

LMRDA Section 504 Certification

As a state-wide IEA Officer, member of the IEA Board of Directors, or employee of the Idaho Education Association (IEA), I certify that I do not have a criminal conviction which would prohibit me from serving in such capacity under the Labor-Management Reporting and Disclosure Act, 29 U.S.C. Section 504.

Signature: _____ Date: _____

Printed Name:

Office of Labor-Management Standards (OLMS)

Prohibition against Certain Persons Holding Union Office or Employment

Is it illegal for people who have been convicted of certain crimes to hold union office or employment?

Yes. Section 504 of the LMRDA prohibits individuals convicted of certain crimes from holding union office or employment or serving in other prohibited capacities for the period of thirteen years after such conviction or after the end of such imprisonment, whichever is later.

What union offices or positions can a convicted person not hold? Any officer or employee position such as president, vice-president, recording secretary, financial secretary, treasurer, director, trustee, executive board member, business agent, manager, organizer, or clerical employee.

What are the crimes that result in a person being barred? Conviction for several types of crimes will bar a person from serving in prohibited capacities: Generic criminal offenses; specifically, murder, assault with intent to kill, assault that inflicts grievous bodily injury, rape, arson, extortion, burglary, grand larceny, robbery, bribery, embezzlement, or violation of narcotics laws; Violations of Title II or Title III of the LMRDA, which include knowingly making a false statement of material fact or failing to disclose a material fact in any labor organization report, labor organization officer or employee report, or other report required by the LMRDA; willfully failing to file a required report; willfully violating the recordkeeping requirements in Title II or Title III; willfully making a false entry in labor organization records or other documents required to be kept by the LMRDA or willfully concealing, withholding or destroying such records; willfully and improperly transferring funds from a trustees local to the parent body imposing the trusteeship; or willfully counting the votes of delegates from a trustees local under certain circumstances; Any felony involving abuse or misuse of an individual's position or employment in a labor organization or employee benefit plan in order to seek or obtain an illegal gain at the expense of the members of the labor organization or the beneficiaries of the employee benefit plan; Conspiracy to commit any of the above crimes; Attempting to commit any of the above crimes; Any crime in which any of the above crimes is an element; or Any crime that is equivalent to the above crimes; for example, obtaining money by false pretenses in certain cases can be equivalent to the listed crimes of grand larceny or embezzlement.