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## **ADVISORY REGARDING CAMPAIGN FINANCE REPORTING OF CONTRIBUTIONS AND EXPENDITURES BY SLATE**

The Office of the Election Supervisor (“OES”) received a written inquiry that questioned an interpretation of the *Rules for the 2010-2011 IBT International Union Delegate and Officer Election* (“*Rules*”) provisions regarding the reporting on Campaign Contribution and Expenditure Reports (“CCERs”) of legal and accounting expenses incurred on behalf of a slate of candidates. The OES had indicated to International officer candidates that legal and accounting services rendered on behalf of a slate would need to be allocated to individual slate members for whom the work was performed and reported on individual CCERs. The inquiry questioned that requirement in light of the text of the *Rules* and practice established in past IBT International officer elections.

Having reviewed the issue and considered pertinent provisions of the *Rules*, OES has determined that where legal and accounting services are performed on behalf of a slate formed under the *Rules*, expenses for those services may properly be reported on the slate’s CCER and need not be allocated to specific slate members even if the service was provided to a specific slate member.<sup>1</sup> An individual slate member may choose to have a separate engagement with a legal or accounting professional and report such services separately on that candidate’s CCER, but separate reporting is not required if the candidate belongs to a duly formed slate so long as *all* of the services provided are accounted for and reported either on the slate’s filing or the individual candidate’s filing.

Under the *Rules*:

Each Union member who is required to file a Report and Supplemental Form No. 1 shall also cause to be filed and shall be responsible for filing of the corresponding Report and Supplemental Form No. 1 by any slate of which that member is a part. **A slate need file only one Report and Supplemental Form No. 1 on behalf of all candidates on that slate.** Members’ individual Reports and Supplemental Forms No. 1 and slates’ Reports and Supplemental Forms No. 1 may be submitted to the Election Supervisor together.

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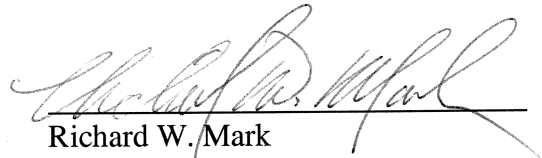
<sup>1</sup> Contributions and expenditures involving legal and accounting services are reported on Supplemental Form No. 1.

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Article XI, § 2(a) (emphasis added). Under this provision, all members of a duly formed slate share responsibility for filing the slate's campaign finance report filings and are each accountable for the information disclosed. If the slate has engaged legal and accounting service providers, information reported on the slate campaign finance forms is attributable to each slate member. Each candidate (whether belonging to a slate or not) must still file individual campaign finance reports that will either show fundraising and expenditures particular to that candidate, or that will show no separate activity despite the individual's status as a candidate.

If candidates are not linked in a slate formed in accordance with the *Rules*, and one independent candidate provides funds or services to another independent candidate, the *Rules* require disclosure of that transaction – both the expense side and the receipt side – on the CCERs of the candidates involved. *See Hoffa-Hall 2011*, 2010 46 at 4 (November 18, 2010).



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