



Office of General Counsel

TO: Statewide Officers
Executive Board
PEF Staff

FROM: William P. Seamon/wps
Rita J. Verga / RJV

DATE: March 31, 2008

RE: *LM-30 Reporting to the U.S. Department of Labor*
Our File No. 7029-P

This is an update to Counsel's December 18, 2007 memorandum concerning the revised LM-30 reporting requirements, which is available at www.pef.org under the "Memos" link on the "Current News" page.

Although this area is still fluid, we recently received confirmation which could significantly reduce individuals' LM-30 reporting obligations.

As we have previously reported, under the new requirement which took effect January 1, 2008, individuals who conduct union activities during work time pursuant to a collective bargaining agreement and are paid for that time by their employer must report all such hours on the LM-30 form, if they exceed 250 hours over the course of their fiscal year.

However, in response to our inquiry, the Department of Labor has confirmed that employees who make-up work time spent on union activities within a "reasonable amount of time" are not required to count such time toward the annual 250-hour reporting threshold for leave pursuant to a collective bargaining agreement.

This means that employees who make-up work time spent on union activities by working outside of regular work hours, including evenings and weekends, are not required to count such hours toward the 250-hour threshold, if the employee makes up the work time within a "reasonable amount of time." The Department of Labor has confirmed that making-up the work time spent on union activities *within the same pay period* would qualify as within a "reasonable amount of time."

We will continue to apprise you developments in this area.

RJV/jac