



Financial Supplement

NEW YORK STATE PUBLIC EMPLOYEES FEDERATION AND SUBSIDIARIES

Consolidated Schedule of Chargeable and Non-chargeable Expenses

Year Ended March 31, 2005



Marvin and company, p.c.
CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS

11 British American Boulevard
Latham, NY 12110

INDEPENDENT AUDITORS' REPORT

Officers and Trustees

New York State Public Employees Federation

We have audited, in accordance with U.S. generally accepted auditing standards, the consolidated financial statements of New York State Public Employees Federation and Subsidiaries (the Federation) for the year ended March 31, 2005, and have issued our report thereon dated June 10, 2005. We have also audited the accompanying consolidated schedule of chargeable and nonchargeable expenses for the purpose of calculating agency shop fee refunds for the year ended March 31, 2005. This schedule is the responsibility of the Federation's management. Our responsibility is to express an opinion on this schedule based on our audit.

We conducted our audit of the schedule in accordance with U.S. generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the consolidated schedule of chargeable and nonchargeable expenses is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated schedule of chargeable and nonchargeable expenses. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall schedule presentation. We believe that our audit provides a reasonable basis for our opinion.

Under law, individuals are entitled to a refund of the pro rata share of agency shop fees spent by the

Federation in aid of causes of a political and ideological nature, which are only incidentally related to the terms and conditions of employment. We have been informed, by management that the Federation bases the determination of nonchargeable expenses for the calculation of its refunds, on the definitions in Note 2 and the significant factors and management assumptions described in Note 3, and that these factors and assumptions are based on management's interpretation of legal precedent.

In our opinion, the consolidated schedule of chargeable and nonchargeable expenses presents fairly, in all material respects, the consolidated allocable expenses and allocation between chargeable and nonchargeable expenses of New York State Public Employees Federation and Subsidiaries for the year ended March 31, 2005, in accordance with the definitions, significant factors and management assumptions referred to above.

This report is intended to be used in connection with the calculation of agency shop fee refunds by the Federation and is intended solely for the information and use of those who are knowledgeable of the Federation's agency shop fee refund policies and procedures and is not intended to be and should not be used by anyone other than these specified parties.

Marvin and Company, P.C.

November 8, 2005

New York State Public Employees Federation and Subsidiaries

Consolidated Schedule of Chargeable and Non-chargeable Expenses

For the Year Ended March 31, 2005

Expenses	<i>Total Allocable Expenses</i>	<i>Chargeable Expenses</i>	<i>Non Chargeable Expenses</i>
Divisional distributions	\$ 962,614	\$ 481,307	\$ 481,307
Affiliation dues	221,212	190,479	30,733
Salaries	8,070,545	6,832,222	1,238,323
Union leave	718,077	627,956	90,121
Payroll taxes	719,130	610,098	109,032
Employee benefits	3,011,018	2,578,631	432,387
Staff travel	206,718	165,046	41,672
Automobile expense	204,036	188,077	15,959
Program related travel	1,606,802	1,351,883	254,919
Earned organization leave	480,626	428,689	51,937
Reproduction	37,519	30,280	7,239
Printing	407,135	308,469	98,666
Postage	660,003	566,687	93,316
Office supplies	101,894	76,302	25,592
Telephone and communications	309,670	256,124	53,546
Office rent and parking	619,570	538,503	81,067
Utilities	108,338	96,704	11,634
Janitorial	84,039	74,721	9,318
Maintenance and repairs	59,321	50,467	8,854
Equipment rental	9,250	7,713	1,537
Minor equipment purchases	19,419	14,533	4,886
Computer fees	43,598	33,770	9,828
Advertising	463,196	410,740	52,456
Photographic supplies	5,806	4,547	1,259
Periodicals and membership fees	30,077	25,304	4,773
Books and reference material	69,985	57,029	12,956
Insurance	116,687	107,743	8,944
Outside temporary hires	85,470	68,459	17,011
Steno and transcript fees	24,852	22,846	2,006
Miscellaneous	30,035	15,653	14,382
Arbitration	165,535	163,880	1,655
Political and associated contributions	349,643	—	349,643
Charitable and other contributions	43,561	—	43,561
Depreciation and amortization	446,242	384,244	61,998
Interest expense	158,037	158,037	—
Real estate taxes	97,668	84,099	13,569
Scholarships	38,400	—	38,400
Professional and consultant fees	<u>440,210</u>	<u>317,055</u>	<u>123,155</u>
 Total Expenses	 <u>\$21,225,938</u>	 <u>\$17,328,297</u>	 <u>\$ 3,897,641</u>
 Percentages	 <u>100.00%</u>	 <u>83.84%</u>	 <u>16.16%</u>

See accompanying notes to consolidated schedule of chargeable and non chargeable expenses.

NEW YORK STATE PUBLIC EMPLOYEES FEDERATION AND SUBSIDIARIES

Notes to Consolidated Schedule of Chargeable and Non-chargeable Expenses

March 31, 2005

1. NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES

The New York State Public Employees Federation (PEF) is affiliated with the American Federation of Teachers (AFT) and the Service Employees International Union (SEIU). PEF is a self-governing unit representing predominantly the professional, scientific, and technical employees of the State of New York. The majority of revenues are from membership dues and agency shop fees.

The consolidated schedule of chargeable and nonchargeable expenses for the year ended March 31, 2005 includes the accounts of PEF and its subsidiaries, PEF Land Holding Corporation and P.E.F. World Trade Center Relief Fund. PEF Land Holding Corporation is a not-for-profit corporation formed to hold title to the land and office building used to house PEF's headquarters. P.E.F. World Trade Center Relief Fund is a not-for-profit organization formed to provide financial assistance to surviving members of the World Trade Center disaster. Transactions between the entities have been eliminated.

PEF and its subsidiaries adhere to generally accepted accounting principles as described in the AICPA Audit and Accounting Guide, "Not-for-Profit Organizations" published by the American Institute of Certified Public Accountants.

PEF is a labor union exempt from federal income tax under Section 501(c)(5) of the Internal Revenue Code (the Code). PEF Land Holding Corporation is a title holding corporation and is exempt from federal income tax under Section 501(c)(2) of the Code. P.E.F. World Trade Center Relief Fund is a not-for-profit organization exempt from federal income tax under Section 501(c)(3) of the Code.

Property, plant and equipment are stated at cost less accumulated depreciation. Depreciation is provided for in amounts sufficient to relate the cost of depreciable assets to operations using the straight-line method over the following estimated useful lives:

	Years
Building and improvements	31.5
Furniture, fixtures and equipment	3-10
Automobiles	3-10
Computer equipment	3-10

Maintenance and repairs are charged to operations when incurred; betterments and renewals are capitalized. When property, plant and equipment are sold or otherwise disposed of, the asset account and related accumulated depreciation are relieved, and any gain or loss is included in operations.

Individuals are entitled to a refund of the pro rata share of agency shop fees spent by PEF in aid of causes of a political and ideological nature, which are only incidentally related to the terms and conditions of employment. PEF bases the determination of nonchargeable expenses for the calculation of its refunds on the definitions in Note 2 and the significant factors and management assumptions described in Note 3.

2. DEFINITIONS

Chargeable Expenses

Chargeable expenses are those incurred by PEF that reflect the share of the costs of operations of PEF which are considered necessarily and reasonably incurred for the purpose of assisting PEF and local divisions in the performance of their duties as representatives of the employees in dealing with the employer on labor management issues, including the costs of: negotiating and administering the collective bargaining contract; settling grievances and disputes by mutual agreement, or in arbitration, court or otherwise; activities and undertakings normally and reasonably employed to implement the duties of the local union or council as representative of the employees in the bargaining unit; and the maintenance of PEF's local divisions' associational existence.

The following are examples of expenditures classified as chargeable; preparation for and negotiation of collective bargaining agreements; contract administration including investigation and processing grievances; meetings, conferences, administrative, arbitral and court proceedings, and pertinent investigation and research in connection with work-related subjects and issues; handling work-related problems of employees; communications with community organizations, civic groups, government agencies, and the media with respect to PEF's position on work related matters; lobbying and legislative activities with respect to matters concerning employees' work-related issues; maintaining membership and recruitment of members; employee group programs; and providing legal, economic, and technical expertise on behalf of employees in all work-related matters.

Nonchargeable Expenses

Nonchargeable expenses are those of a political or ideological nature and those that are not relevant to work-related interests of employees. The term "political" is defined as support for or against candidates for political office of any level of

government and any office in the union structure. The term "ideological" is defined as support for or against certain positions that PEF may take which are not work-related.

3. SIGNIFICANT FACTORS AND MANAGEMENT ASSUMPTIONS USED IN THE ALLOCATION OF EXPENSES BETWEEN CHARGEABLE AND NONCHARGEABLE

Divisional Distributions

Divisional distributions represent allocations to local organizations of PEF members. Each division was paid \$5.88 per member up to 200 members and \$4.70 for each member in excess of 200, in each calendar quarter for the years ended March 31, 2005 and 2004. This expense is considered by management to be 50% nonchargeable.

Political, Charitable and Other Contributions

All contributions are considered by management to be 100% nonchargeable.

Scholarship Fund Committee

All actual expenses associated with this committee, including employee organizational leave and travel expenses, have been considered by management to be 100% nonchargeable.

Departments

Based on estimates of time spent and expenses incurred for each department in connection with nonchargeable activities, management has designated the following allocation of nonchargeable expenditures for each department:

- Legislative Department**
97% nonchargeable
- Executive Board**
10% nonchargeable
- Building Department**
17.1% nonchargeable
- 11 Field Offices**
5% nonchargeable
- Civil Service Enforcement**
14% nonchargeable
- Legal Department**
10% nonchargeable
- Labor Relations Department**
17.1% nonchargeable
- Divisions Department**
1% nonchargeable
- Public Relations Department**
18% nonchargeable
- Plant Fund**
17.1% nonchargeable
- Accounting Department**
17.1% nonchargeable

- Nurse Organizer**
10% nonchargeable
- Executive Department**
17.1% nonchargeable
- Contract Administration**
1% nonchargeable
- Education and Mobilization**
1% nonchargeable
- Job Security**
10% nonchargeable
- PEF Land Holding Corp. Fund**
17.1% nonchargeable
- Membership Information System**
30% nonchargeable
- Health and Safety**
2% nonchargeable
- Grievance**
5% nonchargeable

All other departments' expenses are considered by management to be 100% chargeable. Management has determined that interest expense accrued on the AFT judgment and expenses related to the COPE, are not considered allocable for purposes of this schedule.

4. RECONCILIATION OF TOTAL ALLOCABLE EXPENSES TO THE CONSOLIDATED FINANCIAL STATEMENTS

Allocable expenses per the financial statements:

Total consolidated expenses per financial statements, excluding COPE expense	\$20,042,112
Divisional distributions	962,614
Affiliation dues	<u>221,212</u>
Total Allocable Expenses - Consolidated Schedule of Chargeable and Nonchargeable Expenses	<u>\$21,225,938</u>

Per capita taxes paid to AFT and SEIU are not considered allocable for purposes of this schedule because separate allocation schedules, audited by other auditors, are prepared for these unions. PEF utilizes the nonchargeable percentages determined in the most recent schedules to compute the rebate related to the portion of agency shop fees paid to AFT and SEIU. AFT's nonchargeable percentage for the year ended April 30, 2005, applied to the 2004-05 fiscal year, was determined to be 32.87%; SEIU's nonchargeable percentage for the year ended December 31, 2004, applied to the 2004-05 fiscal year, was determined to be 30.09%.

AMERICAN FEDERATION OF TEACHERS, AFL-CIO

Combined Statement of General Fund, Militancy/Defense Fund Expenses and Allocation Between Chargeable Expenses and Non-chargeable Expenses

Year Ended April 30, 2005



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REPORT OF INDEPENDENT AUDITORS

The Secretary-Treasurer American Federation of Teachers, AFL-CIO

We have audited the accompanying combined statement of General Fund and Militancy/Defense Fund expenses and allocation between chargeable expenses and nonchargeable expenses of the American Federation of Teachers, AFL-CIO (the Federation) for the year ended April 30, 2005. This combined statement is the responsibility of the Federation's management. Our responsibility is to express an opinion on this combined statement based on our audit.

We conducted our audit of this combined statement in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform an audit to obtain reasonable assurance about whether the combined statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the statement. An audit also includes assessing the accounting principles used and significant estimates made by the Federation's management, as well as evaluating the overall presentation of the combined statement. We believe that our audit provides a reasonable basis for our opinion.

The total expenses reflected in Column A of the combined statement are based on the expenses of the Federation for the year ended April 30, 2005, as modified for the accounts and funds described in Note 1b. The allocation of combined expenses between chargeable (column B) and non-chargeable (column C) is based on the definitions and significant factors and assumptions described in Notes 2 and 3.

In our opinion, the combined statement referred to above presents fairly, in all material respects, the combined expenses of the American Federation of Teachers, AFL-CIO for the year ended April 30, 2005, as modified for the accounts and funds described in Note 1b, and the allocated combined expenses between chargeable and non-chargeable expenses, on the basis of the definitions and significant factors and assumptions described in Notes 2 and 3.

This report is intended solely for the information and use of the American Federation of Teachers, AFL-CIO and its agency fee payers, outside the State of California, and is not intended to be and should not be used by anyone other than these specified parties.

Calibre CPA Group, PLLC

Washington, DC
July 15, 2005

American Federation of Teachers, AFL-CIO

NOTES TO COMBINED STATEMENT OF GENERAL FUND AND MILITANCY / DEFENSE FUND EXPENSES AND ALLOCATION BETWEEN CHARGEABLE EXPENSES AND NON-CHARGEABLE EXPENSES

Year Ended April 30, 2005

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

a. **Basis of Presentation** – The accompanying combined statement was prepared for the purpose of determining the fair share cost of services rendered by the American

Federation of Teachers, AFL-CIO (the Federation) for employees represented by, but not members of, the Federation and its affiliated local unions. The accompanying combined statement is not intended to be a complete presentation of the Federation's financial position, changes in its net assets, or its

cash flows in accordance with generally accepted accounting principles.

b. **Accounts and Funds Excluded from the Combined Statement** – The expense of providing accident and liability insurance to members and agency fee payers is recovered

through premium charges to locals and has been excluded from the combined expense statement. Rent and various other operating expenses associated with the subletting operations of the Federation, which are accounted for in the Federation's Building Fund, have been excluded from the combined expense statement.

c. **Income Taxes** – The Federation is exempt from federal income taxes under Section 501(c)(5) of the Internal Revenue Code, except on net income from unrelated business activities.

d. **Retirement Plans** – The Federation contributes a percentage of eligible employees' salaries to retirement plans. The Federation follows the practice of recording as expense its required contributions under such plans in each fiscal year.

e. **Severance and Accumulated Vacation** – The Federation accrues accumulated severance and vacation expense as it is earned by its employees under various contracts and agreements.

f. **Depreciation and Amortization** – Depreciation and amortization are computed using the straight-line method over the estimated useful lives of the assets.

g. **Leases** – The Federation occupies office space in a building which is owned by a limited partnership of which the Federation, through its wholly owned subsidiary, 555 New Jersey Avenue, N.W., Inc., is the controlling partner. Annual rental payments were approximately \$3,502,100 of which 97 percent or approximately \$3,393,500, is charged to the General Fund based on the space occupied by the Federation.

h. **Use of Estimates in the Preparation of Financial Statements** – The preparation of financial statements requires management to make estimates and assumptions that affect the reported expenses during the reporting period and the allocation of expenses between chargeable and non-chargeable. Actual results

could differ from those estimates.

NOTE 2. DEFINITIONS

The following definitions of chargeable and non-chargeable expenses are based on existing law and the Federation's interpretation of court cases.

Chargeable Expenses – Chargeable expenses are those incurred by the Federation that reflect the share of the costs of operations of the Federation which are considered necessarily and reasonably incurred for the purpose of assisting state federations and local unions and councils in the performance of their duties as a representative of the employees in dealing with the employer on labor management issues, including the costs of: negotiating and administering the collective bargaining contract; settling grievances and disputes by mutual agreement, or in arbitration, court or otherwise; activities and undertakings normally and reasonably employed to implement the duties of the local union or council as representative of the employees in the bargaining unit; and the maintenance of the Federation's, state federations', local unions' and councils' associational existence.

The following are examples of expenditures classified as chargeable: preparation for and negotiations of collective bargaining agreements; contract administration including investigating and processing grievances; meetings, conferences, administrative, arbitral and court proceedings, and pertinent investigation and research in connection with work-related subjects and issues; handling work-related problems of employees; communications with community organizations, civic groups, government agencies, and the media regarding the Federation's position on work-related matters; maintaining membership; employee group programs; and providing legal, economic, and technical expertise on behalf of employees in all work-related matters.

Non-chargeable Expenses – Non-chargeable expenses are those of an ideological or political nature and those that are not germane to work-related interests of employees.

The term "political" is defined as support for or against candidates for political office of any level of government and any office in the union structure. The term "ideological" is defined as support for or against certain positions that the union may take which are not work-related.

The following expenses are classified as non-chargeable: lobbying, electoral or political activities outside the limited context of contract ratification or implementation; litigation expenses that do not concern the objecting employees' bargaining unit; and public relations efforts designed to enhance the reputation of the teaching profession.

NOTE 3. SIGNIFICANT FACTORS, AND ASSUMPTIONS USED IN THE ALLOCATION OF COMBINED EXPENSES BETWEEN CHARGEABLE AND NON-CHARGEABLE

a. **Salaries** – Salary expenses of the Committee on Political Education (COPE), legislative, public affairs, international affairs, and member benefit departments have been determined to be 100 percent non-chargeable. Salary expenses of executives, editorial department editors and administrative staff, as well as salary expenses for personnel responsible for the library, office management, finance, travel and meetings, and the print shop have been allocated between chargeable and non-chargeable activities based on time spent by personnel on such activities. The salaries of office and clerical personnel are allocated between chargeable and non-chargeable in the same percentage as their supervisors.

b. **Fringe Benefits, Payroll and Other Taxes, Severance and Vacation Pay, and Travel and Related Expenses** – These expenses are allocated on the basis of salary expense allocations

American Federation of Teachers, AFL-CIO

COMBINED STATEMENT OF GENERAL FUND AND MILITANCY/DEFENSE FUND EXPENSES AND ALLOCATION BETWEEN CHARGEABLE EXPENSES AND NON-CHARGEABLE EXPENSES

Year Ended April 30, 2005

	Column A Total Expenses	Column B Chargeable Expenses	Column C Non-Chargeable Expenses	Notes
DIRECT EXPENSES				
Salaries	\$28,749,519	\$ 22,208,841	\$ 6,540,678	3a
Fringe benefits	11,045,586	8,544,773	2,500,813	3b
Payroll and other taxes	2,050,533	1,579,594	470,939	3b
Severance and vacation pay	669,096	515,427	153,669	3b
Travel and related expenses	6,471,991	5,902,227	569,764	3b
Dues, donations, and membership fees	2,731,082	—	2,731,082	3c
Publications:				
<i>American Teacher</i>	1,709,780	578,035	1,131,745	3d
<i>American Educator</i>	1,400,882	979,415	421,467	3d
<i>Health Wire</i>	133,341	62,605	70,736	3d
<i>Public Employee Advocate</i>	216,617	52,113	164,504	3d
<i>On Campus Reporter</i>	542,817	134,651	408,166	3d
Reporter	288,689	60,739	227,950	3d
Mass and electronic media				
information services	934,157	415,248	518,909	3e
"Where We Stand" column	23,046	11,523	11,523	3f
AFT-COPE and related activities	3,692,784	—	3,692,784	3g
Affiliation fees	8,994,696	—	8,994,696	3h
Educational training programs	340,646	324,255	16,391	3i
Regional conferences and training	1,620,202	1,620,202	—	3i
QuEST Conference	2,835	2,835	—	3i
Assistance and collective bargaining	22,765,666	22,765,666	—	3j
State federation rebates	2,126,123	2,126,123	—	3k
Militancy Fund	40,988	—	40,988	3l
Defense Fund	3,574,609	2,488,643	1,085,966	3m
Solidarity Fund - National	2,692,547	250,000	2,442,547	3n
Solidarity Fund - State Federations	2,259,391	2,259,391	—	3n
Legal, audit, and consulting				
expenses - agency shop	93,174	93,174	—	3o
Legislative activities	2,617,688	—	2,617,688	3p
Public affairs activities	449,729	—	449,729	3p
Member benefits activities	1,435,036	—	1,435,036	3p
International affairs activities	298,693	—	298,693	3p
Convention and executive council meetings	1,954,396	1,954,396	—	3q
Departmental meetings	4,522,297	3,154,760	1,367,537	3r
Regional offices	275,402	267,736	7,666	3s
Total direct expenses	\$116,724,038	\$ 78,352,372	\$ 38,371,666	
GENERAL, ADMINISTRATIVE, AND OPERATING EXPENSES				
National office and equipment rental	3,584,387	2,406,062	1,178,325	3t
Depreciation and amortization	1,355,944	910,193	445,751	
Repairs and maintenance	321,999	216,146	105,853	
Information technology expenses	223,999	150,362	73,637	
Computer implementation/AFTECH	42,725	28,680	14,045	
General insurance	1,526,123	1,024,428	501,695	
Legal, audit, and consulting expenses	2,749,429	1,845,586	903,843	
Postage, express and delivery, and telephone	428,144	287,397	140,747	
Office supplies, subscriptions, books, and other expenses	1,798,368	1,207,175	591,193	
Total general, administrative, and operating expenses	12,031,118	8,076,028	3,955,090	
Total expenses	\$128,755,156	\$ 86,428,400	\$ 42,326,756	
	<u>100%</u>	<u>67.13%</u>	<u>32.87%</u>	

See report of independent auditors and accompanying notes to combined statement.

described in Note 3a above.

c. Dues, Donations, and Membership Fees – Dues, donations, and membership fees to all organizations are considered to be 100 percent non-chargeable.

d. Publications - Direct printing and publishing expenses of the publications are allocated based on the specific content of articles in the publications as determined by the Federation's editorial department. Expenses allocable to articles considered political or ideological in nature are deemed not to benefit nonmembers and are non-chargeable. Expenses allocable to reporting on legislative and lobbying activities, litigation activities, public relations activities, illegal strike activities, and articles relating to enhancement of the reputation of the teaching profession as a whole are non-chargeable. The content of articles deemed chargeable were reviewed by editorial staff and are directly related to issues in collective bargaining, contract administration, and grievance matters. Chargeable articles include topics such as collective bargaining contracts negotiated by locals throughout the country and arbitrations won by the Federation's locals. Chargeable articles also include topics such as salary and fringe benefit improvements, health and welfare areas such as asbestos removal, etc. Other chargeable articles deal with specific topics like class size and educational reform issues on new and advanced methods of classroom instruction. Expenses allocable to advertising, net of advertising revenue, are considered non-chargeable.

e. Mass and Electronic Media Information Services – Mass and electronic media information services promote the union and provide a method of disseminating information on union activities in areas of collective bargaining, contract administration, and grievance matters. Media is also used to explain the Federation's positions in educational reform on such issues as educational changes in the profession, class size, modern methods of teaching and school structure, financial improvements, educational accountability issues,

and educational restructuring of schools. These expenses are considered to be 100 percent chargeable. Publicity and public relations on the subject of enhancing the reputation of the teaching profession as a whole are non-chargeable.

f. **"Where We Stand" Column** – Direct publishing expenses of the monthly "Where We Stand" articles in various newspapers and periodicals written by the president of the Federation on contract administration, collective bargaining, and matters directly affecting wages, hours, and working conditions are allocated based on the specific content of the articles. Expenses allocable to articles considered political or ideological in nature, or pertaining to general public relations of the teaching profession, or to enhance the reputation of the teaching profession as a whole are non-chargeable.

g. **AFT-COPE and Related Activities** – Contributions to the Federation's Committee on Political Education (COPE) Fund and related expenses are considered to be 100 percent non-chargeable.

h. **Affiliation Fees** – Affiliation fees are considered to be 100 percent non-chargeable.

i. **Educational Training Programs and Conferences** – Educational training programs and conferences are for local, state, and national staff and are to enhance staff skills in collective bargaining, grievance handling, and contract administration. These educational training programs and conferences are considered to be 100 percent chargeable, except that items of a political or public relations nature contained within the programs are non-chargeable.

The Quality in Education Standards (QuEST) conference is a biennial conference that concentrates on educational reform and new instructional methods. As this conference focuses on education related issues, the related expenses are considered to be 100 percent chargeable.

j. **Assistance and Collective Bargaining** – Expenses of organizing, collective bargaining, assistance to local unions, grievance handling, contract administration, etc. are 100 percent chargeable.

k. **State Federation Rebates** – State federation rebates are required by the Federation's constitution and are therefore 100 percent chargeable. These funds are to be used to hire staff at the state and local level, to negotiate collective bargaining agreements, and to enforce contract administration. Also, funds are used to service members directly.

l. **Militancy Fund** – The Militancy Fund supports members and locals involved in strikes. These expenses are considered to be 100 percent non-chargeable.

m. **Defense Fund** – The Defense Fund is a legal defense fund available to members and nonmembers which grants assistance to local and state bodies to help protect the rights of teachers, career service personnel, and other educational workers, as well as health care and federal, state, and local employees. Matters involving contract administration, grievance handling, and litigation involving the defense of the Federation are considered to be chargeable. Expenses of litigation unrelated to an objecting employee's unit and not germane to the Federation's duties as exclusive bargaining representative are not considered to be chargeable as defined in *Lehnert v. Ferris Faculty Association* (1991). This fund is administered through a committee comprised of Vice Presidents, the Secretary-Treasurer and the General Counsel, all of the Federation.

n. **Solidarity Funds** – Solidarity Fund expenses consist of payments made by the National Fund related to political and legislative activities. These payments are considered to be 100 percent non-chargeable unless the expense is directly related to improving the wages, hours, or working conditions of the members of the bargaining unit(s). Payments made to AFT State Federation Solidarity Funds as required by the Federation's Constitution are considered 100 percent chargeable.

o. **Legal, Audit, and Consulting Expenses - Agency Shop** – Legal, audit, and consulting expenses - agency shop are fees paid to outside lawyers, auditors, and consultants for services directly relating to agency shop matters. These expenses are considered to be 100 percent chargeable.

p. **Legislative Activities, Public Affairs Activities, Member Benefits Activities and International Affairs Activities** – Activities related to legislative, public affairs, member benefits, and International affairs expenses are considered to be 100 percent non-chargeable.

q. **Convention and Executive Council Meetings** – Expenses related to the Federation's biennial convention and periodic Executive Council meetings are considered to be 100 percent chargeable.

r. **Departmental Meetings** – Departmental meetings expenses are allocated based on the chargeable percentages of the related departments, except that meeting expenses primarily for non-chargeable activities are considered to be 100 percent non-chargeable.

s. **Regional Offices** – Regional offices expenses are allocated based on the chargeable percentages of the regional office directors.

t. **General, Administrative, and Operating Expenses** – General, administrative, and operating expenses have been allocated to chargeable and non-chargeable expenses based on the same ratio as total direct expenses.





SERVICE EMPLOYEES INTERNATIONAL UNION, CLC – United States Division

**Consolidated Statement of Expenses and Allocation
Between Chargeable Expenses and Non-chargeable Expenses**

Year Ended December 31, 2004

Toal & Griffith, LLC

CERTIFIED PUBLIC ACCOUNTANTS

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INDEPENDENT AUDITOR'S REPORT

The Executive Board of the Service Employees International Union, CLC

We have audited the accompanying consolidated statement of expenses and allocation between chargeable expenses and non-chargeable expenses of the Service Employees International Union, CLC - United States Division (the International Union) for the year ended December 31, 2004. This consolidated statement is the responsibility of the International Union's management. Our responsibility is to express an opinion on this consolidated statement based on our audit. We did not audit the total expenses reflected in Column A of the consolidated financial statements. Total expenses were audited by other auditors whose report has been furnished to us, and our opinion, insofar as it relates to the amounts in Column A, is based solely on the report of the other auditors.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the consolidated statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the statement. An audit also includes assessing the accounting principles used and significant estimates made by the International Union's management, as well as evaluating the overall presentation of the consolidated statement. We believe that our audit provides a reasonable basis for our opinion.

The total expenses reflected in Column A of the consolidated statement agree to the expenses in the audited consolidated financial statement of the

International Union for the year ended December 31, 2004, as modified to remove from expenses the per capita tax rebates paid to local unions of \$10,330,490, political expenses paid from voluntary contributions of \$10,107,640, expenses associated with the Eastern and Western Regional Conferences amounting to \$832,246, which were paid from funds transferred upon the dissolution of the Eastern and Western Conference affiliates, expenses paid from the Legal Defense Fund of \$57,063 and the SEIU Communications Center, Inc. expenses totaling \$739,893. The allocation of expenses between chargeable (Column B) and non-chargeable (Column C) is based on the definitions and significant factors and assumptions described in Notes 2 and 3.

In our opinion, the consolidated statement referred to above present fairly, in all material respects, the consolidated expenses of the Service Employees International Union, CLC - United States Division for the year ended December 31, 2004, modified as discussed in the preceding paragraph and the allocated consolidated expenses between chargeable and non-chargeable expenses, on the basis of the definitions and significant factors and assumptions described in Notes 2 and 3.

This report is intended solely for the information and use of the Service Employees International Union, CLC and its agency fee payers and is not intended to be and should not be used by anyone other than those specified parties.

Toal & Griffith, LLC

/s/ Toal & Griffith, LLC
June 29, 2005

**Service Employees International Union, CLC – United States Division
NOTES TO CONSOLIDATED STATEMENT OF EXPENSES AND ALLOCATION
BETWEEN CHARGEABLE EXPENSES AND NON-CHARGEABLE EXPENSES**

YEAR ENDED DECEMBER 31, 2004

**NOTE 1 - SUMMARY OF
SIGNIFICANT ACCOUNTING
POLICIES**

Method of Accounting – The financial statement has been prepared on the accrual basis of

accounting in accordance with generally accepted accounting principles.

Basis of Presentation – The accompanying consolidated statement of expenses and

allocation between chargeable and non-chargeable expenses was prepared for the purpose of determining the fair share cost of services rendered by the Service Employees International Union, CLC - United States Division (the

International Union) for employees represented by, but not members of, the International Union and its affiliated local unions. This statement is not intended to be a complete presentation of the International Union's financial position, or changes in its net assets and its cash flows in accordance with generally accepted accounting principles.

Financial Statement Presentation and Principles of Consolidation –

The International Union records its transactions in various funds, each a self-balancing group of accounts. Each fund reflects only those transactions applicable to its designated functional area. The following fund designations are established by the International Union's Constitution or determined by management:

General Fund – Records all activity not accounted for in the other funds and includes the general operations of the International Union - U.S. Division, the operations of 1313 L Street, N. W., Inc. (1313 L Street) and 1800 Massachusetts Avenue Corporation, formed to be title holding corporations for the International Union's headquarters building. The General Fund includes the consolidated accounts of 1313 L Street and 1800 Massachusetts Avenue Corporation. All significant inter-company account balances have been eliminated in consolidation.

Strike and Defense Funds – Established to financially assist local unions and members involved in strikes. In accordance with the International Union's constitution, local unions may withdraw their per capita payments from the Strike and Defense Local Fund after one year of making per capita payments.

Political Education and Action Funds (PEA) – Records all activities for political education and political action disbursed from per capita tax allocations.

Committee on Political Education – Records all activities for political contributions disbursed from net assets received with donor imposed

restrictions.

Unity Fund – The Unity Fund is a segregated fund financed from local union per capita payments that is used to finance breakthrough campaigns, coordinated bargaining, and other activities designed to increase density in SEIU's core industries. The Unity Fund is

divided among the Building Service, Health Care, Long Term Care, and Public Services Divisions and a non-divisional fund.

Convention Fund – Records all activities for the convention of the International Union which meets every four years.

Service Employees International Union, CLC United States Division				
CONSOLIDATED STATEMENT OF EXPENSES AND ALLOCATION BETWEEN CHARGEABLE EXPENSES AND NON-CHARGEABLE EXPENSES				
Year Ended December 31, 2004				
	COLUMN A Total Expenses	COLUMN B Chargeable Expenses	COLUMN C Non-chargeable Expenses	Notes
GENERAL FUND				
Personnel Costs:				
Organizing	\$27,574,883	\$27,574,883	\$ —	3a
Field Operations and Campaign Support	12,808,134	12,465,302	342,832	3a
Politics, Government, and Community	3,798,915	—	3,798,915	3a
Union Communications	5,987,344	3,599,042	2,398,865	3a
Leader Support	7,344,583	6,524,602	819,981	3a
Administrative and Financial Services	6,084,131	4,731,164	1,352,967	3a
Professional Fees and Expenses	9,532,179	7,441,138	2,091,041	3b
Administrative Expenses	17,583,088	15,209,371	2,373,717	3c
Contributions	1,543,761	—	1,543,761	3d
Payments to Locals:				
Subsidies	5,482,580	5,482,580	—	3e
Per Capita Tax Rebates	10,330,490	10,330,490	—	3e
Reimbursements	1,604,468	1,604,468	—	3e
Political Subsidies	1,922,861	—	1,922,861	3f
Conferences and Meetings	1,951,056	1,620,306	330,750	3g
Communications and Media	673,184	486,014	187,170	3h
Affiliation Fees and Assessments	10,206,662	—	10,206,662	3i
Death Gratuities	136,250	—	136,250	3j
Building Expenses	1,185,649	1,025,586	160,063	3k
State Council Return	<u>1,558,736</u>	<u>1,558,736</u>	<u>—</u>	3l
Total General Fund	127,308,954	99,653,682	27,665,835	
STRIKE AND DEFENSE FUNDS	2,965,217	2,965,217	—	3m
POLITICAL EDUCATION AND ACTION FUNDS	42,165,228	—	42,165,228	3n
COMMITTEE ON POLITICAL EDUCATION	10,107,640	—	10,107,640	3n
UNITY FUND	58,730,283	58,730,283	—	3o
CONVENTION FUND	11,245,759	11,245,759	—	3p
LEGAL DEFENSE FUND	57,063	—	57,063	3q
CONFERENCE FUND EXPENSES	832,246	832,246	—	3r
SEIU COMMUNICATIONS CENTER, INC.	<u>739,893</u>	<u>739,893</u>	<u>—</u>	3s
Total Expenses Before Modification	254,152,283	174,167,080	79,995,766	
LESS				
Per Capita Tax Rebate Payments to Locals	(10,330,490)	(10,330,490)	—	
Political Expenses Paid From				
Voluntary Contributions	(10,107,640)	—	(10,107,640)	
Conference Fund Expenses	(832,246)	(832,246)	—	
Legal Defense Fund	(57,063)	—	(57,063)	
SEIU Communications Center, Inc.	<u>(739,893)</u>	<u>(739,893)</u>	<u>—</u>	
Total Expenses, as Modified	<u>\$232,084,951</u>	<u>\$162,264,451</u>	<u>\$69,831,063</u>	
	100%	69.92%	30.09%	

See auditor's report and accompanying notes to financial statements.

Other Funds – Funds established to account for assets which have been internally segregated for specific purposes as determined by the Executive Board.

Depreciation and Amortization – Depreciation and amortization of property, equipment, and improvements are computed over the estimated lives of the respective assets using the straight-line method.

Tax Status – The International Union is exempt from federal income taxes, except on net income, if any, from unrelated business activities, under Section 501(c)(5) of the Internal Revenue Code. 1313 L Street and 1800 Massachusetts Avenue Corporation are exempt from income tax, except on net income, if any, from unrelated business activities, under Section 501(c)(2) of the Internal Revenue Code.

NOTE 2 - DEFINITIONS

The following definitions of chargeable and non-chargeable expenses are based on existing law and the International Union's interpretation of court cases.

a. **Chargeable Expenses** – Chargeable expenses are those incurred by the International Union that reflect the share of the costs of operations of the International Union which are considered necessarily and reasonably incurred for the purpose of assisting local unions and councils in the performance of their duties as a representative of the employees in dealing with the employer on labor management issues, including the costs of: negotiating and administering the collective bargaining contract; settling grievances and disputes by mutual agreement, or in arbitration, court or otherwise; activities and undertakings normally and reasonably employed to implement the duties of the local union or council as representative of the employees in the bargaining unit; and the maintenance of the International Union's, local unions' and councils' existence. The following are examples of expenditures classified as chargeable: preparation for and

negotiations of collective bargaining agreements; contract administration including investigating and processing grievances; meetings, conferences, administrative, arbitral and court proceedings and pertinent investigation and research in connection with work-related subjects and issues; handling work-related problems of employees; organizing employees of employers in competitive markets where SEIU already represents employees; and providing legal, economic, and technical expertise on behalf of employees in all work-related matters.

b. **Non-Chargeable Expenses** – Non-chargeable expenses are those expenses incurred by the International Union for the benefit and advancement of represented employees and their union which are not considered representational activities for non-members. Non-chargeable activities include those services that are ideological or political in nature; those that are exclusively for the benefit of full union members; and those that otherwise are not considered germane to the collective bargaining process.

Activities that are classified as non-chargeable include the following: legislative and government activities outside the limited context of contract ratification or implementation; public relations and other efforts directed towards functional activities that are not considered germane to the collective bargaining process; political activity expenses which include support at the Federal, state, or local level; union publications to the extent they report on non-administrative or non-representational activities; donations; per capita tax fees paid to a labor organization; and the cost of benefits that are not available to non-members.

NOTE 3 - SIGNIFICANT FACTORS AND ASSUMPTIONS USED IN THE ALLOCATION OF CONSOLIDATED CHARGEABLE AND NON-CHARGEABLE

a. **Personnel Costs** – The International Union has assigned all personnel to either program,

leader support, or administrative and financial services departments. Program departments implement the programs of the International Union and provide services to affiliates and local unions.

Administrative and financial services departments include the following departments: Accounting, Human Resources, Information and Technology, Meetings and Convention, Member Services, and Finance and General Administration. Leader support includes the Executive Department, the Executive Board, and the Firemen and Oilers Department. Personnel costs include salaries and wages, fringe benefits, payroll taxes, and reimbursed employee expenses.

Personnel costs of the Organizing departments, Field Operations and Campaign Support departments, Politics, Government, and Community departments, Union Communications departments, Leader Support departments and the Administrative and Financial Services departments have been allocated based on determinations made by the various department heads as to the percentage of time his or her department spends on chargeable and non-chargeable activities. The personnel costs of office and clerical personnel are allocated between chargeable and non-chargeable in the same percentage as their supervisors.

b. **Professional Fees and Expenses** – All professional fees and expenses for outside legal counsel are considered to be chargeable or non-chargeable based on the services performed. Accounting and auditing fees and expenses are considered to be fully chargeable. Other professional fees and expenses are considered to be chargeable or non-chargeable based on the service performed by the consultant. Chargeable activities include expenses for training, speakers, and research matters. Professional fees for consulting services in connection with political activities and legislative activities are considered to be fully non-chargeable.

c. **Administrative Expenses** – Administrative expenses include items such as rent and utilities, office supplies and expenses,

investment charges, equipment rental and maintenance, computer expenses, other taxes, depreciation and amortization, printing, postage, telephone, subscriptions, insurance, and bad debt expense. These expenses are allocated to chargeable and non-chargeable expenses based on the same ratio as personnel costs.

d. **Contributions** – Contributions for charitable, civic, and labor-related purposes are not directly related to the function of representation and are considered to be fully non-chargeable.

e. **Payments to Locals** – Payments to locals which represent subsidies for organizing are considered to be fully chargeable. Payments to locals which represent reimbursements for operating expenses are considered to be fully chargeable. The total expenses as reported in the audited consolidated financial statement have been modified to remove from expenses the per capita tax rebates paid to local unions.

f. **Political Subsidies** – Political subsidies are considered to be fully non-chargeable.

g. **Conferences and Meetings** – Expenses for conferences and meetings are allocated between chargeable expenses and non-chargeable expenses based on the purpose of and topics discussed at the meetings. Items of a political or legislative nature are considered to be non-chargeable. Educational training programs and conferences for local, state, and national staff, which are to enhance skills in collective bargaining, grievance handling, and contract administration are considered to be fully chargeable since they pertain to matters which are germane to collective bargaining. Executive Board meetings and meetings which pertain to the governance of the International Union such as formulating and communicating union internal policy are considered to be fully chargeable.

h. **Communications and Media** – Direct printing and publishing expenses of the publications are allocated based on the specific content of articles in the publications such as the

International Union's magazine, SEIU Action, which is distributed to all members and agency fee payers, and the newsletter, Bold Action Fax. Expenses allocable to articles considered to be political or ideological in nature are considered non-chargeable. Expenses allocable to reporting on legislative and lobbying activities, litigation activities, illegal strike activities and articles relating to enhancement of the reputation of the International Union as a whole are considered to be non-chargeable. The content of articles deemed chargeable is directly related to issues on organizing in competitive markets where SEIU already represents employees, collective bargaining, and contract administration. These articles include topics such as collective bargaining contracts negotiated by locals throughout the country. The expenses relating to the maintenance of the International Union's website have been allocated based on an assessment of the content included on the website throughout the year.

i. **Affiliation Fees and Assessments** – Per capita taxes and assessments paid to the AFL-CIO and affiliated labor organizations are considered to be fully non-chargeable.

j. **Death Gratuities** – Death gratuities are benefits paid to a deceased member's family and are considered to be fully non-chargeable.

k. **Building Expenses** – This category represents expenses incurred by 1313 L Street for the operation and maintenance of the International Union's headquarters building, such as utilities, real estate taxes, insurance, repairs and maintenance and other related expenses. These expenses are allocated to chargeable and non-chargeable expenses based on the same ratio as personnel costs.

l. **Regional Conferences and Joint Council Meetings** – The International Union returns a portion of per capita taxes received from the local unions to the International Union's councils for regional conferences and joint council meetings. These governance meetings are considered to be fully

chargeable.

m. **Strike and Defense Funds** – Expenses of the strike and defense funds include financial assistance to local unions involved in legitimate strikes in addition to providing financial assistance for educational programs including newspaper advertisements, leaflets, handbills, and other media-based messages concerning contract ratification. Expenses also include local union withdrawals of their per capita tax payments. All expenses of the strike and defense funds are considered to be fully chargeable.

n. **Political Education and Action Funds** – Expenses incurred by the Committee on Political Education and the Political Education and Action Funds relate entirely to political and legislative activities and are considered to be fully non-chargeable. The total expenses as reported in the audited consolidated financial statement have been modified to remove from expenses the political expenses paid from voluntary contributions.

o. **Unity Fund** – Expenses of the Unity Fund include financial assistance to local unions involved in breakthrough campaigns to increase union membership. These expenses are organizing in function and are considered to be chargeable to the extent they involve organizing in competitive markets where SEIU already represents employees.

p. **Convention Fund** – Expenses for the International Union's convention are considered to be fully chargeable.

q. **Legal Defense Fund** – Expenses incurred by the Legal Defense Fund are removed from the total expenses, as they are paid solely from court awarded cost reimbursements from lawsuits.

r. **Conference Funds** – Expenses incurred within this Fund are paid from funds transferred upon the dissolution of the Eastern and Western Conferences and are accordingly removed from the total expenses.

s. **SEIU Communications Center, Inc.** – Expenses incurred by the Center are removed from the total expenses, as they are paid