

INSTRUCTIONS FOR FORM SBM-LM-1 LABOR ORGANIZATION INFORMATION REPORT

GENERAL INSTRUCTIONS

I. WHY FILE

RSMo 105.533 Cum. Supp. 2018 requires public disclosure of information concerning the structure, practices, and procedures of labor organizations. The Missouri Department of Labor and Industrial Relations - State Board of Mediation (Board), under the authority of said section, has prescribed the filing of the Labor Organization Information Report, Form SBM-LM-1, for labor organizations to satisfy this reporting requirement.

II. WHO MUST FILE

Every labor organization as defined in RSMo 105.500, excluding those as described in RSMo 105.503. If you have a question about whether your organization is required to file, contact the Board at SBM@labor.mo.gov or by calling 573-751-3614.

III. WHAT FORMS TO FILE

Initial Form SBM-LM-1

Every labor organization subject to RSMo 105.500 and 105.503 is required to adopt a constitution and bylaws and file a copy together with an initial Form SBM-LM-1 with the Board. The initial Form SBM-LM-1 must report certain information concerning the structure, practices, and procedures of the labor organization. The Board will acknowledge receipt of your organization's initial Form SBM-LM-1 and advise you of the 6-digit identifying file number that has been assigned to your organization. This file number must be entered on the annual financial reports (Form SBM-LM-2) which your labor organization is also required to file with the Board.

Amended Form SBM-LM-1

A labor organization is required to file an amended Form SBM-LM-1 to update the information on file with the Board if there are any changes in the practices and procedures listed in Item 18, Column (2) of its most recent Form SBM-LM-1. These are changes in practices and procedures which are not contained in the labor organization's constitution and bylaws. The amended Form SBM-LM-1 must be filed with your organization's annual financial report (Form SBM-LM-2) for the reporting period in which the change occurred.

IV. WHO MUST SIGN THE REPORT

Form SBM-LM-1 must be signed by the president and the secretary or corresponding officers of the reporting labor organization.

V. WHEN TO FILE

You must file Form SBM-LM-1 within 90 days after the date on which your labor organization becomes subject to the Missouri statutes. Also, subsequent to filing Form SBM-LM-1, you must file annual financial reports (Forms SBM-LM-2) within 90 days after the end of your organization's fiscal year.

VI. WHERE TO FILE

The completed Form SBM-LM-1 and any required attachments and additional pages must be mailed to the following email address:
SBM@labor.mo.gov

Or to: State Board of Mediation

P.O. Box 2071

Jefferson City, MO. 65102-2071

VII. PUBLIC DISCLOSURE

Pursuant to Missouri statute, the Board is required to make all submitted reports available for public inspection. You may examine the Form SBM-LM-1 reports at <https://labor.mo.gov/SBM>, and purchase copies from the Board at the above addresses.

VIII. OFFICER RESPONSIBILITIES AND PENALTIES

The president and secretary or the corresponding principal officers of the labor organization required to sign Form SBM-LM-1 are personally responsible for its filing and accuracy. Pursuant to RSMo 105.555, these individuals are subject to criminal penalties for willful failure to file a required report and for false reporting. False reporting includes making any false statement or misrepresentation of a material fact while knowing it to be false, or for knowingly failing to disclose a material fact in a required report or in the information required to be contained in it or in any information required to be submitted with it.

The reporting labor organization and the officers required to sign Form SBM-LM-1 are also subject to civil prosecution for violations of the filing requirements.

IX. RECORDKEEPING

The individuals required to file Form SBM-LM-1 are responsible for maintaining records which must provide in sufficient detail the information and data necessary to verify the accuracy and completeness of the report. You must retain the records for at least 5 years after the date the report is filed. You must retain any record necessary to verify, explain, or clarify the report including, but not limited to, vouchers, worksheets, receipts, and applicable resolutions. Individuals are subject to penalties for willfully making any false entry in or concealing, withholding, or destroying any books, records, or statements required to be kept.

X. COMPLETING FORM SBM-LM-1

Read these instructions carefully before completing Form SBM-LM-1.

Information Entry. Entries on the report should be typed.

Additional Pages. If you need additional space to complete an item, enter the additional information on a separate letter-size (8.5 x 11) page(s), indicating the number of the Item to which the information applies. Print clearly at the top of each attached page the name of your organization, its 6-digit file number as reported in Item 1 of Form SBM-LM-1, if available, and the fiscal year ending date as reported in Item 2. All attachments must be labeled sequentially 1 of __, 2 of __, etc.

IDENTIFICATION ITEMS 1 - 9 (To be completed by all filers.)

Answer Items 1 through 9 as instructed. Enter "None" or "Not Applicable," where appropriate. Select the appropriate box for those questions which require a **Yes** or **No** answer; do not leave both boxes blank.

1. FILE NUMBER – If this is an initial Form SBM-LM-1, leave Item 1 blank. If this is an amended Form SBM-LM-1, enter the 6-digit file number which the Board has assigned to your organization. If you cannot obtain the number from previous reports filed by your organization, contact the Board to obtain your organization's file number.

2. FISCAL YEAR ENDING DATE – If this is an initial Form SBM-LM-1, enter the month, day, and year on which the fiscal year of your organization ends. If this is an amended Form SBM-LM-1 which must be submitted with your organization's annual financial report, enter the last date covered by the financial report, including the month, day, and year. This date should be the same as the last date entered in Item 2 of your organization's annual financial report (Forms SBM-LM-2).

3. INITIAL OR AMENDED REPORT – Select **Yes** if this is the first Form SBM-LM-1 filed by your organization. Select **No** if this is an amended Form SBM-LM-1 filed by your organization due to changes in the practices and procedures listed in Item 18, Column (2) of your organization's most recent Form SBM-LM-1. These are changes in practices and procedures which are not contained in your organization's constitution and bylaws

4. AFFILIATION OR ORGANIZATION NAME – Enter the name of the national or international labor organization which granted your organization a charter. If your organization has no such affiliation, enter the name of your organization as currently identified in your constitution and bylaws or other organizational documents.

5. DESIGNATION – Enter the designation that specifically identifies your organization, such as Local, Lodge, Branch, Joint Board, Joint Council, District Council, etc.

6. DESIGNATION NUMBER – Enter the number or other identifier, if any, by which your organization is known.

7. UNIT NAME – Enter any additional or alternate name by which your organization is known, such as "Anytown, Mo. Teachers."

8. MAILING ADDRESS – Enter the name and title of the person to whom mail should be directed, and the complete address where mail should be sent and received, including any building and room number.

9. PLACE WHERE RECORDS ARE KEPT – If you maintain any of the records required to be kept by your organization to verify this report at the address reported in Item 8, select **Yes**. If not, select **No** and provide in Item 17 the address where your organization’s records are kept.

INFORMATION ITEMS 10 - 17 *(To be completed by initial filers only.)*

10. CITY, COUNTY, AND STATE WHERE CHARTERED TO OPERATE – Enter the city, county, and state in which your organization is chartered or authorized to operate. If there is no city named in your organization’s charter, or if there is no city in which the national or international organization has authorized your organization to operate, then enter the city, county, and state where your organization’s main office is located. Do not list a private residence. If your organization has no main office, enter the city, county, and state where most of the members work.

11. NEXT REGULAR ELECTION – Enter the month and year of your organization’s next regular election of general officers (president, vice president, treasurer, secretary, etc.). Do not report the date of any interim election to fill vacancies.

12. TYPE OF LABOR ORGANIZATION – Select the appropriate box to indicate whether your organization is a local labor organization of any kind, an intermediate body of any kind, or a national or international labor organization. The selected box should indicate the type of labor organization rather than its official name.

13. OFFICERS – List the names and titles of all the officers of your organization (including the officers who sign this report). Officer is defined as “any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.” If any officer listed in Item 13 was not elected in a regular election in accordance with the provisions of your organization’s constitution and bylaws or other governing documents, explain in Item 17 the manner in which the officer was chosen.

14. DUES AND FEES – Enter the dues and fees established by your organization. If more than one rate applies, enter the minimum and maximum rates.

Line (a): Enter the regular dues or fees or other periodic payments which a member must pay to be in good standing in your organization and enter the calendar basis for the payment (per month, per year, etc.). If your organization requires members to pay “working” dues as a part of regular dues, also report the amount or percent of “working” dues and enter the basis for the payment (per hour, per month, etc.). Include only the dues or fees of regular members and not dues or fees of members with special rates, such as apprentices, retirees, or unemployed members.

Line (b): Enter the working dues required from members.

Line (c): Enter the initiation fees required from new members.

Line (d): Enter the fees other than dues required from transferred members. Such fees are those charged to persons applying for a transfer of membership to your organization from another labor organization with the same affiliation. Do not report fees charged to members transferring from one class of membership to another within your organization.

Line (e): If your organization issues work permits, enter the fees required and enter the calendar basis for the payment (per month, per year, etc.). Work permit fees are fees charged to nonmembers of your organization who work within its jurisdiction. Do not report as work permit fees those fees charged to nonmember applicants for membership pending acceptance of their membership application, or fees charged to persons applying for transfer of membership to your organization pending acceptance of their application for transfer. Enter **NONE** if your organization does not issue work permits.

15. CONSTITUTION AND BYLAWS – A copy of your organization’s constitution and bylaws must be filed with the Board. If your organization is governed by a uniform constitution and bylaws prescribed by your organization’s parent national or international body, your organization’s parent body may file the constitution and bylaws on your behalf. If your parent body files a constitution and bylaws on your behalf, select **Yes**. If your parent body does not file a constitution and bylaws on your behalf, you must complete the following: select **No**; list the governing documents that you are filing with this report in the space provided in Item 17; and attach a dated copy of the governing documents to this report. Be sure the documents contain the name of your organization.

16. PRACTICES AND PROCEDURES – For each of Lines (a) through (l), indicate in Column (1) the page number and section or paragraph where each practice or procedure is described in your organization’s constitution and bylaws or other governing rules filed with the Board. If the practices and procedures specified in Lines (a) through (l) are not described in the constitution and bylaws or other governing rules filed with the Board, select the box in Column (2) and provide a detailed statement in Item 17, or on a separate letter-size page attached to Form SBM-LM-1, explaining your organization’s practice or procedure for such matters. If a detailed statement on a separate page is required, be sure to include your organization’s name at the top of each page and identify the item number to which the detailed statement applies. In Item 16(g)(1), the reference to “representatives to other bodies composed of labor organizations’ representatives” is meant to include representatives to other labor organization bodies, such as delegates to the conventions of the national or international, delegates to a joint board, joint council, or other intermediate body, delegates to state or local central bodies, etc. It is not meant to include representatives to community or public bodies such as the Red Cross, the United Way, government committees, etc.

17. ADDITIONAL INFORMATION (*To be completed by all filers as necessary.*) – Use Item 17 to provide additional information as indicated on Form SBM-LM-1 and in these instructions. Enter the number of the item to which the information relates in the Item Number column. If there is not enough space in Item 17, report the additional information on a separate letter-size page(s). Be sure to include the following at the top of each page: the name of your organization, its 6-digit file number (if assigned) as reported in Item 1 of Form SBM-LM-1, and the fiscal year ending date as reported in Item 2.

18. SUBUNIT INFORMATION (*To be completed by all filers.*) – For each unit represented by the labor organization, please enter the name of the subunit as it is commonly known (such as Chicago teachers), SBM case number, whether or not there is currently a written contract, and if so, the contract ending date, and the original certification date by SBM of the unit. If the subunit was previously voluntarily recognized and did not have a SBM certification, in lieu of a date check **Voluntary**.

19 - 20. SIGNATURES (*To be completed by all filers.*) – The completed Form SBM-LM-1 which is filed with the Board must be signed by both the president and secretary or corresponding principal officers of your organization. This report must bear **two** signatures. If the report is signed by an officer other than the president and/or secretary, type in the appropriate officer title(s) to replace the pre-filled officer title(s) in Items 19 and/or 20. By typing your name in the signature block you are certifying that the information you have provided is true and correct to the best of your knowledge. Enter the date the report was signed and the phone number(s) used by signatories to conduct official business. You do not have to report a private, unlisted phone number.