# Strategic Research:

A primer on how to find out what you need to know to win
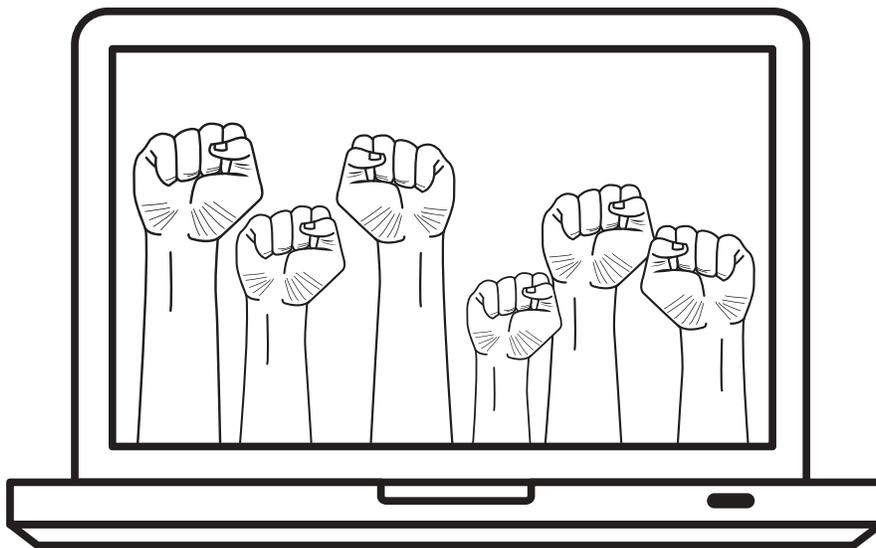
By Kyle Friend, Communication Strategist
Office and Professional Employees International Union
AFL–CIO, CLC

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NOTE: This methodology was pioneered by both Dr. Tom Juravich at the University of Massachusetts and Dr. Kate Bronfenbrenner at the Cornell University School of Industrial and Labor Relations. I learned the methodology working directly underneath Dr. Bronfenbrenner, where I was fortunate to serve as her lead researcher and co-author on an award-winning paper on "Outsourcing in the Trump Era" as an undergraduate.

Our research analyzed more than 500 cases of outsourcing from more than 300 companies. We were able to determine who was outsourcing jobs, which countries they were outsourcing to, and whether they actually needed to, based on publicly available financial data. The paper also explored how the decline of local news organizations has dovetailed with a silent stream of jobs leaving the United States, despite President Trump's "America First" agenda. (Strategies to combat a lack of media coverage of workers' issues are necessarily scattered throughout this guide.) The paper we wrote using many of the guiding questions outlined in this guide earned a "competitive paper" distinction from the Labor and Employment Relations Association in 2019.

Accordingly, this guide would not be possible without the hands-on insights I learned working alongside Dr. Bronfenbrenner, and from assisting administratively with the Cornell/AFL-CIO Strategic Corporate Research Summer School for two years. I am equally grateful to OPEIU for allowing me to share what I've learned as a researcher to better our union's capacity for corporate research to benefit the lives of existing and future members.

If you have any questions on this guide, need specific help with a section, or would like clarification on any part of this document, please feel free to e-mail me at kfriend@opeiu.org.

STRATEGIC CORPORATE RESEARCH
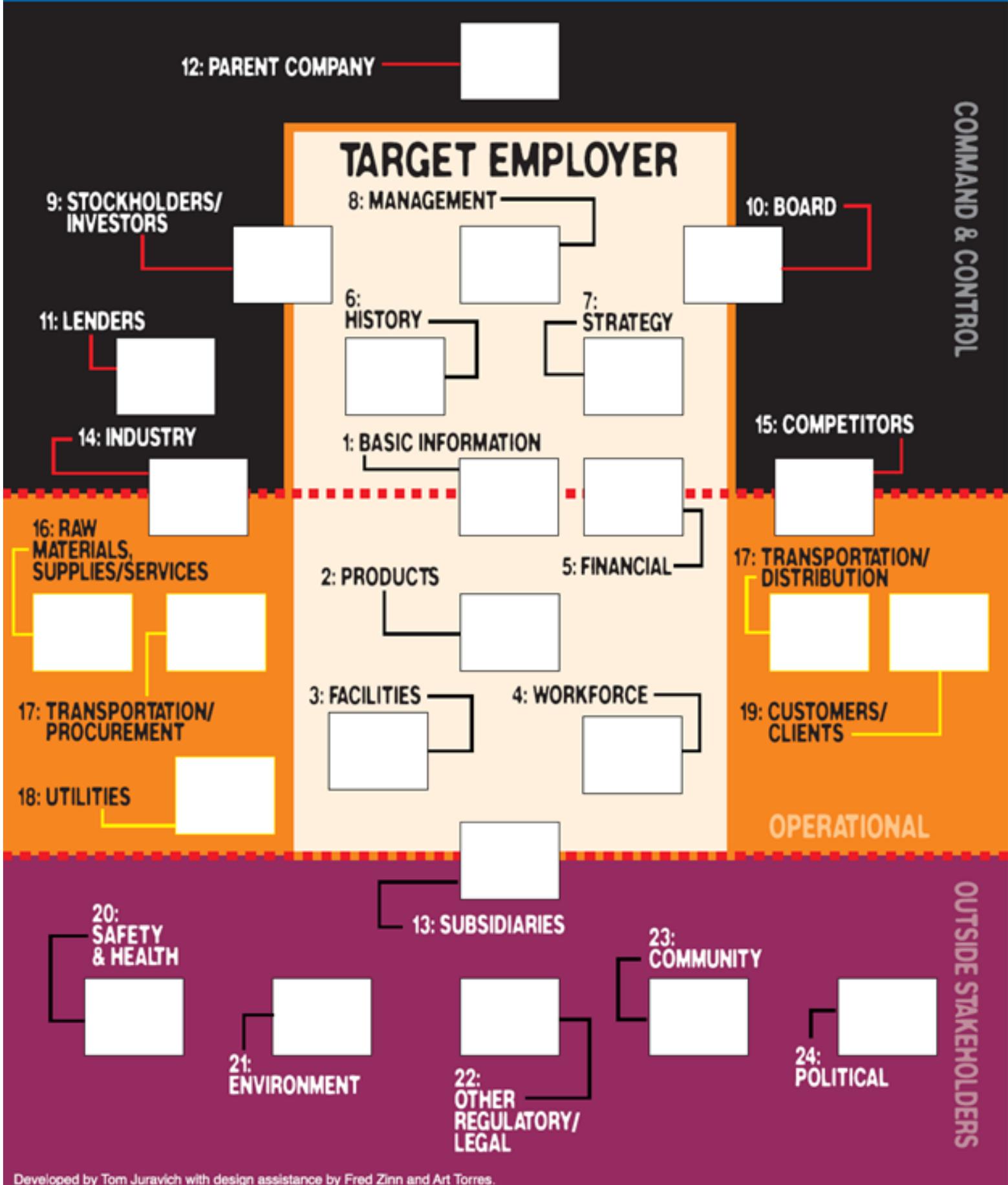
COMMAND & CONTROL

12: PARENT COMPANY

TARGET EMPLOYER

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22: OTHER REGULATORY/ LEGAL

24: POLITICAL

This chart will serve as a roadmap for your research.

CORPORATE OWNERSHIP STRUCTURE

PRIVATE SECTOR
(Covered under NLRB except for agriculture and domestic workers, includes postal workers and publicly funded private agencies)

PUBLIC SECTOR
(Federal, state, or local government or public authority, including school districts -- not covered under NLRB)

FOR PROFIT

NOT FOR PROFIT

PRIVATELY HELD
(Not required to file forms with SEC)

US PUBLICLY HELD
(Sell shares on US exchanges and required to file forms with SEC)

TAX EXEMPT CHARITABLE ORGANIZATION 501C3 STATUS
(Hospitals, foundations, arts organizations, educational institutions, social service agencies, etc)

NOT TAX EXEMPT
(Unions, associations, political parties, and other not for profits that engage in political activity)

FOREIGN PUBLICLY HELD
(Sells shares on foreign but not US exchanges, not required to file forms with SEC but may still file annual reports and other publicly available documents in the country where they sell shares)

INTRODUCTION
FROM SPECULATION TO SUBSTANCE

Corporate research can and will be frustrating, tedious, and repetitive. Though it may not be immediately clear how the bits and pieces of information you'll gather will be used to attain your goals, knowing your target employer inside-and-out is an essential part of winning campaigns.

Consider this process to be the foundation of a comprehensive organizing campaign. Most employers will retaliate against employees hoping to form a union, but by being prepared and informed, we can do much to counteract it.

Through this methodology, you may learn that Company X's board members socialize with Politician Y; or that a union-represented workforce transports Company X's product from point A to point B; or that Company X is facing stiff competition from Company Y, which is driving its decision-making process in the short-run.

In certain cases, particularly when the target employer is privately held, and thus not required to submit financial statements to the Securities and Exchange Commission, you will likely need inside, on the ground sources to help you complete the chart featured on the previous page. Don't stress: even full-time researchers struggle with compiling information on a privately held company.

This document will be guided by the order of the chart on the previous page for ease of reference, using an array of questions you must consider and answer to make the most of this methodology.

Keep in mind that you should try to conduct your research sequentially, and consider giving assignments (a section or two, for example) to organizing committee members who want to participate more fully and make the campaign theirs.

RESOURCES

The following list of resources can help you determine a significant portion of the employer- and industry-specific information required to complete the chart.

Form 10-K: This is a form all publicly traded companies *must* file annually with the Securities and Exchange Commission. It includes a treasure trove of information that can help us with our research, including company finances, company facilities, information about the workforce (including existing union contracts), and more. Because it is almost always a lengthy document, using "Control+F" on your keyboard to search for keywords will save precious time.

Search the SEC's database at this link: http://www.sec.gov/edgar.shtml

Mergent Intellect: In 2019, OPEIU purchased a subscription to Mergent Intellect, a database that compiles firm- and industry-specific information on the vast majority of companies operating in the United States. It automatically enters information from companies' 10-K forms (though not always the most recent - be sure to check) and estimates revenues for privately held firms.

Please contact Kyle Friend at kfriend@opeiu.org if you would like access to OPEIU's Mergent subscription.

GuideStar: GuideStar is a free resource that can help you find financial information on 501(c)(3) organizations. The 10-K equivalent for nonprofits is the 990 Form, which has much of the same information, and is also a required disclosure for non-profits. https://www.guidestar.org/

RESOURCES

WARN Databases: Through the federal Worker Adjustment and Retraining Notification Act of 1988, firms with more than 100 employees conducting mass layoffs must inform the federal government sixty (60) days before the layoffs are slated to occur.

Keep in mind that, because of the law's provisions, it may be possible for employers to stagger layoffs so as not to trigger the reporting requirement and bring about negative publicity.

Certain states have passed WARN Acts of their own with more stringent reporting requirements than federal guidelines require. You can find state-specific WARN databases through a simple Google search.

Trade Adjustment Assistance: The Trade Act of 1974 mandates record-keeping of firms who offshore jobs, lay off workers, or otherwise are negatively impacted by foreign trade. Through the TAA database, you can find whether the target employer has outsourced jobs, and to where.

Coupled with media searches, you may be able to find specifically where those jobs went and, as a practical example, use testimonials from workers in low-wage countries to mount a publicity campaign against the target employer. The link is as follows:
www.doleta.gov/tradeact/petitioners/taa_search_form.cfm

1: BASIC INFORMATION

- What is the target employer's name?
- What is its website?
- What exchanges is it traded on?
  - Mergent Intellect has this information.
  - If the target employer isn't listed on any public exchanges (NASDAQ, NYSE, etc.), it's probably a privately held firm, and finding information on the company will be more difficult (more details to follow).
- What is the target employer's address/phone number/fax number?

A NOTE FOR NONPROFIT RESEARCH

If strategic corporate research revolves around a company's 10-K filing, then strategic nonprofit research revolves around its annual 990 form. Most of the information you'll be able to find about the nonprofit, minus information you'll learn from talking to employees, will be on its 990, as is the case with private sector companies and their 10-K. Resources like www.opensecrets.org, coupled with a detailed analysis of publicly available financial information, can reveal a range of insights that can bolster your nonprofit organizing campaign.
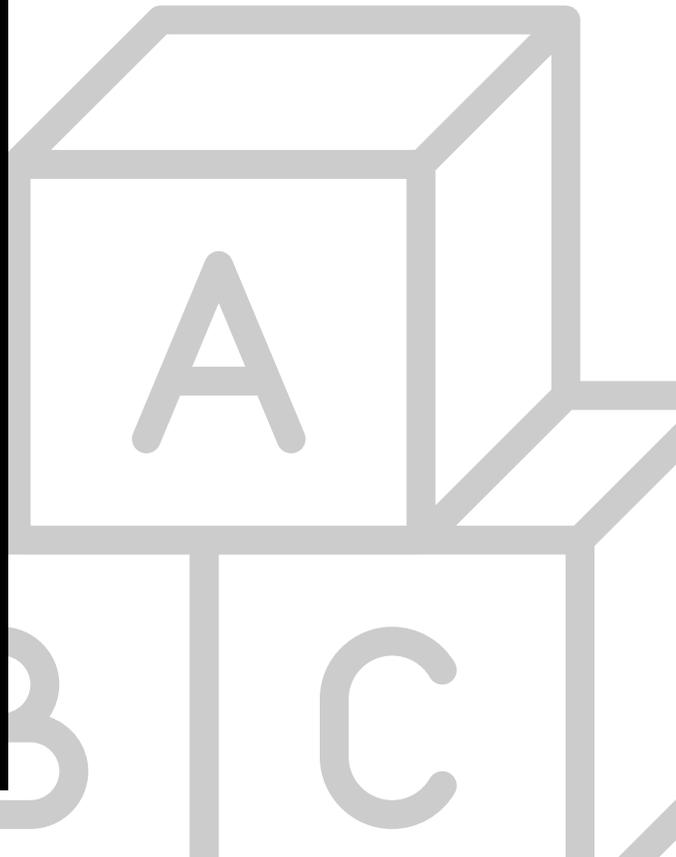
2: PRODUCTS/SERVICES

- What does the company produce, or what services does it provide?
  - Check their website for specific product offerings. 10-K forms will also feature this information, especially if a new product/service offering has altered finances or business structure.
- What is their most popular product/service?
  - Industry publications – Bloomberg, Crain's Business, etc. – may feature some of this information.
- How much do their products/services cost?
  - Do a Google Shopping search. Are there differentials between retailers?

THINKING ABOUT NONPROFITS

Ask yourself: do the nonprofit's actions live up to its supposed values/mission statement? Are they doing all they can be doing to fulfill their mission? How crucial is it to the community? What gaps is it trying to fill in, and in what geographic area(s)?

3: FACILITIES

- Where does the target employer do its business?
  - The 10-K form will have this information, but you may be able to find more information the company has offered up on its website. Check the "About Us" section.
  - If it has more than one facility, consider mapping it using Google Maps for free. It can help to visualize the company's footprint when thinking strategically later in the campaign.
  - If it's service-oriented, it's less likely – but not impossible – to be outsourced, relative to products that could be easily manufactured in China. Keep that in mind.
- Does the target employer own any assets that aren't related to its core business?

4: WORKFORCE

- How many employees work at the target employer's facilities?
  - The 10-K has this information. Though not required, some companies choose to reveal exactly how many employees work at each of their facilities.
- Are there existing union contracts?
  - 10-K should also have this information.
  - The NLRB website may also lead you to some information that might not be on the form or in the media.
  - Be sure to double-check via a media search using Google News. "[Target employer] union" may bring to light a failed union campaign from years past, which can help you avoid the same mistakes.
- What are the demographics of the workforce?
  - Do they have any Equal Employment Opportunity Commission cases pending against them? Search for the target employer on the EEOC website: www.eeoc.gov
  - Most of the time, this information will likely have to come from workers on the ground, so don't worry if you're unable to find the specific breakdown.
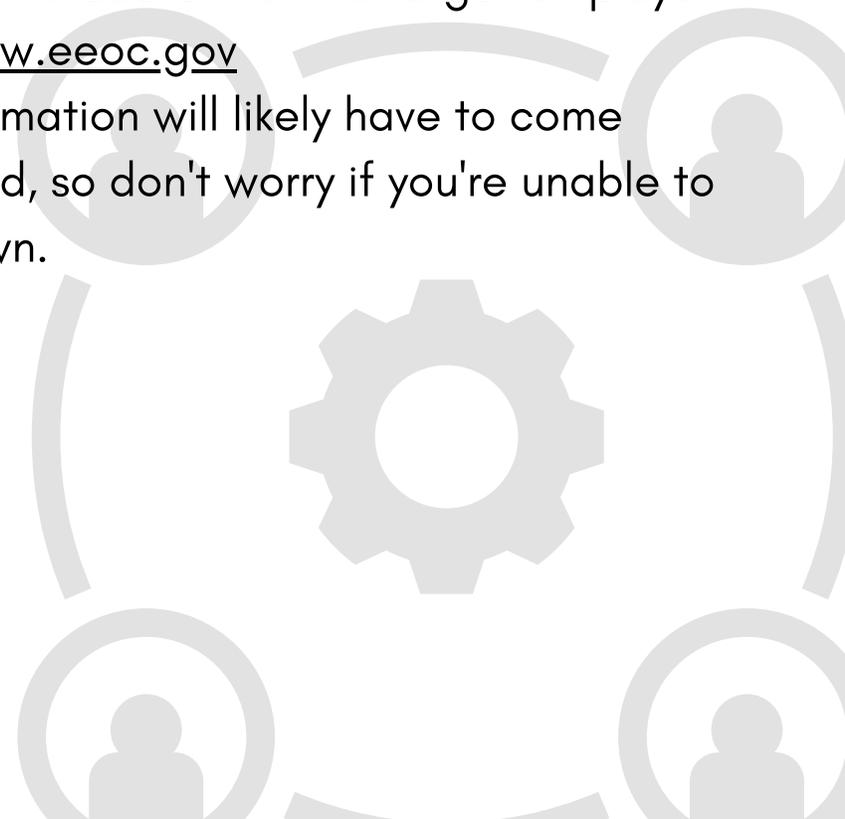
OUTSOURCING AND OFFSHORING

The Department of Labor compiles all petitions for "Trade Adjustment Assistance" – a program set up during the Carter Administration to provide relief in the form of workplace training and income supplements for workers whose jobs had been shipped overseas, or were otherwise impacted by foreign competition – on its website.

For more detailed information, you may have to submit a FOIA request to the Department of Labor. Doing so can help determine *why* either the workers, management, or a union filed for Trade Adjustment Assistance on behalf of a group of workers. Was it due to foreign competition? Cheaper manufacturing options abroad? To save money on taxes? The stated reason in the complaint is not always the correct reason, as management sometimes misrepresents what's happening to its workforce. Check to see whether the petition for assistance was approved or not by the Department of Labor.

https://www.doleta.gov/tradeact/petitioners/taa_search_form.cfm

5: FINANCIAL

- What is the target employer's financial situation?
  - Net income (operating profits) is likely the most important, and can be found on both Mergent Intellect and the 10-K form directly filed with the SEC.
  - Net revenue is the target employer's "big picture" - all of the money it brought in, without deducting expenses like payroll, rent, etc.
  - If possible, try to put together at least a five-year survey of past financial disclosures. By making a bar graph showing how the company has grown, stagnated, or suffered, you can better visualize the firm's financial situation in the medium-run.
- Is it a privately held company?
  - As mentioned before, privately held companies will be more difficult to research. Try to find minutes from calls with investors, which are sometimes posted on the company's website under "Investor Relations." These are not legally required, but some companies publicly share this information to maintain a sense of transparency with investors.

FOUNDATIONS AND FUNDERS

Nonprofit organizations typically rely on several streams of revenue. For example: 25% of their funds may come from a state grant, 25% from a foundation grant, 10% from small-dollar donations, and <u>40%</u> from <u>just a handful</u> of wealthy donors.

If you determine a corporation, person, or other organization is responsible for a large slice of revenue, ask yourself questions like:

How are wealthy donors and the organization, and those in management, connected?

Combine the names of key players in both organizations into a web search. Maybe they've hosted lavish fundraisers together. Check the nonprofit's 990 and its supplemental forms to see if they're spending more money on golf outings than they're raising to complete the organization's stated mission.

Do any worker-organizers know if the donation came with any strings attached?

Funders may influence the nonprofit's work in such a way that it discredits the organization. Would you trust a Koch Foundation study on the effects of fossil fuel pollution?

Do any of those donors have any union ties, or a history of illegal union-busting?

Say the CEO of a large technology company donated $100,000 to a homeless services nonprofit. That's great. But is that CEO responsible for paying poverty wages? Any ULP charges in the NLRB's database? Think creatively.

FINANCIAL INFORMATION FOR HOSPITALS

The ease of finding financial information depends on several factors: Is it a non-profit? Public for-profit? Private for profit? See the information below for easy access to this information, depending on the type of hospital:

All non-profit hospitals: View 990 forms on www.guidestar.org

Large non-profit hospitals: www.emma.msrb.org can help you locate hospitals that have sold debt in the form of tax-exempt bonds, which requires them to submit information for bondholders, including audited financial statements, the bond contract itself, etc.

Public for-profit: Check Mergent Intellect or the SEC's EDGAR website for its 10-K form. Also check its 10-Q form, filed quarterly, and its 8-K form, filed when the company experiences a major event (acauisition, merger, bankruptcy, etc.)

Private for-profit: This will obviously be the most difficult type to search, as is the case with any organization. Check local and state authorities that govern hospitals: many require certain information to continue operating in the state, and some of it, even for privately held hospitals, is made public.

6: COMPANY HISTORY

- When was the target employer founded, and by who?
- What were its founding principles?
- Did the target employer's mission statement change throughout the years?
- Was the target employer privately held for a time?
  - This type of information is probably on the company's "History" or "About Us" pages on their websites. You may also find third-party sources by checking the firm's Wikipedia page and <u>following the citations</u> - Wikipedia itself isn't a source, but the various sources that comprise it can be used.
- Did the target employer merge into a larger firm, or did it strategically acquire smaller firms to become what it is today?
  - 10-K forms will have this information, but you'd likely have to come across the exact year of any merger or acquisition to find out. An easier method would be a Google search: "[target company] merger acquisition" could lead you to a press release about a major merger or acquisition.
- How are they perceived in the media?
  - Google searches will help you here. Make a list of links to articles about the company, and take note of any pieces that reflect negatively on the company.
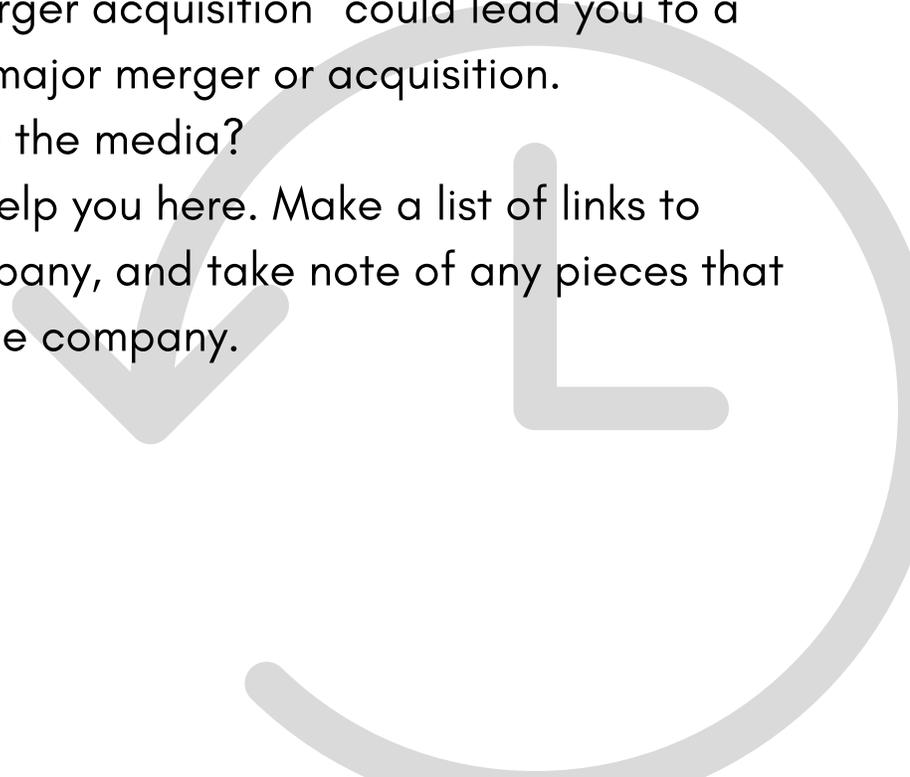
7: STRATEGY

- What is the target employer's growth strategy? Is it staying the course, or changing for some reason?
  - This will require some analysis in addition to fact-finding. By searching through the employer's last few 10-K forms, you may be able to decipher what the employer's short-, medium-, and long-term strategies are.
    - Are they laying off IT staff? Maybe they are trying to "restructure" - you'll see that word a lot in these forms - the company to focus on its "core competencies," i.e. producing product X or doing service Y.
    - Are they adding employees, even though their work isn't directly related to the company's profit-drivers? Maybe they're hiring their own IT staff to bring everything in-house and create unique digital infrastructure that would be more difficult to manage with a third-party contractor.
  - Articles in industry publications like Forbes, the Wall Street Journal, Crain's, and Bloomberg can all help you out.
  - <u>Don't forget to check local news sources where the company is located.</u> Many smaller newsrooms lack the search engine optimization (SEO) to appear high in web searches. That doesn't mean articles don't exist. Go directly to their website and search the target employer's name.
  - Knowing this information can help you determine profit centers - facilities where firms rake in a disproportionate amount of profits - as well as market conditions and emerging technology that can give context.

8: MANAGEMENT

- Who is directly supervising members of the proposed bargaining unit?
    - Think about questions like: *How long have they been a supervisor? Do they have any obvious sympathies toward the union effort? Did they rise up through the ranks of the company, or were they hired externally?*
    - This kind of shop-level information can likely only be attained from members of the organizing committee. This would be a good section to assign to them; they know best!
    - A premium LinkedIn account – thus allowing for private browsing – can also help to gather information. Search the employer and see who works there.
- Have there been any recent changes in management?
- Who supervises the supervisor?

KNOW WHO TALKS TO WHO

Knowing who supervisors report to, who they socialize with, and who they work near can help you avoid unwanted conflict. Consider assigning this section of research to a worker-organizer, who knows far better than you do.

9: STOCKHOLDERS/INVESTORS

- Who are the major investors/stockholders?
  - In publicly traded companies, stockholders can often be more important than supervisory management in determining the firm's direction.
  - If a list of major shareholders is not featured in Schedules 13D and 13G on the target employer's 10-K, you can search for a company's "DEF-14A" proxy statement in the same way you'd search for a 10-K form on the SEC website.
  - If nothing turns up, as always, turn to Google searches to see if you're missing something.
  - For nonprofits, consult the target employer's 990 form.
- Who owns the largest share?
  - Do they own a large percentage of stocks in another company? Is *that* company unionized?
- Are there any activist investors who could be of assistance?
  - Google search their names; industry publications may have featured them. A private LinkedIn search can also help fill in gaps.
- Are any of them serving in a position of public trust?
  - Do deep background research on anyone who serves concurrently in an elected position. Their position in the public eye can potentially be used to exert pressure on the employer.
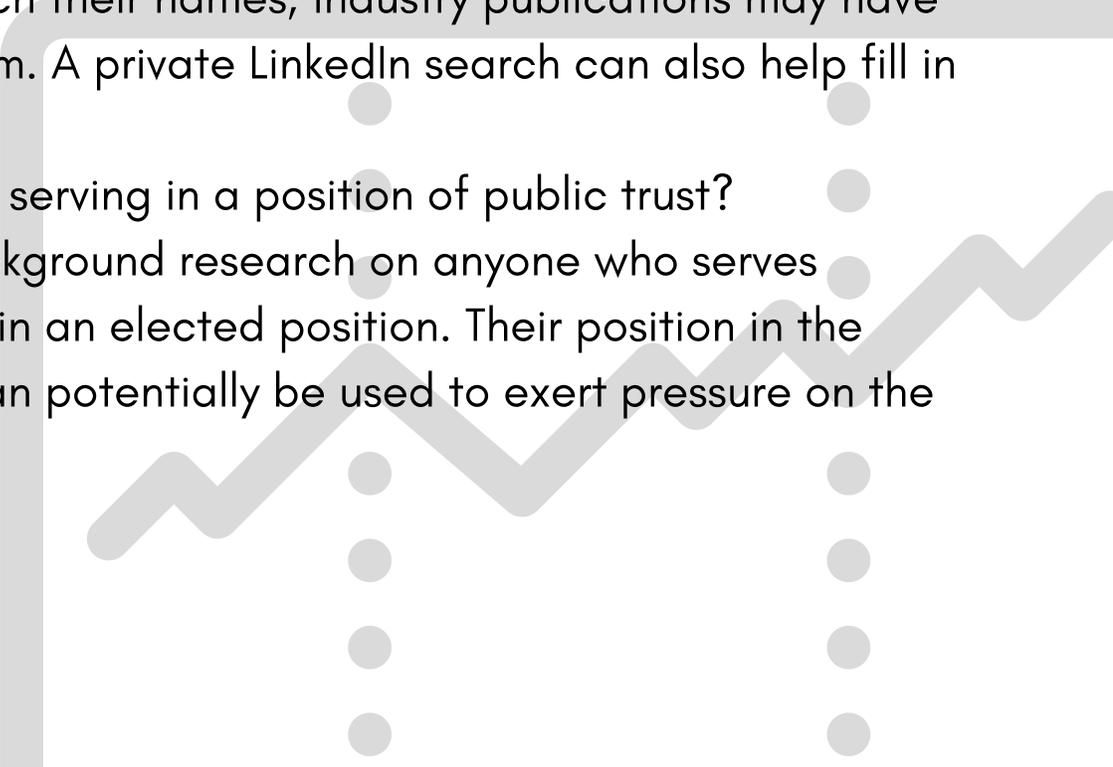
10: THE BOARD

- Who is on the board?
  - Again, the DEF-14A form, found on the SEC's "EDGAR" site, is the best source of information on board makeup for publicly traded companies.
- Have there been any recent changes?
  - Some will publicize a long-time board members' retirement, etc. Be sure to search on the web for keywords, as well.
- What professional backgrounds do they have?
  - Create a profile of each person. Many companies give pre-written bios for board members on their website or in annual documents meant to highlight that year's successes. You can use these as a starting point to uncover more biographical details that may be of use.
- Are they connected to other companies?
  - If so, what are those companies' labor relations like?
- How much do they make?
  - 10-K forms are the best source, but be sure to see if the AFL-CIO has already done your work for you with their Executive Pay Watch project at www.aflcio.org/paywatch.

PUBLIC RECORDS

There are millions of public records freely available online, including property ownership changes, marriage certificates, and more. If you're having trouble finding information on a board member, check www.publicrecords.searchsystems.net.

11: LENDERS

- Who does the company owe money to?
  - Check the 10-K and pay close attention to the supplemental "exhibits" attached to the document. Any credit agreements, if reported, would likely be featured in this section.
- What are the terms of the loan, and from which bank?
- Is anyone on the Board of Directors affiliated with the lender?
- Why did they borrow money?
  - If it's not explicit, you will need to connect this to Section 7: Strategy.

12: THE PARENT COMPANY

- Is the target company a "parent" or "holding" company?
  - Mergent Intellect has this information, under the "Family Tree" tab.
  - If you have time, try to duplicate Sections 1-10 for the parent company (if, of course, the target employer is not at the top of the organizational ladder). If you're on a deadline, don't neglect it entirely: still complete at least Sections 4, 5, 7, and 10 to make the most of your time.
  - Learning about the "bigger picture" taking place at corporate headquarters can help you gain a better understanding of your target employer's motivations, strategies, and goals at the shop-level.
- If you're able to determine their business strategy – which should be easier, given that it's likely a company of significant size, thus drawing more media attention – what does it mean for the target employer?
  - Were the job cuts you found out about while completing sections 4 and 7 part of a broader restructuring by the parent company? Knowing this will help you develop a comprehensive strategy.
- Do other subsidiaries, like your target employer, owned by the parent company have union contracts?
  - Check out their 10-K and search using Control+F for "union," "collective bargaining," "agreement," or "contract."
- If it's a nonprofit, who funds it? Foundations? Individual donors?
  - Check www.opensecrets.org and the organization's 990.

13: SUBSIDIARIES

- Is the target employer the parent company of another company?
  - Even if the target employer is a subsidiary itself, it can still have subsidiaries of its own!
  - Mergent Intellect and the company's 10-K can help you find this information. By looking into the target employer's subsidiaries (if any), you can start to develop a complete understanding of the company's financial landscape, points of pressure you may be able to exert, or profit centers that may be hidden – intentionally or unintentionally – through the subsidiary relationship.

A SUBSIDIARY IS...

a company owned by another company, known as the "parent" or "holding" company. By slicing up their businesses this way, the "parent" company is able to diversify its assets, shielding the totality of the corporate chain from the business risks of each individual subsidiary.
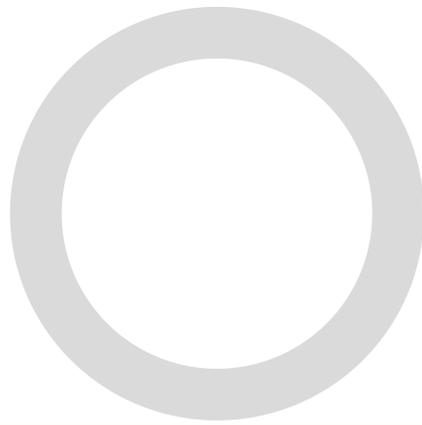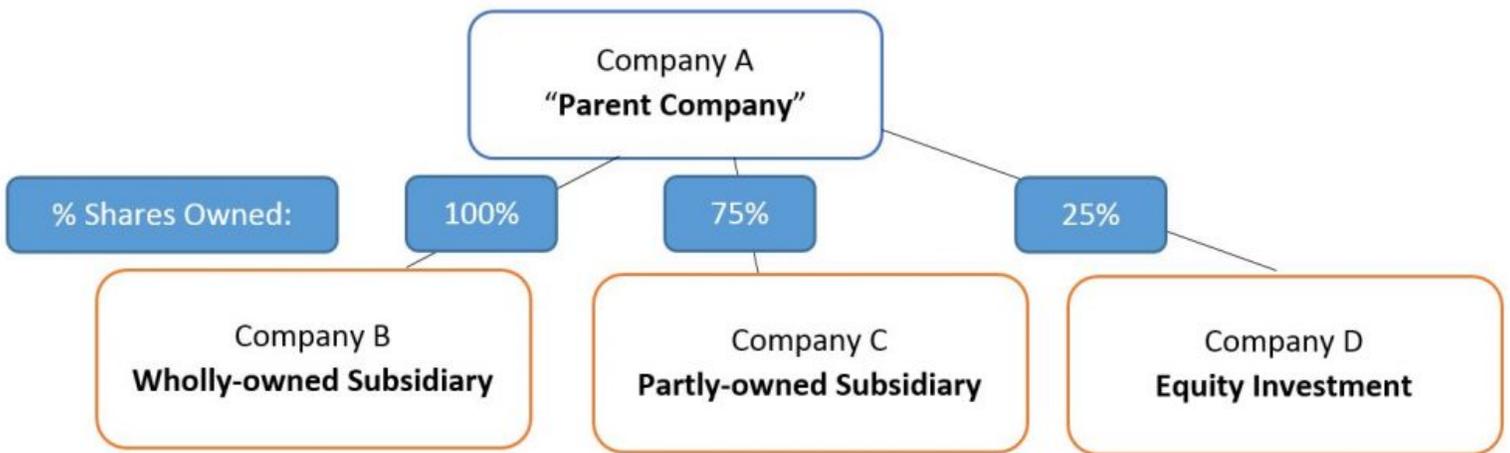
A chart describing different parent company/subsidiary relationships.

Mapping the organizational web of your target employer can help you identify specific pressure points which influence its business, decision-making processes, and corporate chain-of-command.

14: INDUSTRY

- What does the target employer's industry landscape look like?
  - Luckily, most of this information has already been compiled by other sources. Check Mergent Intellect and specific industry publications, many of which are available alongside Mergent's databases, to get a comprehensive overview.
- Is the overall industry growing or declining?
  - Consult Mergent Intellect and industry publications. How does it compare to other industries the target employer may be involved in? This can also inform Section 7: Strategy.

NARROWING IT DOWN

*Each industry has its own unique code(s). There are two coding systems, known as **NAICS codes** and **SIC codes**. These codes can help you pinpoint and lock down a specific industry's information, competitors, market share distribution, etc. Most industries on Mergent, via the Industry search function on the homepage, feature a detailed breakdown showing all companies comprising the entire market.*

15: COMPETITORS

- Who are the target employer's biggest competitors?
  - Do any of them have workforces represented by a union?
  - This section will overlap heavily with the previous section, but it's important to keep in mind the competitors that management is keeping in mind. Know the target employer's motivations and their concerns about losing ground or performing strongly in the industry.

16: RAW MATERIALS, SUPPLIES/SERVICES

- Where does the target employer get the components it needs to produce its final product or service?
  - Some employers emphasize partnerships with other well-known or local companies in this respect.
  - More often, however, the best and often only way to find this information is in the company's 10-K forms.
  - News articles from local outlets may shed some light, as well, so be sure to use their website's search function, too.
  - You could have some luck using what is called a "Boolean" Google search, which allows you to include or exclude exact words or phrases, helping to cut through a sea of information to find "partnerships," "suppliers," etc.
    - **Click here** for a guide on how to maximize your searches.
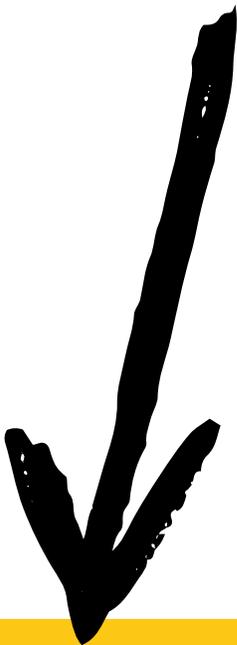
**www.bit.ly/howtobooleansearch**

Example of a Boolean search using Google. In this, we've narrowed down Google results from McLaren (a hospital chain), with specific mentions of its "board of directors." This method – which can get as complex as your search skills allow – will help you sift through a sea of information to find exactly what you need.

17: TRANSPORTATION, PROCUREMENT, AND DISTRIBUTION

- How do the goods arrive at the facility? Are the shippers unionized?
    - Consult the company's 10-K, but the best source of information for this is almost always the workers on the ground.

Teamsters won't deliver across Chicago Teachers Union picket lines: 'Today it's them, tomorrow it's us'

By **HANNAH LEONE**
CHICAGO TRIBUNE | OCT 26, 2019 | 9:04 PM
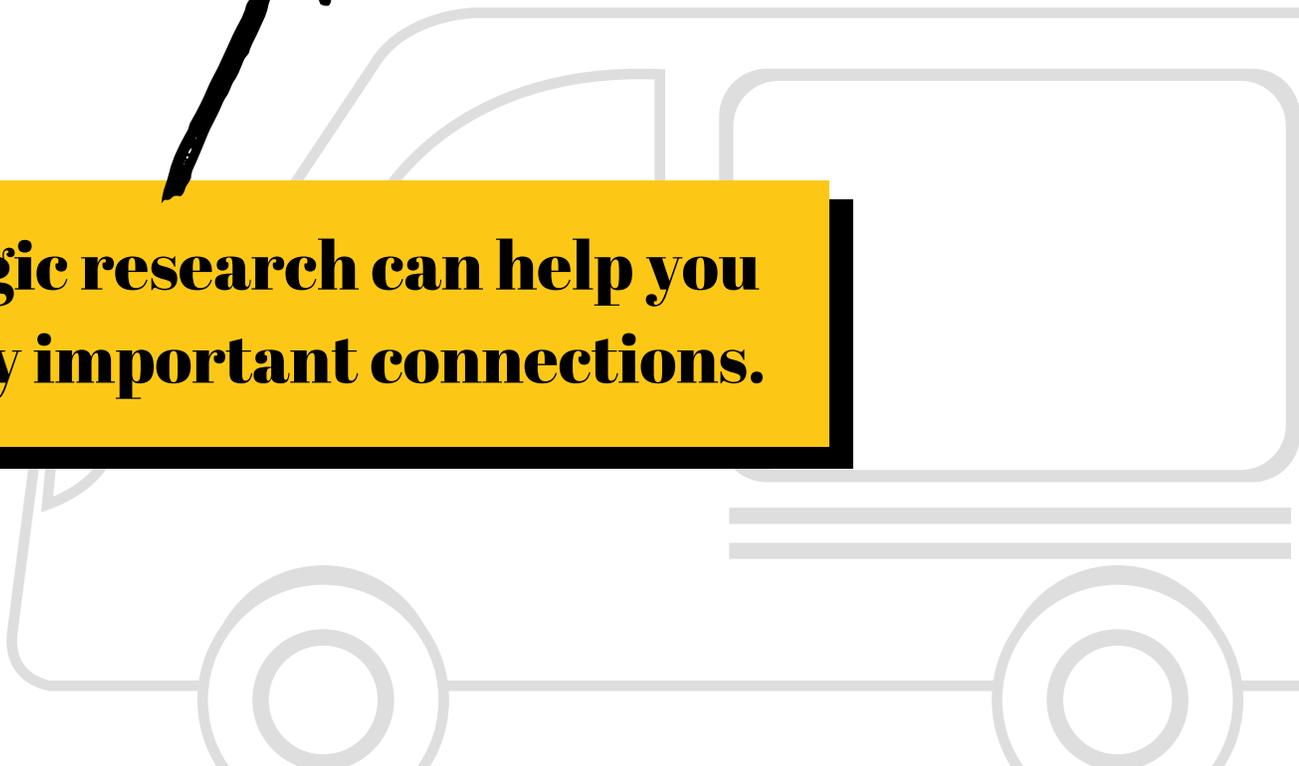
Strategic research can help you identify important connections.

18: UTILITIES

- What utility companies does the target employer use?
  - The best and often only place to find this information is in the target company's 10-K.
  - Some larger firms promote partnerships with utility providers like AT&T or Verizon for their business services, but don't count on it.

19: CUSTOMERS/CLIENTS

- Who are the company's biggest customers?
- Are they other businesses like retailers? Direct-to-consumers?
  - The company's 10-K and/or annual report will likely include at least a portion of this information. Check the "Forward Thinking Statements" or "Risk Factors" sections of the 10-K.
- Do they have any complaints filed with the Consumer Financial Protection Bureau? **Check here**.

www.bit.ly/CFPBComplaints

20: SAFETY AND HEALTH

- Are there any patterns to suggest the target employer does not care about the safety and health of its employees?
  - An obvious starting point is to refer to the conversations you've had with workers involved in the organizing process.
  - The Occupational Safety and Health Administration's database, found at www.osha.gov, is the best source for raw information on official complaints.
  - The Good Jobs First Violation Tracker, found at www.goodjobsfirst.org/violation-tracker, is also an excellent resource for this section.
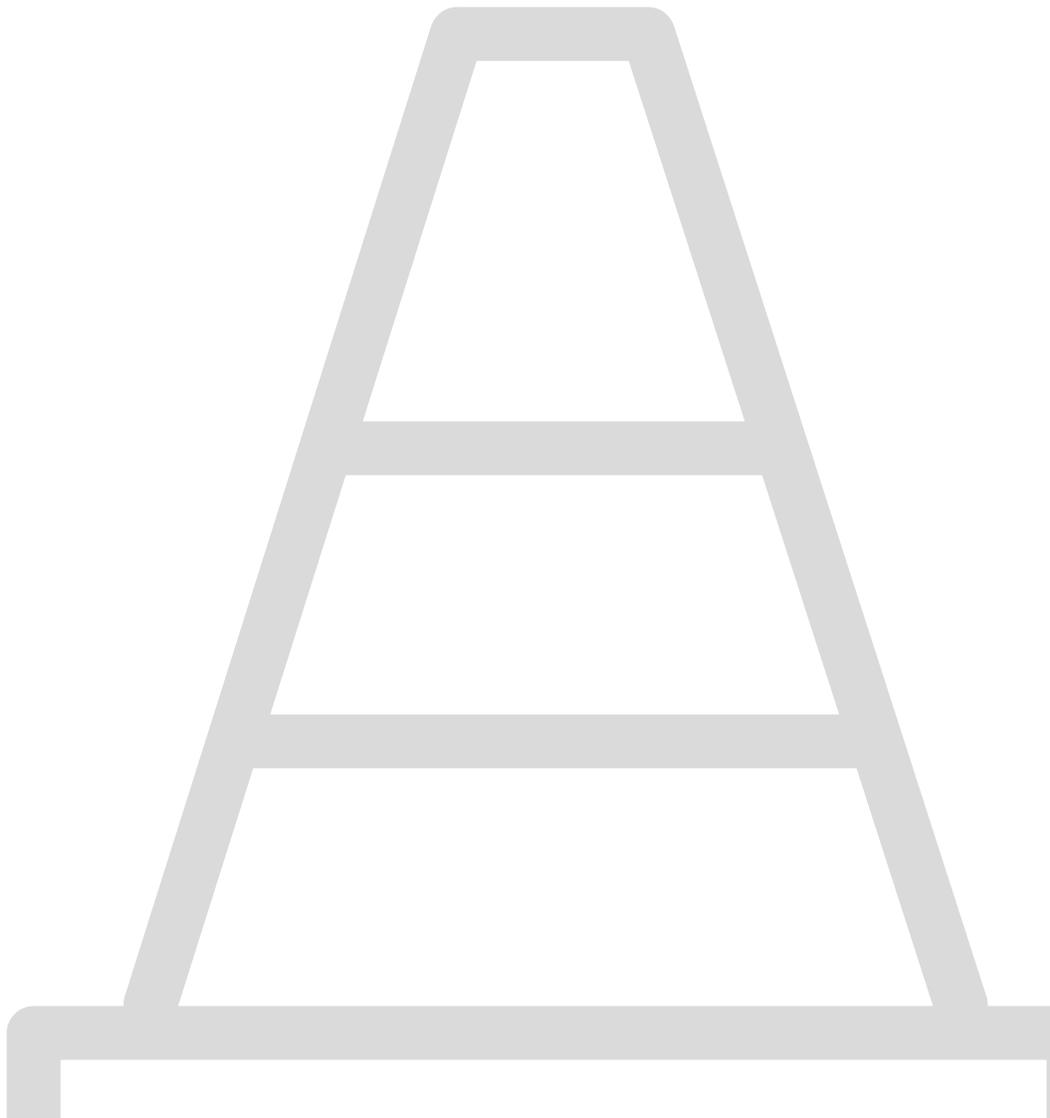
21: ENVIRONMENT

- Are there any patterns to suggest the target employer is endangering the environment?
  - The EPA website is a foundational starting point to find any current or past violations by the target employer: www.echo.epa.gov
  - The Good Jobs First Violation Tracker, found at www.goodjobsfirst.org/violation-tracker, is also an excellent resource for this section, as it also compiles some environmental information on employers.
  - The Community Pollution Scorecard can help provide a community-wide context: www.scorecard.goodguide.com/
  - As always, check local news sources for hyper-local information on community environmental concerns.
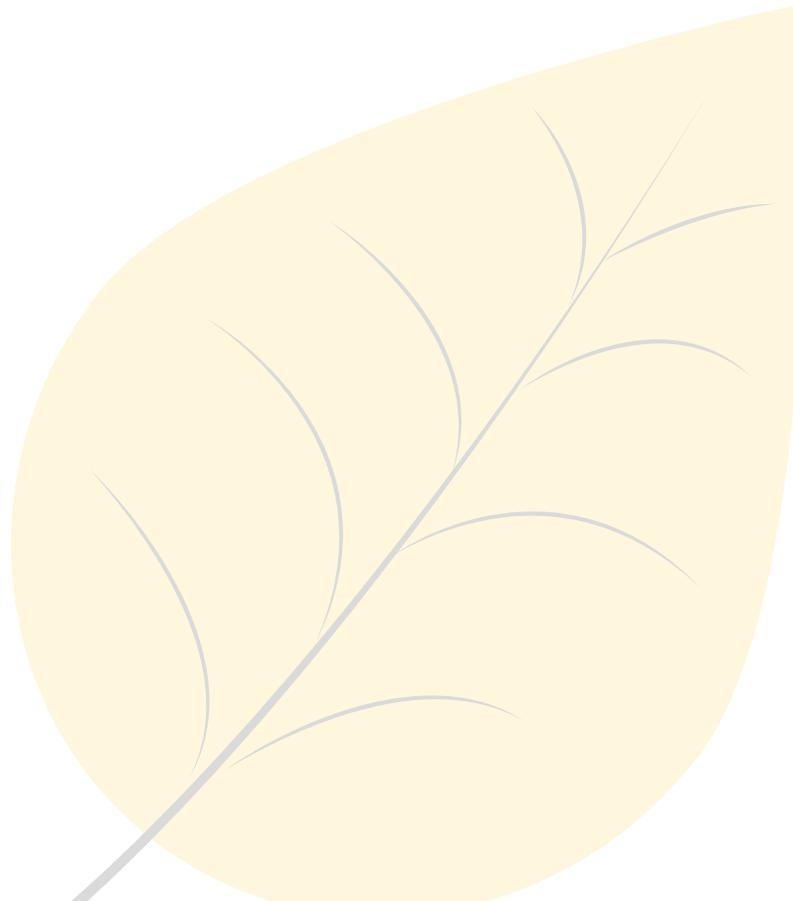
22: REGULATORY AND LEGAL

- Are there any specific regulatory agencies that govern the target employer's business?
  - Hospitals have different regulatory standards and oversight procedures, which may be publicly documented, than an environmental nonprofit advocacy organization.
  - Keep different occupational/industrial contexts in mind, and use those industry-specific frameworks to see if there's any accountability mechanisms or reporting requirements you might not have otherwise learned about.
  - Though each state has different resources and databases, some of which may need to be accessed via a Freedom of Information Request, the following federal databases may be of use in your research:
    - NLRB cases and decisions: www.nlrb.gov/cases-decisions
    - U.S. Department of Labor's enforcement data: www.enforcedata.dol.gov/homePage.php

23: COMMUNITY/UNION

- What is the target employer's role/reputation in the community?
  - By now, you've likely gathered this information by conducting research on other sections. Still, a local news search could be beneficial to find out information you might've missed.
    - For nonprofits, be sure to look into any fundraising information on the 990 form. Do they spend more on lavish fundraisers than they bring in at those fundraisers? Is that in-line with their mission statement?
- Are there any community allies who can help?
  - What community organizations exist that are focused on similar issues as the workers? If rent is too high and wages are too low, a natural ally could be a tenants' rights organization. Social media searches can be a useful tool to identify potential allies.
  - State labor federations and especially central labor councils often have existing relationship with other community organizations, so be sure to reach out to them – they're here to help affiliate unions win.
    - Click **this link** to find your local CLC or state federation.

www.bit.ly/StateLocalLaborFedFinder

24: POLITICAL

- How is the company connected politically?
  - It's possible you've already come across this information while doing research for previous sections.
- Who does the company/the people in it donate to?
  - Federal contributions can be found on www.opensecrets.org or www.fec.gov/data.
  - See if there's any connection between key stakeholders identified in Section 8, 9, and 10 and lawmakers who may have a hand in regulating the company or tip a government contract in its favor.
  - Another useful database for state-level contributions is www.followthemoney.org.