The new final rule is effective immediately, the agency said.

Defining 'the Filer' in 2011 Rule. The Oct. 26, 2011, final rule on financial disclosure reports modified OLMS Form LM-30 (Labor Organization Officer and Employee Report) (57 CLR 1099, 10/27/11).

According to the new notice from the OLMS, the 2011 rule was confusing in that it didn't consistently define "the filer" to encompass the union official as well as his or her spouse or minor child.

"The Form LM-30 and the general instructions for Parts A, B, and C, as well as the language in Part II (Who Must File) of the instructions, make clear that 'you' also refers to the official's spouse and minor child, not just the union official, and that this applies to the entire form," the OLMS said. "However, the specific instructions for Parts A and B simply refer to 'you,' without mentioning spouse or minor child."

This by itself wouldn't pose an issue, because of the aforementioned form and general instructions, but the instructions for Part C in the final rule referred to "you, your spouse, or your minor child," the new notice said.

"This difference in language may cause confusion as to whether the scope of Parts A and B includes the union official's spouse and minor children," the OLMS said.

Corrections to 2003 Final Rule. The OLMS also said it's amending an Oct. 10, 2003, final rule on labor organizations' annual reports in order to:

- incorporate the previously updated filing threshold for smaller labor organizations with gross annual receipts totaling less than $250,000;
- make a technical correction to the instructions for the Form LM-2 Labor Organization Annual Report, Item 36 (Dues and Agency Fees); and
- update the instructions for Form LM-15, Trusteeship Report, and Form LM-16, Terminal Trusteeship Report.

The 2003 rule increased the filing threshold for Form LM-2 filers from $200,000 to $250,000 in gross annual receipts, the OLMS explained. But it didn't make a corresponding amendment to the text of 29 CFR 403.4(a)(1), which permits smaller labor organizations to file the simplified Form LM-3 if they don't have gross annual receipts that meet the filing threshold for Form LM-2.

Furthermore, the 2003 rule mandated electronic filing of Form LM-2 for labor organizations with $250,000 or more in gross receipts, the OLMS said.

"The instructions for the Form LM-2 were properly revised to reflect this requirement, but the rule did not update the instructions for the Form LM-15, Trusteeship Report, or the instructions for the Form LM-16, Terminal Trusteeship Report, both of which still contain references to the old paper format of the Form LM-2," the agency said.

By Louis C. LaBrecque

To contact the reporter on this story: Louis C. LaBrecque in Washington at llabrecque@bna.com

To contact the editor responsible for this story: Tony Harris at tharris@bna.com

Text of the final rule is available at http://src.bna.com/fmJ.

Contracting

House LGBT Rights Beef Stalls Spending Bill, Could Slow Other Appropriations Measures

A debate in the House over an executive order banning sexual orientation and gender identity discrimination by federal contractors derailed an energy spending bill May 26 and is threatening to stall other appropriations legislation.

House lawmakers voted down the spending measure, thanks in part to some Republican opposition to an amendment approved one night earlier. The amendment, offered by Rep. Sean Maloney (D-N.Y.), makes clear that contracts awarded using money appropriated under the legislation are subject to a 2014 executive order (Executive Order 13,672) banning federal contractors from discriminating against workers based on sexual orientation and gender identity (60 CLR 565, 7/24/14).

The dust-up could play out again as the House prepares to tackle a number of government spending bills in the coming weeks. "As you can see, the war is not over," Maloney told reporters following the vote.

Still, the debate is largely a messaging one. The Maloney amendment and a separate Republican-backed provision on religious freedom rights simply state the law already on the books.

A total of 43 Republicans crossed the aisle to support Maloney's amendment. An amendment offered by Rep. Bradley Byrne (R-Ala.), providing that appropriated money can't be used in a way that violates the Religious Freedom Restoration Act, passed with the support of just two Democrats.

The energy bill vote comes days after Democrats unsuccessfully tried to strip language from a defense spending bill reiterating that certain religious organizations are permitted under the executive order to take faith into account in hiring.

By Chris Opfer

To contact the reporter on this story: Chris Opfer in Washington at copfer@bna.com

To contact the editor responsible for this story: Susan J. McGolrick at smcgolrick@bna.com

Employment

Cultivating Happy Employees Can Benefit Employers, Business, Speakers Say

Research indicates that the happiness of workers matters because happy employees stay twice as long in their jobs, spend more time energized in the workplace and are achieving their goals at a higher rate than their unhappy co-workers, practitioners said May 26.

The reality of today's workplace, however, shows that employers are failing at this because worker happiness has fallen every year for the past 25 years, Mary Faulkner, head of talent for Denver Water, told attendees of a webinar sponsored by consulting firm Globoforce. Additionally, talking about happiness in the workplace isn't always that well received, Faulkner said. "It makes people cringe."

But employers should pay attention, because happy employees can affect a business's bottom line, as they are 10 times less likely to take sick leave and are 85 percent more efficient at work, Faulkner said. Faulkner defined happiness as a state of being, a general sense of joy or being in a good mood, and it can manifest in employees' satisfaction and engagement in the workplace, creating a positive and successful employee culture.

Universal Drivers of Happiness. Employers can boost the happiness of employees through three universal drivers, Greg Stevens, a research consultant at Globoforce, told webinar attendees. The first driver of happiness is alignment, meaning the fundamental compatibility between employees' visions, goals and values and those of the organization.

Alignment means more than an employee's "fit" with the organization, Faulkner said. HR needs to understand how an employee's work contributes to the strategic goals of the organization, and whether workers have an opportunity to "make a difference" at the company, she said.

The search for individuals who will align well with an organization must start with recruitment, Faulkner advised. New hires should have an accurate job description and a realistic job preview, she said. HR should also make sure a candidate will fit in with a company's culture, Faulkner said. Bad fits "will impact your organization's morale," because employees who display traits that make them a jerk, malcontent or passive-aggressive bully will always pull others down.

Stevens said the second driver of happiness is positivity as a company's "overall affect or mood of employees." This can be cultivated by celebrating employees' success publicly and within the organization; offering fast, positive feedback to employees; encouraging communication among workers; offering resources and emotional support in the workplace; and encouraging employees to express gratitude to each other, Faulkner said.

It's amazing "how simple, yet powerful things like gratitude and recognition can be," Stevens added.

Progress is the third universal driver of employee happiness, Stevens said, because employees want career opportunities and accomplishment that shows that "they can get somewhere."

Faulkner recommended employers set clear, measurable and achievable organizational goals to show employees how they fit into the bigger picture of the company. Employers can also offer training for new and existing skills and reward the efforts of employees who take advantage of these opportunities.

Do Not Force Happiness. Despite the advantages of a happy workforce, employers shouldn't try to force the emotion on workers, Faulkner warned. Every person is unique, and happiness can look different depending on the individual, she said.

Employers shouldn't expect happy employees to stay that way indefinitely, either, she said. Life can get in the way of happiness, and pressure to improve someone's mood will not work.

A happier workforce can also mean a more casual workforce, Faulkner cautioned. Happy employees can blur the lines between professional and personal life if work lunches turn into happy hours, which turn into going out on the weekend. This can especially be harmful to relationships between leaders and employees, and they might forget that there are some boundaries that need to exist in the workplace, she said.

By Genevieve Douglas

To contact the reporter on this story: Genevieve Douglas in Washington at gdouglas@bna.com

To contact the editor responsible for this story: Tony Harris in Washington at tharris@bna.com

Arbitration

FMCS Extends Grant Application Deadline

The Federal Mediation and Conciliation Service has extended by a month the May 31 application deadline for its grants for labor-management committees.

The FMCS originally announced the availability of the grants in March and that applications were due May 31 (62 CLR 39, 3/10/16). Applications now will be due June 30, the agency said.

Grants will be awarded in amounts up to $400,000 for "proposals that address the transitioning workplace, hiring and retaining new generations of workers, and rapidly advancing technology-based work structures," the agency said.

More information is available at http://src.bna.com/c1D.

CLR ISSN 0010-6836