (f) sharing internal controls and other financial best practices, audit guidelines, and training materials.

Since 1964, transit agencies throughout America have been eligible for financial assistance from the U.S. Department of Transportation's Federal Transit Administration (FTA). Under OLMS' "13(c) program," these grants of assistance require protections for transit employees who may be impacted by the federally funded projects. The FTA cannot authorize the grant of funds absent OLMS certification that these transit employee protections are in place. The program's purpose is to protect the collective bargaining rights of private sector transit workers provide under the National Labor Relations Act (NLRA) when state and local governments acquired and operated private sector transit companies and the workers became public sector employees who were not covered by the NLRA.

Activities:

- During FY 2022, OLMS will continue to build and strengthen the VCP program by providing international and national union partners with new compliance assistance tools and information on a more consistent basis. Expanding international and national union outreach will assist local labor organizations with voluntary compliance. (b)(7)(E)
(b)(7)(E)
(b)(7)(E) OLMS will use data and analytics to assess the program's effects and to drive further improvements. This data will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided*; OLMS-MISC-05-WL *Number of Voluntary Compliance Partnership Agreements in Effect*; and OLMS-MISC-09, *Compliance Assistance Events*.
- (b)(5); (b)(7)(E)
- Employers, consultants, and surety companies have the obligation to file required reports in a timely and accurate manner. In FY 2022, OLMS will expand compliance assistance activities to these targeted groups so that they are better able to comply with reporting requirements. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*.
- One of the fundamental purposes of the LMRDA is to promote transparency and organizational democracy within labor organizations. Through the years, OLMS has paid particular attention to the progression of the worker center model to determine if these organizations have evolved into "labor organizations" as defined by the LMRDA. (b)(5); (b)(7)(E)
(b)(5); (b)(7)(E)
- (b)(7)(E)

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
Compliance Assistant Specialist	--	7

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
OLMS-MISC-03	OLMS Participant Hours of Compliance Assistance provided	8,294	(b)(7)(E)				
OLMS-MISC-05-WL	Number of Voluntary Compliance Partnership Agreements in effect	45					
OLMS-MISC-07-WL	Employee Protections Certifications	1,985					
OLMS-MISC-09	Compliance Assistance Events	99					

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
N/A	Not at this time	N/A

Enterprise Risk Management

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
What data sources (OLMS, other DOL, or external) that could be used as supplemental data or merged with the data to advance our understanding of the effect of unions on workplaces and local economies and communities?	OLMS is interested in understanding how LM data can be used to characterize labor union density, mobilization, and penetration to better study the effect of unions on workplace conditions, local economies, and communities. This information could advance our understanding of the role that unions play in U.S. labor markets.

Agency Theme 3: DOL as a Model Workplace

Strategy 3.1: Engage Employees in Building a Modernized Workforce

Activities:

OLMS is committed to building a modernized workforce to enhance employee productivity and performance. Maintaining a modernized workforce will improve employees' job satisfaction, assist with retaining the best employees, and succession planning.

- **Building a Virtual Workplace** – The COVID-19 pandemic has provided agency leaders an opportunity to assess working virtually. (b)(5); (b)(7)(E)
(b)(5); (b)(7)(E)
- **Encouraging Employee Feedback** – In FY 2013, OLMS partnered with our union leadership of the National Union of Labor Investigators (NULI) in an effort to create a cooperative and productive labor-management relationship, the OLMS-NULI Partnership Group. This group was the first labor-management partnership formed by the Department pursuant to an Executive Order. The vision of the work group was to strengthen the relationship among managers, employees, and union leadership and to jointly assess workplace challenges and collaboratively formulate effective and suitable solutions to enhance the work environment. In analyzing the results from the last FEVS survey, OLMS and NULI administered a follow up survey to employees, seeking additional information. (b)(5); (b)(7)(E)
(b)(5); (b)(7)(E)
- (b)(7)(E)
- **Employee Training** – Providing training to new investigators as well as expanding training efforts for experienced investigators contributes to enforcement of the agency's mission. OLMS' investigative methodology requires the development of expertise in investigative techniques and knowledge of the law. (b)(5); (b)(7)(E)
(b)(5); (b)(7)(E)

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
Staffing Resources –Computer Cadre Specialist	--	3
Modernize Technology	\$15,000	--
Employee Training	\$20,000	--

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
N/A	--	--	--	--	--	--	--

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
(b)(5); (b)(7)(E)		

Enterprise Risk Management

Risk ID	Risk Description	Mitigation Strategy(if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
N/A	--

Strategy 3.2: Develop a Diverse, Equitable, and Inclusion-Focused Organization

Activities:

OLMS is committed to incorporating diversity, equity, and inclusion into the practices and behaviors of the organization. Achieving an organization that encompasses a diverse, equitable, and inclusive climate will provide a more productive workforce and increase retention.

- **Training Managers and Employees to Advance Equity** – The agency will require that all employees attend 16 hours of learning and development focused on skill-building, communications, and establishing, fostering, and improving relationships among employees of diverse backgrounds. This will be in addition to the Department-led training requirements. This will be tracked through a new milestone, OLMS-Training-01.
- **Hiring Initiative** – The agency will promote a more diverse, equitable, and inclusive workforce through hiring initiatives. The agency will require managers to be educated and informed regarding hiring practices. The agency will expand recruitment resources and outreach to foster an applicant pool that includes individuals from all perspectives and backgrounds. The agency will support an interview process that minimizes the risk of unconscious bias and increases diversity in the workforce. In order to select the best candidate for the position, the recruitment process will be handled by a group of diverse decision-makers. The agency will promote a hiring and promotion process that is equitable and inclusive by updating position descriptions and job announcements to welcome the most diverse applicant pool.
- **Increase Accountability** – The agency will continue to collect and analyze data on diversity. The data will be monitored over time and compared to prior fiscal years and the department as a whole. Transparency and accountability will assist the agency with building a more modern, inclusive workforce. In addition, the agency will review anti-discrimination policies and strengthen them, as necessary.
- **Incorporate Inclusive Language** – It is important that the agency prioritizes inclusivity in the workplace so that everyone feels valued and welcome. OLMS will update communications available to the public to include more inclusive language. OLMS will support improved language on agency templates and guidance to ensure internal documents are more inclusive so that employees feel safe and heard. OLMS will promote a workforce that is mindful of speech and word choice to make the agency a better place for everyone.

Strategic Portfolio: Budget, Performance, Risk, and Learning

FY 2022 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
N/A	--	--

Performance Measures

Measure ID	Measure Name	FY 2021 Result	FY 2022 Annual Target	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target
N/A	--	--	--	--	--	--	--

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
OLMS	OLMS Training and Deployment	08/30/2020
(b)(5); (b)(7)(E)		

Enterprise Risk Management (Optional)

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned (Optional)

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
(b)(5); (b)(7)(E)	

Operational Portfolio for ALL Themes and Strategies: HR, IT, and Procurement

Human Resources

Item or Issue	Description	Strategy (short name)	Agency POC
Increased Hiring Plan	OLMS has created a plan to increase hiring with OHR. While this is tracked independently it affects several of OLMS strategies, and is included here for transparency.	Maximizing Enforcement Impact Compliance Assistance Compliance Audits	Yolonda Robinson
Reorganization of the Office of Field Operations and the Office of Program Operations	OLMS has developed a realignment plan to balance the responsibilities of the Office of Field Operations and Office of Program Operations. (b)(5); (b)(7)(E)	Organizational realignment to streamline office functions and improve productivity.	Brian Pifer (b)(5); (b)(7)(E) Andrew Davis
Position Description Standardization	(b)(5); (b)(7)(E)	Organizational realignment to streamline office functions	Yolonda Robinson
Strategic Succession Plan Program	Strategic Succession Plan Program, which is designed to cultivate the skills and knowledge from among current employees to fill managerial, leadership and other positions with highly qualified personnel.	Interagency Training	Brian Pifer
Increase telework/flexibilities	Telecommuting involves the use of computers and telecommunications technology to overcome the constraints of location or time on work. OLMS will work to increase telework flexibilities to include work schedule/location-telework planning.	Maximize Telecommuting Options for Eligible Employees	Yolonda Robinson

Information Technology

Systems, Initiatives, or Investments	Description	Strategy (short name)	Agency POC
E.LORS Modernization – Central Data System	This is the primary information system and database for OLMS' enforcement and compliance assistance activities. (b)(5); (b)(7)(E) (b)(5); (b)(7)(E)	Maximizing Enforcement Impact Compliance Assistance	Brian Pifer
Electronic Case Management System	OLMS will develop a system to replace paper-based case files with an electronic case filing system.	Increasing data and accuracy and consistency. Maximizing Enforcement Impact	Brian Pifer
Online Public Disclosure Room (OPDR)	(b)(5); (b)(7)(E)	Outreach Maximizing Enforcement Impact Compliance Assistance	James Haskins
Website Content Management	(b)(5); (b)(7)(E)	Outreach Public Disclosure Compliance Assistance	Karen Torre
Electronic Forms System (EFS)	(b)(5); (b)(7)(E)	Outreach Public Disclosure Compliance Assistance	Andrew Davis

Procurement

Procurement Item	Description	Strategy (short name)	Agency POC
OCIO Management	Contract with AITHERAS, EFS HelpDesk and Support	Customer and compliance Improvement Compliance assistance	(b)(6)

Appendix A – Federal Advisory Committees

Federal Advisory Committees	Description
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Appendix B – Performance Measures and Milestones (Complete List)

Measure ID	FY 2022 Agency Management Plan Measures	FY 2020 Result	FY 2021 Target	FY 2021 YTD Result	FY 2022 Q1 Target	FY 2022 Q2 Target	FY 2022 Q3 Target	FY 2022 Q4 Target	FY 2022 Target
OLMS-RPD-03	Number of LM-10 and LM-20 reports filed on employer-consultant persuader agreements	440	(b)(7)(E)	480	(b)(7)(E)				
OLMS-RPD-02	Delinquent Report Investigations	1,586		1,836					
OLMS-RPD-01	Deficient Report Investigations	167		177					
OLMS-FI-02	Compliance Audits	245		221					
OLMS-FI-01	Criminal Investigations	233		202					
OLMS-MISC-05-WL	Number of Voluntary Compliance Partnership Agreements in effect	43		N/A					
OLMS-MISC-02	Basic Investigations	37.0		N/A					
OLMS-MISC-03	Participant Hours of Compliance Assistance provided	4,333.00		8,294.00					
OLMS-MISC-07-WL	Employee Protections Certifications	2,484	(b)(7)(E)	N/A	(b)(7)(E)				
OLMS-MISC-08-WL	Claims Arbitrated	0		N/A					
OLMS-MISC-09	Compliance Assistance Events	N/A	(b)(7)(E)	99	(b)(7)(E)				
OLMS-DEM-02	Election Investigations	100		78					
OLMS-DEM-03	Supervised Elections	17.00		27.00					
OLMS-DEM-04	Trusteeship Investigations	10		N/A					
OLMS-DEM-01	Average number of days to resolve union officer election complaints	64.9		66.9					
OLMS-FI-03	Percent of targeted audits that result in a criminal case	20.00%		13.57%					
OLMS-RPD-05	Percent of disclosure reports filed electronically	89.6%		97.4%					

United States Department of Labor
Office of Labor Management Standards
Fiscal Year 2023 Agency Management Plan

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Agency Introduction:

The Office of Labor-Management Standards (OLMS) is responsible for administering and enforcing most provisions of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), and related laws. These laws primarily establish safeguards for union democracy and union financial integrity. Additionally, the LMRDA promotes labor union and labor-management transparency through reporting and disclosure requirements for labor unions and their officials, employers, labor relations consultants, and surety companies.

OLMS also administers employee protections under the Federal Transit Act by ensuring that fair and equitable protective arrangements are in place for mass transit employees. These protective arrangements provide for preservation of employees' rights and benefits under existing collective bargaining agreements, the continuation of collective bargaining rights, the protection of individual employees against a worsening of their positions in relation to their employment, assurances of employment to employees of acquired transit systems, priority of reemployment, and paid training or retraining programs. OLMS ensures these protections are in place before the release of federal transit grant funds. The program's purpose is to protect the substance of collective bargaining rights of private sector transit workers provided under the National Labor Relations Act (NLRA) when state and local governments acquired and operated private sector transit companies and the workers became public sector employees who were not covered by the NLRA.

OLMS supports the following goals in the FY 2022-2026 DOL Strategic Plan.

- **Strategic Goal 2: Ensure Safe Jobs, Essential Protections, and Fair Workplaces**
 - **Strategic Objective 2.2: Protect Workers' Rights**
 - **OLMS Performance Goal 2.2: Promote Union Financial Integrity, Transparency, and Democracy**

For FY 2023, OLMS has continued a set of themes and supporting strategies that align with our agency's strategic objective.

Theme Number	Theme Name	Strategy	Strategy Short Name
1	Worker Empowerment and Organizing	1.1 Promote Union Financial Integrity	Integrity
1	Worker Empowerment and Organizing	1.2 Promote Transparency	Transparency
1	Worker Empowerment and Organizing	1.3 Promote Union Democracy	Democracy
1	Worker Empowerment and Organizing	1.4 Track the Prevalence and Effects of Persuader Strategies	Fostering Organizing and Labor Management Cooperation
1	Worker Empowerment and Organizing	1.5 Enhance Benefits for Workers and Employers through Cooperative Labor-Management Relationships	Advancing Union Representation
2	Improve Compliance with the Law	2.1 Modernize and Increase the Effectiveness of Compliance Assistance	Compliance Assistance
2	Improve Compliance with the Law	2.2 Enhance Union Outreach	Outreach
3	DOL as a Model Workplace	Implement activities in support of the Department's Diversity, Equity, Inclusion, and Accessibility (DEIA) Plan	Diversity, Equity, Inclusion, and Accessibility
3	DOL as a Model Workplace	Incorporation of Hiring Plan	Hiring Plan
4	Data as a Strategic Asset	Development of Case Management Platform & Data Analytics	Data Analysis

Agency Theme 1: Worker Empowerment and Organizing

Strategy 1.1: Promote Union Financial Integrity

OLMS conducts targeted compliance audits of union financial operations to detect when a union is the victim of embezzlement, fraud, and other criminal and civil violations. In most cases, union officers and employees conduct their fiduciary responsibilities for the benefit of the members without incident. Other times however, criminal violations are uncovered, and the union is typically the victim. OLMS conducts investigations to ensure that law violators are held accountable for failing to meet their obligations and to recover the union's lost funds.

OLMS also promotes financial integrity of unions through ensuring that safeguards are in place relating to financial reporting, recordkeeping, bonding, and loans.

OLMS focuses on increasing the effectiveness and efficiency of targeting unions most at-risk of victimization from fraud or embezzlement. (b)(7)(E)

(b)(7)(E)

Activities:

(b)(7)(E)

(b)(7)(E)

Budget, Performance, Risk, and Learning

FY 2023 Budgetary Resources

Budget Activity:	Budget Authority (whole dollars)	FTE
Enforcement	--	

Performance Measures

Measure ID	Measure Name	FY 2022 Result	FY 2023 Annual Target	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	Applicable Categories (Options: Equity -All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
OLMS-FI-01	Criminal Investigations	--	(b)(7)(E)					Agency Specific
OLMS-FI-02	Compliance Audits	--						Agency Specific
OLMS-FI-03	Percent of targeted audits that result in a criminal case	--						Agency Specific

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
(b)(5); (b)(7)(E)		

Enterprise Risk Management

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Learning: Completed, Underway, or Planned

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
Improved Targeting	The accumulation and analysis of data will inform enforcement determinations of the agency by refining targeting criteria.

Strategy 1.2: Promote Transparency

OLMS' efforts to empower workers and promote labor-management transparency helps to ensure that workers have a voice. Regulations require reports from unions, union officers and employees, employers, and consultants to be submitted electronically which improves overall transparency. These reports highlight union financial conditions, union officer and employer potential conflicts of interest, and employer expenditures for labor relations consultant activities in persuading workers during union organizing campaigns and for obtaining information about employees and unions in connection with a labor dispute. Improving OLMS' ability to increase transparency through public disclosure allows members to self-govern their unions and empower the American worker in making determinations regarding the exercise of their rights to organize and bargain collectively. Transparency is essential to ensure unions remain strong and can advocate for an inclusive workforce.

Unions have an important role in American economy and are critical in improving the lives of the American worker. The fact that workers employed under union-negotiated collective bargaining agreements typically earn higher wages and better benefits supports the critical need for organized labor. However, unions collect billions of dollars in membership dues with the responsibility to work in the interest of working people. These funds require regulation and transparency, and disclosure of the collection and disbursements of union funds empowers each union member with the information needed to participate in the governance process of their union.

Transparency is supported by OLMS' efforts to make all reports available electronically to stakeholders such as union members, workers involved in organizing or contract campaigns, other government officials and the general public. OLMS has mandated electronic filing (e-filing) for almost all required reports, thereby increasing transparency. OLMS' continued efforts to empower workers and their unions require that the data collected be accurate and available to its stakeholders. OLMS will continue to enhance efforts to correct deficiencies in filed reports and to ensure all data presented is complete and available in full context.

On a continuing basis, OLMS gathers information from various sources, and analyzes the data collected to consider whether to issue, amend, or rescind rules and regulations prescribing the form and publication of reports required to be filed under Title II of the LMRDA, and rules and regulations as necessary to ensure all required reports are filed appropriately for true transparency.

Activities:

(b)(7)(E)

(b)(7)(E)



Employer-Consultant Persuader Agreements, and new measure OLMS-RPD-08, Special Reports Cases.

Performance, Risk, and Learning

Performance Measures

Measure ID	Measure Name	FY 2022 Result	FY 2023 Annual Target	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	Applicable Categories (Options: Equity -All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
OLMS-RPD-01	Deficient Reports Cases	--	(b)(7)(E)					Agency Specific
OLMS-RPD-02	Delinquent Report Investigations	--						Agency Specific
OLMS-RPD-03	Number of LM-10 and LM-20 Reports Filed on Employer-Consultant Persuader Agreements	--						Agency Specific
OLMS-RPD-06	Number of Chronically Delinquent Filers for Labor Organization Financial Reports	--						Agency Specific
OLMS-MISC-02	Basic Investigations	--						Agency Specific
OLMS-RPD-07	Percentage of LM-20 Delinquent Filers	N/A						Agency Specific
OLMS-RPD-08	Special Reports Cases	N/A						Agency Specific

Strategy 1.3: Promote Union Democracy

The LMRDA requires labor unions to follow certain standards when conducting union officer elections to ensure a fair election. OLMS promotes labor union democracy through administering these standards, which includes the frequency and method of election, voter secrecy, rights of members in good standing to nominate and to be nominated, among other safeguards. The LMRDA also give union members who believe the standards have been violated a path for filing a complaint with the Secretary of Labor after pursuing internal union remedies. OLMS is responsible for investigating timely and properly filed election complaints, and, dependent on the results, taking appropriate steps to remedy a violation by supervising a new election. OLMS may seek a voluntary agreement or bring a lawsuit in U.S. District Court seeking a new election under the supervision of OLMS if it determines that there was a violation of the LMRDA that may have affected the outcome of the election. The statute requires the Secretary of Labor to file a civil suit within 60 days after the member filed the complaint in those instances, unless the union agrees to a waiver of the filing deadline. To meet the statutory deadline, OLMS continuously works to improve case processing in an effort to reduce the number of waivers required. Conversely, if OLMS determines that no supervised re-run election is required, a statement of reasons is issued by OLMS as to why it reached that conclusion. A complainant who disagrees with OLMS' decision may sue the Secretary and obtain a court order requiring OLMS to supervise a re-run election if the member proves that in some way the decision by the Secretary not to sue was an abuse of discretion.

A key goal for OLMS is the timely resolution of election complaints, and to reduce the number of waivers sought in the election program. To ensure union democracy, OLMS seeks ways to improve case processing and resolution times of the election complaints received. (b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

Activities:

(b)(7)(E)

(b)(7)(E)

Performance and Learning

Performance Measures

Measure ID	Measure Name	FY 2022 Result	FY 2023 Annual Target	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	Applicable Categories (Options: Equity - All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
OLMS-DEM-01	Average number of days to resolve union officer election complaints	--	(b)(7)(E)					Agency Specific
OLMS-DEM-02	Election Investigations	--						Agency Specific

Learning: Completed, Underway, or Planned

Learning Item	Description of how evidence or evidence-building has or will inform the strategy
Election Complaint Trends	(b)(7)(E)

Strategy 1.4: Track the Prevalence and Effects of Persuader Strategies

OLMS is responsible for creating transparency about employer efforts to persuade workers on how to exercise their right protected by the NLRA and other federal laws. The LMRDA establishes reporting and recordkeeping requirements for employers and labor relations consultants who engage in that activity. Under LMRDA section 203(a), an employer must report, on Form LM-10, subject to exemptions, certain expenditures and activities, including any expenditure where an object thereof, directly or indirectly, is to interfere with, restrain, or coerce employees in the exercise of their collective bargaining rights, or to obtain information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer. Further, the employer must report, on Form LM-10, any agreement or

arrangement with a third-party consultant to persuade employees as to their collective bargaining rights or to obtain certain information concerning the activities of employees or a labor organization in connection with a labor dispute involving the employer. Under LMRDA section 203(b), a labor relations consultant, also, is required to report, on Form LM-20, concerning such an agreement or arrangement with an employer. This requirement is subject to an exemption in section 203(c) of the LMRDA, which states, in part, that no one is required to file a report covering the services of a consultant "by reason of his giving or agreeing to give advice" to the employer.

The transparency created by these requirements is designed to better inform workers in making determinations regarding the exercise of their rights to organize and bargain collectively. For example, with the knowledge that the source of the information received is an anti-union campaign managed by an outsider, workers will be better able to assess the merits of the arguments directed at them and make an informed choice about how to exercise their rights and whether to vote for or against union representation.

Although the Department's current guidance on the application of the exemption and persuader reporting guidance, first issued in 1962, requires reporting of both direct and indirect persuader activities, as a practical matter it resulted in reporting of direct persuader activity but, historically, has also led to a significant lack of reporting involving indirect persuader activities. In FY 2016, OLMS promulgated a new rule revising the Department's interpretation of the "advice exemption," as well as the employer and consultant reporting forms and instructions. A Federal court later permanently enjoined the rule, and OLMS subsequently rescinded the rule in FY 2018. (b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

In FY 2022, OLMS coordinated with the Office of the Assistant Secretary for Policy (ASP), to sponsor studies and elicit information concerning the effect of employer "persuader activity" on union organizing. (b)(5); (b)(7)(E)

(b)(5); (b)(7)(E)

Activities:

(b)(7)(E)

(b)(7)(E)

Performance, Risk, and Learning

Performance Measures

Measure ID	Measure Name	FY 2022 Result	FY 2023 Annual Target	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	Applicable Categories (Options: Equity - All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
OLMS-RPD-03	Number of LM-10 and LM-20 Reports Filed on Employer-Consultant Persuader Agreements	800	(b)(7)(E)					Equity-All, Agency Specific
OLMS-RPD-08	Special Reports Cases	N/A						Equity-All, Agency Specific

Strategy 1.5: Enhance Benefits for Workers and Employers through Cooperative Labor-Management Relationships

Organized labor has been in the forefront of promoting policies and legislation designed to improve the lives of American workers. Those employed under union-negotiated collective bargaining agreements typically earn higher wages and better benefits supporting the critical need for organized labor. Despite organized labor's critical role in improving the lives of working Americans, OLMS is the only agency at the Department that has direct programmatic interaction with America's unions. An important OLMS goal is to foster relationships to help legitimize unions and the labor movement among its workers, employers, policy makers, and the general public.

OLMS promotes labor-management transparency as well as labor union democracy and financial integrity through standards for union officer elections and union trusteeships and safeguards for union assets. The agency's enforcement activities are designed to give assurances to workers (and to the public more broadly) that the conduct of union officers and employees is regulated. While enforcement of the LMRDA serves to strengthen the labor movement, it cannot overshadow the important service unions engage in to make our society work in the interest of working people. While most union officials and employees do their work assiduously and without a cause for concern, sometimes civil and criminal violations do occur, and the union is victimized. OLMS is committed to serving the workers whose interests we represent while still maintaining an understanding that unions have a vital role to play in the American economy.

Activities:

- In an effort to empower workers and their unions, and strengthen bargaining in FY 2023, the data OLMS collects will be accurately maintained and presented in full context, posted to the OLMS website including enforcement results and final decisions regarding union officer election investigations. OLMS also recognizes the benefits of cooperative labor-management relationships, achieved through collective bargaining, and through its website (in coordination with the WORK Center website), OLMS will be a resource center for information to promote and advance these programs, ensuring workers are made aware of their labor rights and understand them.
- In FY 2023, the OLMS Director will continue to publish periodic blog posts that support the OLMS Worker's Voice Initiative, supporting worker empowerment and organizing, through discussing issues of importance to the labor movement and to workers. These posts will identify models of worker organizing and empowerment, specifically relating to unionizations and highlight successful examples of labor-management cooperation, to encourage long-term relationships and showcase the advantages of partnerships through collective bargaining.
- In FY 2022, to focus efforts on the most vulnerable and marginalized workers, OLMS created, and hired for, a Labor-Management Partnership Coordinator position in the

agency. In FY 2023, OLMS will develop this resource's role to ensure OLMS serves the workforce whose interests we represent while understanding the importance of unions in the American economy. Included in this development, OLMS will develop a strategy on outreach and engagement to service limited English proficient workers identified as the most vulnerable and identify ways to incorporate outreach and engagement of other language access programs to service the most marginalized workers. These will be tracked under performance milestones OLMS- MILESTONE-MISC-05, and OLMS- MILESTONE-MISC-06.

- In FY 2023, OLMS will study various industries, such as the restaurant and warehousing industries, those most inclined to union organizing, whose workers are primarily from underserved communities, to ensure equity in the lives of all American workers with respect to collective bargaining. This will involve identifying other Departmental agencies whose mission involves them with labor unions or labor-management partnerships, to find areas of overlap to support the Worker's Voice initiative. This will be tracked under performance milestone OLMS-MILESTONE-RPD-02.

Performance and Risk

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
(b)(5); (b)(7)(E)		

Enterprise Risk Management

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Agency Theme 2: Improve Compliance with the Law

Strategy 2.1: Modernize and Increase the Effectiveness of Compliance Assistance

OLMS' mission supports strengthening unions and advancing equity for all through compliance assistance, among other efforts. By ensuring unions, union officers and employees, employers, labor relations consultants, and surety companies understand and comply with the law, OLMS creates confidence among workers, employers, and policy makers. By improving compliance with the law, OLMS will better be able to strengthen workers and their labor organizations which in turn promotes equity in disadvantaged communities. OLMS will continue to improve and expand the platforms in which compliance assistance is offered. In FY 2023, OLMS will undertake the following activities to improve compliance with the law.

Activities:

- **Targeted Compliance Assistance** - OLMS will conduct targeted compliance assistance to underrepresented workers in under-resourced communities, including Black workers, to ensure all workers understand the role they play in the American workforce. These targeted assistance sessions will be joint events with other agencies, e.g. the Wage and Hour Division (WHD), through strategic partnerships and continued engagement,

focusing on economically marginalized communities to educate workers and ensure workers are receiving the greatest possible protections. OLMS will also engage with the Bureau of Labor Statistics (BLS) to obtain data to assist in providing compliance assistance that serves underprivileged communities. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance Provided* and OLMS-MISC-09, *Compliance Assistance Events*.

- **Increase Technical Assistance-** OLMS will continue to improve and expand its available compliance assistance to help users with the process of preparing and completing required disclosure forms electronically to ensure timely and accurate filing. To enhance technical assistance, OLMS will support and train contract employees to assist individuals with technical questions regarding electronic filing.
- **Strengthen Compliance Assistance-** OLMS will continue to strengthen the effectiveness and reach of compliance assistance. This will include updating any compliance assistance guidance and making the public website more user friendly. OLMS will also coordinate accessibility of compliance assistance webinars and develop new materials to ensure union officers and union members understand their rights and responsibilities. OLMS will develop new materials in Spanish and other languages. Materials will feature inclusive language to make all interested parties feel they have a voice that is heard. In addition, in FY2023, OLMS will provide a webinar to its district offices' staff which will focus on enhancing the compliance assistance programs offered on a local level, training the staff to serve as a voice for the American worker. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*, and milestone, *OLMS-Training-04*.
- **Hybrid Compliance Assistance Platform-** OLMS will continue to improve its compliance assistance platform to reach a more diverse audience. While OLMS will again be offering in-person compliance assistance seminars within the jurisdictions of each of our twelve district offices, the benefit of virtual compliance assistance will not be overlooked. We will provide compliance assistance to union officers and employees, among other varied virtual interactions with other parties in need of similar opportunities, including surety companies, labor relations consultants, employers, the non-English speaking public, and union members. While hosting events in-person generates a level of interaction which cannot be attained in a virtual setting, allowing for continued virtual opportunities to present compliance assistance will also contribute to OLMS' outreach efforts with interested parties. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*.
- **OLMS will promote Spanish-Speaking Translation Team (SSTT) Resources-** SSTT team members consist of investigators and managers who translate documents and assist in the investigation of civil and criminal cases in locations where the ability to speak Spanish is required. The SSTT may also assist in handling inquiries from the Spanish-speaking public. OLMS will continue to utilize the work by the SSTT to include additional Spanish language compliance assistant publications and available seminars.

This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*.

Performance and Risk

Performance Measures

Measure ID	Measure Name	FY 2022 Result	FY 2023 Annual Target	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	Applicable Categories (Options: Equity - All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
OLMS-MISC-03	OLMS Participant Hours of Compliance Assistance provided	--	(b)(7)(E)					Equity – All, Agency Specific
OLMS-MISC-09	Compliance Assistance Events	--						Equity – All, Agency Specific

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
(b)(5); (b)(7)(E)		

Strategy 2.2: Enhance Union Outreach

By increasing compliance assistance, outreach, and engagement, and investing in the workforce, OLMS will better be able to protect labor organizations, which in turn promotes equity in disadvantaged communities. OLMS' mission supports strengthening unions. OLMS is furthering its support in advancing equity for all, including people of color and others who have been historically underserved and adversely affected by inequality, by increasing compliance assistance, outreach, and education. OLMS will better ensure that underserved communities have access to disclosure reports and electronic filing through more intentional and inclusive outreach.

The Voluntary Compliance Partnership (VCP) program is a strategic leadership effort through which OLMS partners with international and national labor unions to assist those unions in maximizing their affiliated unions' compliance with various requirements of the law. The VCP focuses on the following compliance initiatives: (a) improving the timely filing of the annual union financial reports by both the international and national unions and their local affiliates; (b) confirming the filing of affiliate union constitutions and bylaws; (c) ensuring all affiliate unions are adequately bonded; (d) providing a summary of areas of financial concern in order to develop safeguards to prevent the misuse of union funds; sharing the results of compliance audit and desk audits conducted by OLMS; and (f) sharing internal controls and other financial best practices, audit guidelines, and training materials.

Activities:

- During FY 2023, OLMS will strengthen the VCP program by providing international and national union partners with compliance assistance tools and resources to restore and increase voluntary compliance. OLMS will continue to encourage international and national unions not partnered with the VCP to join. OLMS will analyze the correlation between participation in the Voluntary Compliance Partnership program and compliance to determine any causal links and to help guide its future outreach strategies. This data and associated correlations will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided*; OLMS-MISC-05-WL *Number of Voluntary Compliance Partnership Agreements in Effect*; and OLMS-MISC-09, *Compliance Assistance Events*, and milestone OLMS-MILESTONE-MISC-07.
- (b)(5); (b)(7)(E)
(b)(5); (b)(7)(E) By increasing participants in the VCP, OLMS can collaborate with parent bodies on expanding the interactions with their local affiliates. This will be tracked under measure OLMS-MISC-05-WL, *Number of Voluntary Compliance Partnership Agreements in effect*.
- (b)(5); (b)(7)(E)
- Employers, consultants, and surety companies have the obligation to file required reports in a timely and accurate manner. OLMS will continue its efforts in FY 2023 to expand

compliance assistance activities to these targeted groups so that they are better able to comply with reporting requirements. This will be tracked under OLMS-MISC-03, *Participant Hours of Compliance Assistance provided* and OLMS-MISC-09, *Compliance Assistance Events*.

Performance and Risk

Performance Measures

Measure ID	Measure Name	FY 2022 Result	FY 2023 Annual Target	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	Applicable Categories (Options: Equity -All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
OLMS-MISC-03	OLMS Participant Hours of Compliance Assistance provided	12,000	(b)(7)(E)					Agency Specific
OLMS-MISC-09	Compliance Assistance Events	70						Agency Specific
OLMS-MISC-05-WL	Number of Voluntary Compliance Partnership Agreements in effect	46						Agency Specific

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date
(b)(5); (b)(7)(E)		

Enterprise Risk Management

Risk ID	Risk Description	Mitigation Strategy (if applicable)	Risk Rating as of 10/1	Risk Tolerance
(b)(5); (b)(7)(E)				

Agency Theme 3: DOL as a Model Workplace

Strategy 1: Implement activities in support of the Department's Diversity, Equity, Inclusion, and Accessibility (DEIA) Plan

Activities:

OLMS is committed to building a modernized workforce inclusive of the Department's Diversity, Equity, Inclusion and Accessibility Strategic Plan. Achieving an organization that encompasses a diverse, equitable, inclusive, and accessible climate will provide a more productive workforce and increase retention.

- (b)(5); (b)(7)(E)
- **Increase outreach and recruitment to underserved communities** – Through the hiring plan developed in the Spring of FY 2022, the agency will increase outreach and recruitment to underserved communities by targeting for example, Historically Black Colleges and Universities (HBCUs) and Hispanic Serving Institutions (HSIs), among other minority-serving institutions. This outreach will be through in-person job fairs and through outreach to career counselors and professional development offices at these institutions. The agency will report on progress through measure OLMS-MISC-10.

- **Maximize use of Workforce Recruitment Program (WRP) and Schedule A Hiring Authority** – By Q1 of FY 2023, the agency will maximize use of the Workforce Recruitment Program (WRP) by issuing a memorandum from the Agency Head requiring all hiring managers to establish an account and review the WRP database to identify potential qualified candidates for position vacancies and with Schedule A hiring authorities prior to posting. This will be tracked through milestone OLMS-REC-02.
- (b)(5); (b)(7)(E)
- **Implement internships, fellowships, and apprenticeships** – OLMS will utilize the Pathways Programs to recruit college students and recent graduates from underserved communities for vacant positions. The agency will report on progress through measure OLMS-MISC-11.
- **Institutionalize DEIA in performance plans** –As in FY 2023, OLMS will institutionalize DEIA into performance for FY 2024 Performance Management Plans to include a performance element for all managers and supervisors' that clearly delineates the agency's commitment to being a model employer and clarifies their roles and responsibilities in advancing DEIA. This will be tracked through milestone OLMS-DEIA-01.
- **Increase participation in leadership and career development training** – During FY 2023, OLMS will deploy a strategy to increase participation in non-mandatory leadership and career development programs such as identifying low to no cost training opportunities and ensuring staff coverage for training offered during work hours. OLMS will also encourage and work to increase participation in programs such as Mentor@Labor and Continuous Learning@Labor, to allow opportunities to employees to develop their general competencies and critical human skills necessary for professional development. This will be tracked through milestone OLMS-Training 04.
- **Ensure the use of inclusive language** – OLMS prioritizes inclusivity in the workplace. In FY 2023, OLMS will continue to review handbooks, workplace internal policies, and other materials to use inclusive language and up-to-date terminology for all employees' part of the agency to promote inclusion. OLMS will support continued improvements to language on agency templates and guidance to ensure internal documents are more inclusive so that employees feel safe and heard. OLMS will update communications and include gender-neutral titles or preferred identifiers to ensure employees feels comfortable and inclusive of the team. This will be tracked through milestone OLMS-MILESTONE-MISC-08.
- **Analyze FEVS Data** – In an effort to encourage employee feedback to increase the quality of FEVS data for analysts, in FY 2023, the agency will continue to communicate FEVS participation rates weekly to staff while the survey is open and provide opportunities for employees to share feedback throughout the year via national office calls, and regional town halls, surveys, focus groups, or other mechanisms. In FY 2013, OLMS partnered with our union leadership of the National Union of Labor Investigators (NULI) in an effort to create a cooperative and productive labor-management relationship, the OLMS-NULI Partnership Group. This group continues to review the Federal Employee Viewpoint Survey (FEVS) results, identify areas of weakness, develop programs to address those weaknesses, and then

assesses the success of those programs. This will be tracked through measure OLMS-MISC-13 and milestone OLMS-FEVS-01.

- **Pilot New Employee Mentorship** – In FY 2023, the agency will assign all new employees a DOL mentor for the first six months of employment. Mentorship will not focus on professional development or subject matter expertise, but on acclimating the employee to DOL workplace culture. Mentors will assist new employees in onboarding, familiarize them with DOL processes, and serve as a sounding board for questions and concerns. At the end of the six-month mentorship, both the mentor and new employee will be surveyed to determine lessons learned or promising practices. If survey results warrant, an additional three-month mentorship will be considered. This will be tracked through milestone OLMS-Training-05.
- **Staff Resources** - In FY 2023, OLMS will identify the most significant language groups of marginalized workers and will use this to establish the available bilingual / multilingual staff resources available within OLMS. The agency will build upon the already established Spanish-Speaking Workgroup Team, as necessary, for equitable support across the agency. OLMS will review the existing position descriptions for bilingual personnel pursuant to the DEIA initiative, and incorporate, as applicable, the needs for additional bilingual requirements for outreach and engagement with underserved communities and vulnerable workers in current and future positions with OLMS. We will continue to utilize translation and other interpretation services, where appropriate, to provide language access to all workers.
- **Successful Hybrid Work** – OLMS will regularly assess its workforce data to ensure telework eligibility and participation determinations are being made in accordance with agency policy and applicable law, fairly and equitably, and in a manner that effectively meets the agency mission needs.
- **Employee Incentives and Rewards** – OLMS will continue to utilize established recognition programs to reward exceptional service and high performers. OLMS will promote the use of available good job awards, spotlights on quality, and peer to peer recognitions, to recognize and reward those employees for worthy contributions to the Department of Labor’s mission.

Performance

Performance Measures

Measure ID	Measure Name	FY 2023 Annual Target	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	Applicable Categories (Options: Equity -All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
OLMS-MISC-10	Number of outreach events at HBCUs and other MSIs	3	--	--	--	--	DEIA Plan, Hiring
OLMS-MISC-11	Number of postings for Pathways Programs from underserved communities	3	--	--	--	--	DEIA Plan, Hiring
OLMS-MISC-12	Increase the response rate of OLMS employees to the FEVS survey	62.5%	--	--	--	--	Equity-All

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date	Applicable Categories (Options: Equity -All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)
(b)(5); (b)(7)(E)			

Strategy 2: Incorporation of Annual Hiring Plan

OLMS is incorporating its Annual Hiring Plan into this AMP by reference. The plan will be linked to the appropriate agency employee performance standards.

Agency Theme 4: Data as a Strategic Asset

Strategy 1: Development of Case Management Platform & Data Analytics

Activities:

- **Modernization of Case Management Platform** - OLMS will continue with the modernization of the Case Management Platform, to begin the discovery phase of the project, and develop system requirements for the overall project plan in FY 2023. The modernized system will retain the existing business relevant functionality in cloud ready format and will add the supportability, security, and functionality that is gained from using modern technology and agile development methodologies. OLMS intends to use existing Appian business functionality developed for DOL and expand functionality to other areas that are currently unavailable for the new environment. This new system will have improved capabilities such as the introduction of modern data analytics and provide employees and the public with modern technologies for a better internal and external IT customer experience. This will be tracked under milestone OLMS-Data-01.
- **Worker's Voice Initiative**- To advance on OLMS Worker's Voice Initiative, in FY 2023, OLMS will continue to analyze how OLMS data reflects the integrity of the vast majority of unions and their officers and employees, the positive impact unions have had on reducing wage gaps and improving benefits, and other timely issues. OLMS will continue to build and collaborate with other internal DOL and external agencies (including, e.g. the NLRB, FMCS, FRLA, EBSA, OSHA, MSHA, OFCCP) connecting unions, workers, employers and the general public, with links to enforcement results on the OLMS website, and expand the OLMS mission into Labor-Management cooperative efforts. Also, we will continue to advance data sharing through coordination with other agencies to determine what unions we audit, and the pursuance of other enforcement areas. This exchange of information promotes the agency and encourages the importance of OLMS to the labor communities.
- **Assessment of OLMS Financial Data**- OLMS will review LM form data and other OLMS administrative datasets, external quantitative datasets, and other limited qualitative data collected in an exploratory study to understand how the data can be used to characterize labor union density, mobilization, and penetration to better study the effects of unions on workplace conditions, local economies, and communities. This information could advance our understanding of the role that unions play in the American labor market to contribute to ensuring safe jobs, essential protections, and fair workplaces, and to improve enforcement activities and protections for all.
- **Demographic Data and Identification of Language Groups of Underserved Communities.** OLMS will develop greater understanding and proficiency with BLS and other data to learn more about the role unions play in building equity among different worker communities. OLMS will look for ways to share data across offices and departments. OLMS will identify significant language groups, through collaboration with internal and external DOL agencies for data, eligible to be served by the field offices focusing on workers that are the most vulnerable. OLMS will assess those most marginalized workers in geographic areas across the country and evaluate trends and changes in such demographics and economic circumstances if available data allows. A brief white paper will summarize the results of the identification and analysis to make specific and targeted recommendations for change. OLMS

will further develop a peer review initiative to review the OLMS website to identify areas of strength and weaknesses in support of DOL’s broader equity initiative, focusing on improving language access for the most vulnerable and marginalized workers. This activity will be tracked in milestones OLMS-MILESTONE-MISC-09 and OLMS-Data-02.

Performance and Risk

Performance Milestones

Milestone ID	Milestone Description	Milestone Due Date	Applicable Categories <small>(Options: Equity -All, DEIA Plan, Customer Experience, Climate, Agency Specific, Hiring)</small>
(b)(5); (b)(7)(E)			

Appendix B – Performance Measures and Milestones (Complete List)

Measure ID	FY 2023 Agency Management Plan Measures	FY 2021 Result	FY 2022 Target	FY 2022 YTD Result	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	FY 2023 Target
OLMS-RPD-03	Number of LM-10 and LM-20 reports filed on employer-consultant persuader agreements	480	(b)(7)(E)	775	(b)(7)(E)				
OLMS-RPD-02	Delinquent Report Investigations	1,836		735					
OLMS-RPD-01	Deficient Report Investigations	177		132					
OLMS-RPD-07	Percentage of LM-20 Delinquent Filers	N/A		N/A					
OLMS-RPD-08	Special Reports Cases	N/A		N/A					
OLMS-FI-02	Compliance Audits	221		143					
OLMS-FI-01	Criminal Investigations	202		94					
OLMS-MISC-05-WL	Number of Voluntary Compliance Partnership Agreements in effect	45		N/A					
OLMS-MISC-02	Basic Investigations	42.0		N/A					
OLMS-MISC-03	Participant Hours of Compliance Assistance provided	8,294.00		4,415					

Measure ID	FY 2023 Agency Management Plan Measures	FY 2021 Result	FY 2022 Target	FY 2022 YTD Result	FY 2023 Q1 Target	FY 2023 Q2 Target	FY 2023 Q3 Target	FY 2023 Q4 Target	FY 2023 Target
OLMS-MISC-07-WL	Employee Protections Certifications	1,985	(b)(5)	N/A	(b)(5)				
OLMS-MISC-08-WL	Claims Arbitrated	0		N/A					
OLMS-MISC-09	Compliance Assistance Events	99	(b)(7)(E)	65	(b)(7)(E)				
OLMS-MISC-10	Number of outreach events at HBCUs and other MSIs	N/A		N/A					
OLMS-MISC-11	Number of postings for Pathways Programs	N/A		N/A					
OLMS-MISC-12	FEVS Question	N/A		N/A					
OLMS-DEM-02	Election Investigations	78		62					
OLMS-DEM-03	Supervised Elections	27.00		9					
OLMS-DEM-04	Trusteeship Investigations	17		N/A					
OLMS-DEM-01	Average number of days to resolve union officer election complaints	66.9		N/A					
OLMS-FI-03	Percent of targeted audits that result in a criminal case	15.25%		13.70%					
OLMS-RPD-05	Percent of disclosure reports filed electronically	97.4%		98.8%					

Appendix C – Equity Appendix

Theme 1: Worker Empowerment and Organizing

Strategy 2: Promote Transparency (pg. number 8)

OLMS' efforts to empower workers and promote labor-management transparency helps to ensure that workers have a voice in their workplaces. Unions have an important role in American economy and are critical in improving the lives of all American workers including those who are the most vulnerable and marginalized. The regulation and transparency of union funds empowers each union member with the information needed to participate in the governance process of their union. To ensure equity, OLMS will identify significant language groups focusing on workers that are the most vulnerable and identify the reports and materials that can and should be made available in languages other than English to promote transparency to those LEP members.

Strategy 4: Track the Prevalence and Effects of Persuader Strategies (pg. number 14)

OLMS will continue to build on effects of persuader activity on union organizing, specifically in underserved populations, focusing on those areas of poverty among a predominately Black workforce. OLMS will study those underserved communities most affected to develop and initiate applicable education and outreach to those communities, enforcement of employers and consultants pertaining to union organizing and surveillance to ensure transparency and allow workers to have a voice in exercising their rights. OLMS will track the number of reports filed by employers and consultants to ensure transparency to all workers, measure the number of surveillance and indirect persuader cases and applicable enforcement, and target those industries most susceptible to union organizing whose workers are from marginalized, underserved communities.

Strategy 5: Enhance Benefits to Workers from Cooperative Labor-Management Relationships (pg. number 19)

OLMS will continue efforts to directly interact with America's unions and foster relationships to help legitimize unions and the labor movement amongst its workers, employers, policy makers, and the public. OLMS' efforts to promote transparency will empower works and their unions, and strength bargaining in FY 2023. OLMS will be a resource center through its website, through cooperating labor management partnerships, and through engagement and outreach of workers who are limited in their English proficiency, or who are marginalized workers amongst industries most susceptible to union organizing.

Equity Performance Measures

<u>Measure ID</u>	<u>Measure Name</u>	<u>FY 2022 Result</u>	<u>FY 2023 Annual Target</u>	<u>FY 2023 Q1 Target</u>	<u>FY 2023 Q2 Target</u>	<u>FY 2023 Q3 Target</u>	<u>FY 2023 Q4 Target</u>	<u>Applicable Category (Options: Equity - All, DEIA Plan)</u>
OLMS-RPD-03	Number of LM-10 and LM-20 Reports Filed on Employer-Consultant Persuader Agreements		(b)(7)(E)					Equity-All
OLMS-RPD-08	Special Reports Cases	N/A						Equity-All

Equity Performance Milestones

<u>Milestone ID</u>	<u>Milestone Description</u>	<u>Milestone Due Date</u>	<u>Applicable Categories (Options: Equity -All, DEIA Plan)</u>
(b)(5); (b)(7)(E)			

Theme 2: Improve Compliance with the Law

Strategy 1: Modernize and Increase the Effectiveness of Compliance Assistance (pg. number 21)

To improve compliance with the law, OLMS will expand platforms, and the communities for which compliance assistance is offered. Through targeted compliance assistance focused on unions composed of limited English speakers, we can continue to educate workers to ensure they are afforded the greatest possible protections. OLMS will explore using compliance assistance to educate workers on their rights under the National Labor Relations Act.

Strategy 2: Enhance Union Outreach (pg. number 25)

By increasing compliance assistance, outreach and engagement, and investing in the workforce, OLMS will better be able to protect labor organizations, which in turn promotes wealth equity in disadvantaged communities. OLMS will focus on increasing compliance assistance and outreach amongst underserved communities to ensure equity for all through access to disclosure reports and electronic filing and will strengthen partnerships in place within the VCP, with the tools and resources needed to increase voluntary compliance amongst their local unions.

Equity Performance Measures

<u>Measure ID</u>	<u>Measure Name</u>	<u>FY 2022 Result</u>	<u>FY 2023 Annual Target</u>	<u>FY 2023 Q1 Target</u>	<u>FY 2023 Q2 Target</u>	<u>FY 2023 Q3 Target</u>	<u>FY 2023 Q4 Target</u>	<u>Applicable Category (Options: Equity -All, DEIA Plan)</u>
OLMS-MISC-03	OLMS Participant Hours of Compliance Assistance provided		(b)(7)(E)					Equity – All, Agency Specific
OLMS-MISC-09	Compliance Assistance Events							Equity – All, Agency Specific

Equity Performance Milestones

<u>Milestone ID</u>	<u>Milestone Description</u>	<u>Milestone Due Date</u>	<u>Applicable Categories (Options: Equity -All, DEIA Plan)</u>
(b)(5); (b)(7)(E)			

Theme 3: DOL as a Model Workplace

Strategy 1: Implement Activities in Support of the Department's Diversity, Equity, Inclusion Plan (pg. number 27)

OLMS is committed to building a modernized workforce inclusive of the Department's Diversity, Equity, Inclusion and Accessibility Strategic Plan. Achieving an organization that encompasses a diverse, equitable, inclusive, and accessible climate will provide a more productive workforce and increase retention. OLMS will accomplish this through outreach and recruitment, targeting underserved communities to diversify the workforce, ensuring recruitment packages eliminate any unnecessary barriers, and retain the workforce through constructive employee feedback, inclusive language, and encouraging staffing resources for professional development.

Equity Performance Measures

<u>Measure ID</u>	<u>Measure Name</u>	<u>FY 2022 Result</u>	<u>FY 2023 Annual Target</u>	<u>FY 2023 Q1 Target</u>	<u>FY 2023 Q2 Target</u>	<u>FY 2023 Q3 Target</u>	<u>FY 2023 Q4 Target</u>	<u>Applicable Category (Options: Equity - All, DEIA Plan)</u>
OLMS-MISC-10	Number of outreach events at HBCUs and other MSIs	--	(b)(5); (b)(7)(E)					DEIA Plan
OLMS-MISC-11	Number of postings for Pathways Programs from underserved communities	--						DEIA Plan
OLMS-MISC-12	FEVS Question	--						DEIA Plan

Equity Performance Milestones

<u>Milestone ID</u>	<u>Milestone Description</u>	<u>Milestone Due Date</u>	<u>Applicable Categories (Options: Equity - All, DEIA Plan)</u>
(b)(5); (b)(7)(E)			Equity-All

<u>Milestone ID</u>	<u>Milestone Description</u>	<u>Milestone Due Date</u>	<u>Applicable Categories</u> <u>(Options: Equity - All, DEIA Plan)</u>
(b)(5); (b)(7)(E)			

Theme 4: Data as a Strategic Asset

Strategy 1: Development of Case Management Platform & Data Analytics (pg. number 32)

OLMS will develop greater understanding of, and proficiency with. Bureau of Labor Statistics (BLS) and other data to learn more about the role unions play in building equity among different worker communities. OLMS will look for ways to share data across offices and departments. OLMS will identify significant language groups, through collaboration with internal and external DOL agencies for data, eligible to be served by the field offices focusing on workers that are the most vulnerable. OLMS will assess those most marginalized workers in geographic areas across the country and evaluate trends and changes in such demographics and economic circumstances if available data allows.

Equity Performance Milestones

<u>Milestone ID</u>	<u>Milestone Description</u>	<u>Milestone Due Date</u>	<u>Applicable Categories</u> <u>(Options: Equity - All, DEIA Plan)</u>
OLMS-MILESTONE-MISC-09	Identify significant language groups eligible to be served by the field offices focusing on workers that are the most vulnerable.	12/31/2022	Equity-All
OLMS-Data-02	Analysis of demographic data and initiation of a peer review program to develop specific recommendations for change.	09/30/2023	Equity-All