

# FORM LM-20

## AGREEMENT AND ACTIVITIES REPORT

Form approved  
Office of Management  
and Budget  
No. 1215-0188  
Expires 09-30-2011



This report is mandatory under P.L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440. Required of persons, including Labor Relations Consultants and Other Individuals and Organizations, Under Section 203(b) of the Labor-Management Reporting and Disclosure Act of 1959, as amended. (LMRDA)

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

659687

1. File Number: C- 693

### Person Filing

2. Name and mailing address (include ZIP Code):

Name **GERALD OBRIEN**  
Title **CONSULTANT**  
Organization

P.O. Box, Bldg., Room No., if any

Street **23 Summit Heights**  
City **NORTH OAKS**

State **MN** ZIP Code + 4 **55127**

3. Any other address where records necessary to verify this report are kept:

Name

Title

Organization

P.O. Box, Bldg., Room No., if any

Street

City

State

ZIP Code + 4

4. Date fiscal year ends:

**12-31 / 17**

5. Type of person:

a. ☒ Individual b. ☐ Partnership c. ☐ Corporation d. ☐ Other (Specify):

### Nature of Agreement or Arrangement

6. Full name and address of employer with whom made (include ZIP Code):

Name **NCE Building Systems**  
Organization

Trade Name, if any

P.O. Box, Bldg., Room No., if any

Street **Middleton, Ohio**  
City

State ZIP Code + 4

7. Date entered into:

**6 / 26 / 17**

8. Name of person(s) through whom made:

Name

Name

Name

Name

Name

### Signatures

Each of the undersigned declares, under penalty of perjury and other applicable penalties of law, that all of the information submitted in this report (including the information contained in any accompanying documents) has been examined by the signatory and is, to the best of the undersigned's knowledge and belief, true, correct, and complete. (See Section VII on penalties in the instructions.)

13. Signed

Title

**Gerald R. O'Brien**  
**CONSULTANT**

President  
(If other title, see  
instructions)

14. Signed

Title

**Treasurer**

Treasurer  
(If other title, see  
instructions)

On

**11-17-17**  
Date

Telephone Number

On

Date

Telephone Number

Filer:

GERALD O'BRIEN

File Number C-

9. Check the appropriate box to indicate whether an object of the activities undertaken, is directly or indirectly:

- a. ☒ To persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing.
- b. ☐ To supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding.

10. Terms and conditions (Explain in detail; see instructions. Written agreements must be attached.):

TO EDUCATE EMPLOYEES ABOUT THEIR RIGHTS  
UNDER THE NATIONAL LABOR RELATIONS ACT  
AND TO ANSWER EMPLOYEE QUESTIONS ABOUT  
UNIONIZATION

#### Specific Activities to be Performed

11. For each activity, separately list in detail the information required (See instructions):

a. Nature of activity:

Group Meetings with employees

11.b. Period during which performed:

6-26-17 to 7-6-17

11.c. Extent performed:

Completed

11.d. Name and address through whom performed:

Name

Organization

P.O. Box, Bldg., Room No., if any

Street

City

State

ZIP Code + 4

Additional Name and address through whom performed, if any:

Name

Organization

P.O. Box, Bldg., Room No., if any

Street

City

State

ZIP Code + 4

12.a. Identify subject groups of employees:

Factory Workers

12.b. Identify subject labor organizations:

International  
Association of  
Machinists and  
Aerospace Workers

U.S. Department of Labor  
Office of Labor-Management Standards  
Washington, DC 20210



OCT 20 2017

Mr. Gerry O'Brien  
Independent Contractor  
23 Summit Heights  
North Oaks, MN 55127

Dear Mr. Gerry O'Brien:

The Labor-Management Reporting and Disclosure Act (LMRDA) provides at Section 203, 29 U.S.C. 433, that employers and labor relations consultants must file reports with the Department of Labor concerning agreements or arrangements pursuant to which the consultant undertakes activities with an object to persuade employees concerning their rights to organize and bargain collectively, or to supply the employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving the employer. These reports are filed on forms provided by the Department's Office of Labor-Management Standards (OLMS) and are made available to the public on the OLMS website at [www.dol.gov/olms](http://www.dol.gov/olms).

Any person who undertakes reportable activities pursuant to such an agreement or arrangement must file the Form LM-20 (Agreement and Activities Report) within thirty (30) days after entering into the agreement or arrangement. The Form LM-20 filer must also submit an annual Form LM-21 (Receipts and Disbursements Report) for any fiscal year during which payments were received or disbursements made as a result of such an agreement or arrangement.

Federal law provides for civil enforcement of the reporting requirements, as well as criminal penalties for willful violations.

With respect to consultant reporting required under LMRDA Section 203(b), an indirect party to an agreement is subject to the above filing requirements to the same extent as the principal consultant. The Form LM-20 and LM-21 instructions (page 1) both state that:

A "direct or indirect party" to an agreement or arrangement includes (1) persons who have secured the services of another or of others in connection with an agreement or arrangement of the type referred to in Section 203(b) of the LMRDA, and (2) persons who have undertaken activities at the behest of another or of others with knowledge or reason to believe that they are undertaken as a result of an agreement or arrangement between an employer and any other person.

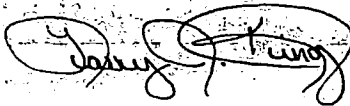
Information provided on a Form LM-20 report(s) filed by CACR Labor Education Services in Item 11d indicates that you performed reportable activity in connection with such an agreement or arrangement between the consultant and NCI Building Systems. As a result, you must file any required reports within 30 days of the date of this letter. Information on reporting requirements, blank reporting forms and instructions, and access to reports on

file may be obtained from our website at [www.dol.gov/olms](http://www.dol.gov/olms). Completed reports should be submitted to:

U.S. Department of Labor  
Office of Labor-Management Standards  
200 Constitution Avenue, NW, Room N-5616  
Washington, DC 20210

If you have any questions, please contact me at (202) 693-1259.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry King", is written over a horizontal line.

Larry King, Chief  
Division of Reports,  
Disclosure and Audits

U.S. Department of Labor  
Office of Labor-Management Standards  
Washington, DC 20210



DEC 15 2017

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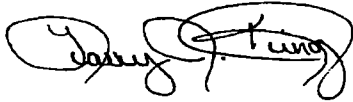
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