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November 2, 2026

Elisabeth Messenger
Director
Office of Labor-Management Standards
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Director Messenger:

We write to request information regarding employers' and labor relations consultants' compliance with their reporting obligations under the *Labor-Management Reporting and Disclosure Act* (LMRDA)[1] and enforcement by the Office of Labor-Management Standards (OLMS) of such obligations.

Too often, when workers exercise their right to organize a union to ensure fair working conditions, employers hire outside consultants to orchestrate and undertake anti-union campaigns. A recent analysis found that employers spend approximately $1.7 billion every year on union-avoidance, including nearly $500 million on union-busting consultants.[2] Some consultants have been found to be paid $500 per hour or $4,000 per day for their services.[3] In 2025, the e-commerce giant, Amazon, alone spent over $26 million on union-busting consultants.[4] Not only is the amount of money employers spend on anti-union operatives alarming, these union-busting consultants are also known for deploying nefarious tactics to break

[1] *See* 29 U.S.C. § 433.
[2] MARGARET POYDOCK *ET AL.*, ECON. POL'Y INST. & LABORLAB, U.S. EMPLOYERS SPEND MORE THAN $1.5 BILLION ANNUALLY ON UNION AVOIDANCE (May 20, 2026), https://files.epi.org/uploads/321180.pdf.
[3] *$4,000 a Day to Fight a Union Drive at a Plastics Manufacturer: Union-Buster Watch*, LABORLAB (Aug. 14, 2026), https://laborlab.us/4000-a-day-to-fight-a-union-drive-at-a-plastics-manufacturer-union-buster-watch/; *$500 an Hour to Fight a Union at a Wisconsin Grocery Chain: Union-Buster Watch*, LABORLAB (Aug. 21, 2026), https://laborlab.us/500-an-hour-to-fight-a-union-at-a-wisconsin-grocery-chain-union-buster-watch/.
[4] Dave Jamieson, *Amazon Spent More Than $26 Million on Anti-Union Consultants in 2025*, HUFF POST (Apr. 1, 2026), https://www.huffpost.com/entry/amazon-anti-union-spending-2025_n_69cd754ce4b0332f12c13d7c.

workers' organizing efforts, such as using fake names, following and surveilling workers, and spewing slurs.[5]

As you know, Section 203 of the LMRDA requires employers and consultants to file parallel reports with OLMS when they engage in certain activities to "persuade" workers regarding their right to organize, including surveilling workers and holding coercive captive audience meetings.[6] The law mandates employers and their anti-union consultants to disclose their activity and spending because workers are entitled to know whether, and how much, their bosses are spending to influence their decision on union representation. However, employers and union-busting consultants routinely fail to meet their basic obligations,[7] denying workers critical information and allowing bosses to operate in the shadows.

For decades, the Committee on Education and Workforce (Committee) has raised concerns about employer and consultant noncompliance with the LMRDA. For example, in 1979, the Committee held a series of hearings on the growth of the management consultant industry, culminating in a report surveying the magnitude of noncompliance and providing recommendations to the Department of Labor (DOL) and Department of Justice.[8] Nearly 50 years later, the problem persists. In 2024, a DOL Inspector General (IG) report found significant underreporting and delayed filings by employers and their union-busting consultants between January 2021 and August 2023.[9] According to the latest publicly available data, employer compliance remains egregiously low.[10] In Fiscal Year (FY) 2025, the National Labor Relations Board received 2,633 union representation petitions.[11] Researchers have found that approximately 75 percent of employers enlist a union-busting consultant to combat their workers' union organizing drives,[12] yet OLMS received less than 350 filings from employers for reportable activities in FY 2025.[13] A recent watchdog report found that, as of August 8, 2026,

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[5] *See e.g.* Press Release, Int'l Brotherhood of Teamsters, Teamsters File Charges After Amazon Union Buster Wages Homophobic Attack (Nov. 27, 2024), https://teamster.org/2024/11/teamsters-file-charges-after-amazon-union-buster-wages-homophobic-attack/; Dave Jamieson, *Workers Wanted a Union. Then the Mysterious Men Showed Up.*, HUFF POST (July 24, 2023), https://www.huffpost.com/entry/workers-wanted-a-union-then-the-mysterious-men-showed-up_n_64b7dd60e4b0dcb4cab68347; Dave Jamieson, *Inside Corporate America's Favorite 'Union Busting' Firm*, HUFF POST (July 25, 2023), https://www.huffpost.com/entry/inside-corporate-americas-favorite-union-busting-firm_n_64b92176e4b08cd259dad4f2.

[6] *See* 29 U.S.C. § 433.

[7] ECON. POL'Y INST. & LABORLAB, BUSTING THE UNION BUSTERS: THE NEED TO IMPROVE TRANSPARENCY AROUND UNION-BUSTING ACTIVITY 4-5 (Nov. 13, 2024), https://files.epi.org/uploads/291570.pdf.

[8] *Pressures in Today's Workplace*, Subcomm. on Lab.-Mgmt. Rels. of the H. Comm. on Educ. and Lab., 96th Cong. (1980).

[9] DOL Off. of Inspector General, Office of Audit, 09-24-002-16-001, OLMS Can Do More to Protect Workers' Rights to Unionize Through Enforcing Persuader Activity Disclosure (May 3, 2024), https://www.oig.dol.gov/public/reports/oa/2024/09-24-002-16-001.pdf.

[10] U.S. Dep't of Lab., Off. of Labor-Mgmt. Stds., *Historical Filing Data*, https://www.dol.gov/agencies/olms/data (last visited Aug. 24, 2026).

[11] NAT'L LAB. RELS. BD., 2025 PERFORMANCE AND ACCOUNTABILITY REPORT 27 (2025), https://www.nlrb.gov/sites/default/files/attachments/pages/node-130/nlrb-fy2025-par.pdf.

[12] *In Solidarity: Removing Barriers to Organizing: Hearing Before the H. Comm. on Educ. & Lab.*, 117th Cong. 10 (2022) (testimony of Kate Bronfenbrenner, Director of Labor Education Research and Senior Lecturer, Cornell University School of Industrial and Labor Relations).

[13] *See* U.S. Dep't of Lab., *supra* note 10.

nearly 60 percent of employers required to file a disclosure in 2025 have still not submitted their reports—marking the "steepest year-over-year decline in filing" since tracking began.[14]

Under the prior Administration, OLMS took encouraging steps to tackle violations by employers and their union-busting consultants. For example, it created a public tip line to report employers and anti-union consultants for failing to disclose persuader activities and revived the Persuader Reporting Orientation Program, which enabled OLMS to proactively inform employers of their reporting obligations.[15] However, it is unclear whether the Trump Administration is continuing these productive initiatives.

Over the last several years, while worker organizing has skyrocketed,[16] employers have increasingly responded with hostile anti-union campaigns, including by hiring well-compensated outside consultants.[17] As more employers seek to quash their workers' unionization drives, it is imperative that employer and consultant disclosure requirements under the LMRDA are robustly enforced by OLMS, so workers have a complete picture of who is attempting to influence their decision as they exercise their right to organize.

To determine whether OLMS is effectively carrying out its responsibility to enforce the LMRDA, we request your responses to the items below no later than November 16, 2026. Your office is welcome to send the requested information in batches as it becomes available prior to the above-mentioned deadline.

LM-10 Filings

1. Provide the number of LM-10s filed in FY 2026 and disaggregate by filing year (e.g. an LM-10 for FY 2025 but filed in FY 2026).
    a. How many were filed late?
    b. How many were filed for an incomplete fiscal year?
    c. How many did not complete all the required fields on the LM-10?
        i. Of such number, how many did not include an employer identification number (EIN)?
    d. How many contained incomplete information, such as failing to provide all the requisite information in one or more fields?

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[14] LABORLAB, STILL ONE-SIDED: OLMS CONTINUES TO FAIL WORKERS 4 (Sept. 1, 2026), https://laborlab.us/wp-content/uploads/2026/09/Still-One-Sided-OLMS-Continues-to-Fail-Workers-The-Enforcement-and-Reporting-Gap-Benefiting-Union-Busting-Employers-and-Persuaders-Keeps-Widening.pdf.
[15] ECON. POL'Y INST. & LABORLAB, BUSTING THE UNION BUSTERS: THE NEED TO IMPROVE TRANSPARENCY AROUND UNION-BUSTING ACTIVITY 6 (Nov. 13, 2024), https://files.epi.org/uploads/291570.pdf.
[16] Press Release, NLRB Ofc. of Pub. Affs., Union Petitions Filed with NLRB Double Since FY 2021, Up 27% Since FY 2023 (Oct. 14, 2024), https://www.nlrb.gov/news-outreach/news-story/union-petitions-filed-with-nlrb-double-since-fy-2021-up-27-since-fy-2023.
[17] Stephen Greenhouse, *'Old-School Union Busting': How US Corporations Are Quashing the New Wave of Organizing*, THE GUARDIAN (Feb. 26, 2023) https://www.theguardian.com/us-news/2023/feb/26/amazon-trader-joes-starbucks-anti-union-measures; JOHN LOGAN, ECON. POL'Y INST., CORPORATE UNION BUSTING IN PLAIN SIGHT (Jan. 28, 2025), https://files.epi.org/uploads/295158.pdf.

2. Provide the information requested in Question 1 for each fiscal year, from FY 2016 to FY 2026, in a spreadsheet with the fiscal years as columns and sub-questions (a) through (d) as rows.
3. How many employers named in an LM-20 or LM-21 filed in FY 2025 have not yet filed a LM-10 in FY 2026?
4. For each fiscal year, from FY 2016 to FY 2026, provide a spreadsheet showing the name, address, and EIN (if available) of each employer that has yet to file a LM-10 by reason of being named in an LM-20 or LM-21 filing.

LM-20 Filings

5. Provide the number of LM-20s filed in FY 2026 and disaggregate by filing year.
    a. How many were filed late?
    b. How many did not complete all the required fields on the LM-20?
        i. Of such number, how many did not include an EIN?
    c. How many contained incomplete information, such as failing to provide all the requisite information in one or more fields?
6. Provide the information request in Question 5 for each fiscal year, from FY 2016 to FY 2026, in a spreadsheet with the fiscal years as columns and sub-questions (a) through (c) as rows.
7. How many consultants who are named in an LM-10 filed in FY 2025 and FY 2026 have not yet filed a LM-20 in FY 2026?
8. For each fiscal year, from FY 2016 to FY 2026, provide a spreadsheet showing the name, address, and organization of each consultant that has yet to file a LM-20 by reason of being named in an LM-10.

LM-21 Filings

9. Provide the number of LM-21s filed in FY 2026 and disaggregate by filing year.
    a. How many were filed late?
    b. How many were filed for an incomplete fiscal year?
    c. How many did not complete all the required fields on the LM-10?
        i. Of such number, how many did not include an employer identification number (EIN)?
    d. How many contained incomplete information, such as failing to provide all the requisite information in one or more fields?
10. Provide the information requested in Question 9 for each fiscal year, from FY 2016 to FY 2026, in a spreadsheet with the fiscal years as columns and sub-questions (a) through (d) as rows.
11. How many consultants who are named in an LM-10 or LM-20 filed in FY 2025 have not yet filed a LM-21 in FY 2026?
12. For each fiscal year, from FY 2016 to FY 2026, provide a spreadsheet showing the name, address, and organization of each consultant that has yet to file a LM-21 by reason of being named in an LM-10 or LM-20 filing.

Investigations & Enforcement

13. Does OLMS maintain a list of repeat violators—also known as a chronic delinquency list—with regard to employer and consultant reporting requirements?
    a. If so, provide the most current and complete list of repeat violators, including names, addresses, and organization names, as well as the date the list was last updated.
        i. How often is this list updated?
        ii. When did OLMS start maintaining this list?
14. Is OLMS's Persuader Reporting Orientation Program[18] still active?
15. How many full-time equivalents (FTEs) focus exclusively on investigating employer and consultant reporting?
16. How many FTEs allocate a majority of their time (greater than 50%) investigating employer and consultant reporting?
17. How many FTEs allocate less than a majority of their time (less than 50%) investigating employer and consultant reporting?
18. In a spreadsheet, provide the following information regarding OLMS's investigation and enforcement of employer and consultant reporting in the following format:
    a. Each fiscal year from FY 2016 to FY 2026 as its own column and labeled accordingly;
    b. For each column provide the following information as rows and labeled accordingly:
        i. Total number of LM-20 delinquency complaints received;
        ii. Total number of LM-20 delinquency complaints investigated;
        iii. Total number of LM-20 delinquency complaints closed;
        iv. Total number of LM-20 deficiency complaints received;
        v. Total number of LM-20 deficiency complaints investigated;
        vi. Total number of LM-20 deficiency complaints closed;
        vii. Total number of new or revised LM-20 forms filed as a result of a complaint;
        viii. Total number of LM-20 delinquency cases opened without receiving a complaint;
        ix. Total number of LM-20 delinquency cases closed without receiving a complaint;
        x. Total number of LM-20 deficiency cases opened without receiving a complaint;
        xi. Total number of LM-20 deficiency cases closed without receiving a complaint;
        xii. Total number of new or revised LM-20 forms filed as a result of a case opened or closed without receiving a complaint;
        xiii. Total number of LM-20 cases where OLMS issued a subpoena;
        xiv. Total number of LM-21 delinquency complaints received;
        xv. Total number of LM-21 delinquency complaints investigated;
        xvi. Total number of LM-21 delinquency complaints closed;

[18] Press Release, U.S. Dep't of Lab., Off. of Lab.-Mgmt. Stds., US Department of Labor Announces Relaunch of Assistance Initiative to Ensure Employers, Others Comply with Labor-Management Reporting, Disclosures (Apr. 6, 2021), https://www.dol.gov/newsroom/releases/olms/olms20210406.

xvii. Total number of LM-21 deficiency complaints received;
xviii. Total number of LM-21 deficiency complaints investigated;
xix. Total number of LM-21 deficiency complaints closed;
xx. Total number of new or revised LM-21 forms filed as a result of a complaint;
xxi. Total number of LM-21 delinquency cases opened without receiving a complaint;
xxii. Total number of LM-21 delinquency cases closed without receiving a complaint'
xxiii. Total number of LM-21 deficiency cases opened without receiving a complaint;
xxiv. Total number of LM-21 deficiency cases closed without receiving a complaint;
xxv. Total number of new or revised LM-21 forms filed as a result of a case opened or closed without receiving a complaint;
xxvi. Total number of LM-21 cases where OLMS issued a subpoena;
xxvii. Total number of LM-10 delinquency complaints received;
xxviii. Total number of LM-10 delinquency complaints investigated;
xxix. Total number of LM-10 delinquency complaints closed;
xxx. Total number of LM-10 deficiency complaints received;
xxxi. Total number of LM-10 deficiency complaints investigated;
xxxii. Total number of LM-10 deficiency complaints closed;
xxxiii. Total number of new or revised LM-10 forms filed as a result of a complaint;
xxxiv. Total number of LM-10 delinquency cases opened without receiving a complaint;
xxxv. Total number of LM-10 delinquency cases closed without receiving a complaint'
xxxvi. Total number of LM-10 deficiency cases opened without receiving a complaint;
xxxvii. Total number of LM-10 deficiency cases closed without receiving a complaint;
xxxviii. Total number of new or revised LM-10 forms filed as a result of a case opened or closed without receiving a complaint; and
xxxix. Total number of LM-10 cases where OLMS issued a subpoena.

Inspector General Report

19. As mentioned above, a 2024 DOL IG report found that "OLMS did not effectively enforce the [LMRDA's] persuader activity requirements to protect workers' rights to unionize."[19] The report also provided multiple recommendations.

[19] *See* DOL Off. of Inspector General, *supra* note 9 at 2.

a. In response to Questions for the Record (QFRs) following a June 2025 Committee hearing, DOL noted that it had implemented select recommendations from the IG's report.[20] Has OLMS implemented the remaining recommendations?
    i. If not, provide a detailed explanation for the delay in implementing recommendations that were issued over two years ago.

Thank you for your attention to this matter. If you have any questions regarding this request, please contact the Committee's Democratic Labor Policy Staff at EWDoversight@mail.house.gov. We look forward to your response.

Sincerely,

ROBERT C. "BOBBY" SCOTT
Ranking Member

MARK DeSAULNIER
Ranking Member
Subcommittee on Health, Employment, Labor, and Pensions

SUMMER L. LEE
Member of Congress

[20] Responses from the Honorable Lori Chavez-DeRemer to the Honorable Robert C. "Bobby" Scott in response to Questions for the Record for *Examining the Policies and Priorities of the Department of Labor: Hearing Before the H. Comm. on Educ. And Wrkf.*, 119th Cong. (2025) at 25, https://docs.house.gov/meetings/ED/ED00/20250605/118318/HHRG-119-ED00-20250605-QFR001-U1.pdf.