**LABOR LAB**

NOV 14 2022

Dear Brothers and Sisters of UNITHE Local 17:

Thank you for taking the time to review the enclosed documents.

LaborLab LaborLab is a 501(C)3 nonprofit watchdog organization that tracks, monitors, and reports on union-busting activities throughout the United States. Our work shines a light on failures in labor law enforcement and exposes criminal acts committed by anti-worker special interests.

Federal law requires anti-union consultants and their clients to report certain antiworker activities. These documents reveal regular violations of U.S. labor laws and extensive special interest attacks on workplace democracy. At LaborLab, we weed through these documents, report violations to the public and media outlets, and create pressure on government agencies to enforce current labor law rules. In addition, we develop interactive tools detailing union-busting activities, host a podcast so workers have a place to voice their stories, and run a tip line to report union-busting consultants.

To put it bluntly, we are currently over capacity and need UNITHE Local LU's support and solidarity if we are going to continue and build upon our work.

Enclosed you will find

1. A Letter of Request for Financial Support
2. Additional Details on Becoming a LaborLab Partner
3. An Executive Summary Detailing Our Mission and Work

**Whether it's $500 or $50,000, your financial support is appreciated and put to good use. By working together, we can continue to hold the union-busting industry accountable and defend the right to unionize.**

In sincere thanks and solidarity,

Bob Funk
Executive Director and Founder
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**To:** UNITHE Local 17
**From:** Bob Funk, LaborLab Executive Director and Founder
**Subject:** Letter of Request for Financial Support

The critical work of LaborLab is highly valued by many rank-and-file workers, union organizers, researchers, reporters, and public policy officials. Many have advised us that we were the first place they turned to for assistance. Others are distrustful of government agencies and their websites and for them, LaborLab is a key resource in their quest to gain an effective voice in their workplace.

We have also identified a growing circle of journalists, academics, and public policy researchers who have come to rely upon LaborLab as a key resource in their work, as have a growing number of union organizers and researchers who need easily available and well-sourced data about so-called "persuader" consultants and the employers who hire them.

But we have relied too long upon the efforts of already-overstretched volunteers and even retirees who can only contribute so much for so long. The utility of our *Tracker* database has grown significantly as we are about to add one additional public-facing feature, a scorecard on the *timeliness of filing* of all persuader LM-20 reports filed since January 1, 2021. This resource will allow workers, unions, journalists, the public and even employers themselves the ability to find out how the one hundred or so "persuader" consultants to file their required LM-20 reports within the statutory 30 days after reaching a "persuader" agreement with the employer. This database is also allowing us to "map" the relationship between consultants and individuals, as the persuader industry is increasingly subcontracting out its work to other independent contractors and consulting firms. Finally, this database product will be used to identify independent contractors (subcontractors) who are required to file an LM-20 once they are hired by a persuader engaging in a "reportable" persuader agreement. This can be used to support a complaint of non-filing with the Office of Labor-Management Standards ("OLMS") who enforces the reporting and disclosure requirements of the LMRDA.

These two products alone will significantly increase the knowledge base available about an industry that prefers to remain hidden in the shadows. To quote reformed union-buster Matry Levitt, "union busting is a field populated by bullies on deceit... The only way to bust a union is to lie, distort, manipulate, threaten, and always, always attack." As Justice Brandeis once wrote before his elevation to the Supreme Court, "sunlight is the best disinfectant" and we believe these two products are living proof.

But there is more that we have planned, provided sufficient resources are available. Form LM-10 must be filed by employers who both engage in reportable persuader

activity as well as other forms of union busting, must file within 90 days of the close of their fiscal year.  Our plans are to develop a <u>second</u> database, going back to January 1, 2021 (this is when all LM-10 reports <u>must</u> be filed electronically) and maintaining it as a dynamic database.  With this, we will generate at least several additional products:

1. A similar *timeliness scorecard* of LM-10 filers, so workers, unions, and the public may see for themselves how good a job an individual employer or group of employers is doing with respect to timely filing of their LM-10.

2. A *purpose of filing scorecard* which will show the purpose for which employers are filing their LM-10.  Currently, there are five events which trigger the filing of an LM-10 besides to report the existence of and expenditures on a persuader agreement: simply stated, these include payments to union officials, payments to workers to engage in persuader activity, commission of unfair labor practices, and payments to surveil workers or unions.  This scorecard will allow the user to learn which employers are filing for what type of activity and how much they are spending on it. Note that the LM-10 form instructions require that the itemize all payments by type of union busting activity.

3. Crossmatch with LM-20 and LM-21:  One of the major concerns in this field is knowing whether all the necessary forms have actually been filed.  For example, the best way to learn whether an employer has filed their LM-10 for persuader activity is the existence of an LM-20 naming that employer and/or attaching a written agreement with that employer and/or an LM-21 (Annual Persuader Report which must be filed within 90 days of the close of the persuader's fiscal year) which specifically lists that employer.  Likewise, when crossmatched with LM-20s, the LM-10s also reveal LM-20s that have not been filed.  Our database will generate a list of LM-10s and LM-20s that have not yet been filed, so that a complaint on non-compliance can be registered with OLMS.

Our plans do not simply involve more sophisticated and innovative research tools because that would not be enough to foment lasting strategic change.  The use and application of these tools cannot effectively proceed without educating union organizers and researchers and working even more closely with interested journalists and public policy researchers.

Beginning first with investigative reporting, we plan to integrate these new tools into generation of even more stories for our website and hopefully a series of press releases as we are beginning to construct a press distribution list.  One of our frequent contributors is fluent in Spanish and with adequate funding, we believe we can offer a Spanish-language service as well.

We have identified several International Trade Secretariats, such as the International Transport Federation, to whom we plan to send stories to about union busting at airlines, maritime, rail, trucking, and public transport employers in the US to build

greater awareness of union busting, which has spread to other companies around the world.

We would like to build an active presence at regular conferences such as Labor Notes, the Labor Researchers Action Network, the Labor Press Association.

Finally, we want to build capacity within unions themselves to apply the tools and data available through Labor Lab to organize more effectively, to communicate more incisively with their members and to share with employers the folly of large expenditures on union busting. We plan to do this by first providing the union with a list of recent National Labor Relations Board certification elections that union was involved in, the outcome and whether or not a persuader was involved, and how much money that employer spent on that persuader. We also have the capability to generate short pieces in English and Spanish for distribution to workers and organizers explaining the linkage between persuader activity and union outcomes.

As we build partnerships between unions and LaborLab, we will plan on conducting regular educational briefings on union busting activity in their industries and show them how to use all the LaborLab online resources. Most unions have annual regional conferences, meetings, and conventions which we will be actively present at (including an informational booth) to train, network, answer questions and network. We will also assist unions in revising the training for union organizers in how to use LaborLab's resources. The objective is to build as much capacity internally as possible, while LaborLab continues to grow both its services and its reach.

**But we are approaching the breaking point now. We are doing all we can and straining existing funding to the max. There is so much more we can do with additional funds.**

**BECOME A LABORLAB PARTNER**



LaborLab is a 501(C)3 nonprofit watchdog organization committed to investigating the union-busting industry and its clients. Our work exposes the labor law crisis facing our nation and gives voice to workers subjected to coercive anti-union activities.

Through our research and communications work, we are pressuring government agencies to enforce the laws meant to protect workers' right to unionize and other concerted activities.

### Investing in LaborLab

LaborLab's mission is past the proof of concept stage and now a proven investment producing media coverage and groundbreaking research. This work is resulting in changes to government agency rules pertaining to worker rights and benefiting the public interest. Since 2021, we have received investments from national and local unions, labor federations, and the Ford Foundation's Future of Work(ers).

### <u>Your</u> Investment in LaborLab

Your LaborLab investment funds our investigative reporting and research.
Specifically, LaborLab is looking to grow our team of investigative reporters and hire a data team that will maintain and analyze LaborLab's growing database, which already contains over 56,000 data points on the union-busting industry and its clients.

To receive more information on our work and how your investment makes a difference for the labor movement, please contact LaborLab Executive Director Bob at funk@laborlab.us or 406-461-6787

### How To Invest In LaborLab

The typical partner investment in LaborLab ranges between $1,000 to $150,000.

To invest in LaborLab, please contact LaborLab Executive Director Bob at funk@laborlab.us or 406-461-6787. Investments can be accepted via bank wire, online, or check.

**LaborLab currently reaches an audience of over 500,000 activists, reporters, unionists, and government officials. Together, we are holding anti-worker special interests accountable.**

LaborLab is a 501(C)3 nonprofit watchdog organization that tracks, monitors, and reports on union-busting activities throughout the United States.

The three pillars that comprise LaborLab's mission are innovative research, investigative reporting, and strategic change.

## Innovative Research

Under federal law, anti-union consultants and their clients are required to report certain anti-worker activities to the Department of Labor. These documents reveal regular violations of U.S. labor laws and an extensive network of special interests hell bent on defeating workplace democracy (i.e. unions). This critical information is relatively ignored by the public, media, and even the labor movement. The failure to utilize this information and hold anti-worker special interests accountable is in large part due to the fact that the data is extremely difficult for the public, researchers, and even academics to navigate, much less analyze. LaborLab is changing that.

We collect an unprecedented amount of information relating to anti-union special interests, which we then pour over and make accessible to the public, worker advocates, media, and policymakers. Not only do we identify where union-busting is taking place around the country, but we also identify bad actors who intentionally and regularly violate federal law while attacking the rights of workers.-Here's what just a few notable figures are saying about LaborLab's research:

"Unfortunately we need this great new tool." - Randi Weingarten, President of The American Federation of Teachers

"Giant corporations are constantly, quietly making their employees' lives hell, and as hard as we try, most unionbusting efforts go under the radar, allowing the companies to maintain their image. [LaborLab] is an essential tool." - Jordan Zakarin, Reporter and Producer for More Perfect Union

"... when we know where union-busting is happening, we can come together to call it out and make sure workers don't feel alone..." - Cindy Estrada, Vice President of the United Auto Workers

"LaborLab has built one of the largest online databases of union busters in the U.S." - Mike Elk, Emmy-Nominated Labor Reporter

"[LaborLab] has put together a 'Union-Busting Tracker' that gives unions a fuller picture of the antiunion forces that workers face." - Steven Greenhouse, former New York Times Labor Reporter and author of Beaten Down, Worked Up: The Past, Present, and Future of American Labor

## Investigative Reporting

LaborLab's work doesn't end at collecting and digesting critically important data, we go further by investigating and reporting on our findings.

Our investigative reporting, which we provide for free to the public, regularly leads to coverage in major publications such as *The Boston Globe*, *Forbes*, *The American Prospect*, *HuffPost*, *LaborNotes*, and *Payday Report*. Our work is also followed by thousands of journalists, opinion writers, union members, and policymakers.

Most importantly, LaborLab gives workers a voice. For example, we produce *4315*, a podcast co-hosted by two union organizers who were fired for trying to organize a union during the pandemic. The podcast features the first hand stories and experiences of workers battling the union-busting industry.

## Strategic Change

LaborLab works to create real change for millions of American workers. By highlighting major flaws in current labor law and rule making, we create pressure on government agencies to finally start enforcing labor law as it pertains to union-busting.

By illustrating the lack of enforcement around the current rules, LaborLab is successfully building the fact-based narrative that labor law enforcement is in crisis and needs to be addressed.

To date, we have already seen success. In response to our work, the Department of Labor has launched a tip line to report union-busting consultants and is even convening partners on how to better enforce existing labor law. This, however, is just the beginning.