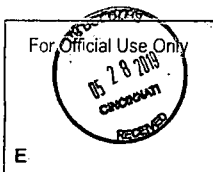


FORM LM-20

AGREEMENT AND ACTIVITIES REPORT

Form approved
Office of Management
and Budget
No. 1245-0003
Expires 03-31-2019



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.

705536

1. File Number: C- 004951

Person Filing

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

Name John H. Hawkins
Title President and CEO
Organization Management Performance International
P.O. Box, Bldg., Room No., if any
Street 6836 Ashfield Drive
City Cincinnati
State Ohio ZIP Code + 4 45242

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

Name N/A
Title
Organization
P.O. Box, Bldg., Room No., if any
Street
City
State ZIP Code + 4

4. Date fiscal year ends:

Sep / 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 Barbara Scheetz
Organization Biery Cheese Company
Trade Name, if any
P.O. Box, Bldg., Room No., if any
Street 6544 Paris Ave NE
City Louisville
State Ohio ZIP Code + 4 44647

7. Date entered into:

9 / 15 / 2017

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

Name Ben Biery
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 John Hawkins
Title President

President
(If other title, see instructions)

14. Signed John Hawkins
Title Treasurer

Treasurer
(If other title, see instructions)

On 5/23/2019
Date

(513) 721-6611
Telephone Number

On 5/23/2019
Date

(513) 721-6611
Telephone Number

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.):

Attached

Specific Activities to be Performed.

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

a. Nature of activity:

The key activity was to provide consulting support and facilitate captive audience meetings to educate employees on key topics related to union organizing and the implications of being in a union.

11.b. Period during which performed:

9/16/2017 - 12/2017

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

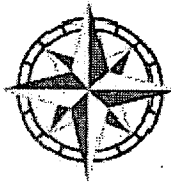
State

ZIP Code + 4

12.a. Identify subject groups of employees:

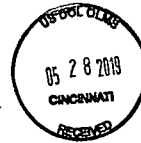
Employees at Biery Cheese Company in Louisville, OH

12.b. Identify subject labor organizations:

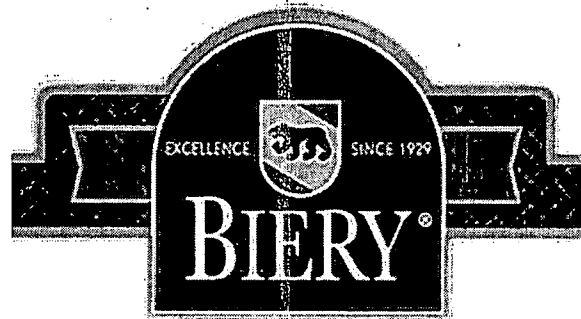


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Engagement Letter For



Prepared by:

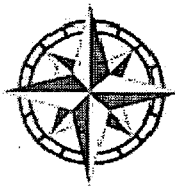
MPI Management Consulting



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6836 ashfield drive · cincinnati, oh 45249 · 800.543.6744 tel 513.721.6611 fax 513.762.8588

www.managementperformance.com



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September 15, 2017

Mr. Ben Biery
Chief Executive Officer
BIERY CHEESE
6544 Paris Ave NE
Louisville, OH 44641

Ben,

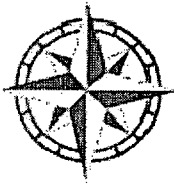
This follows up our conversation this week regarding MPI Consulting providing strategic consulting services for Biery Cheese in support of your union free strategy.

Background

Biery Cheese seeks to strengthen its approach to remaining union free in using MPI's best practice approaches in proactive union avoidance. Given the current pace of change in employee relations and labor law, it is prudent for organizations to stay abreast of best practices and incorporate them into their daily operations. Biery Cheese has engaged MPI Consulting, one of the top Labor Relations Human Resource firms in the U.S., to provide strategic consulting and training support on Biery Cheese's labor relations and proactive union avoidance practices.

MPI Consulting is one of the top 5 Labor Consulting firms in the U.S. with +400 union campaigns in diverse industries with a success rate in winning +90% of union representation elections for its clients. In addition, our experience and success goes far beyond winning union elections. For 42 years, MPI Consulting has assisted an even greater number of clients with Human Resource, Employee Relations, Talent Management, Employee Engagement and Front Line Manager Training programs.

The current needs addressed in this engagement letter is to 1.) assess and understand new employee issues at Biery Cheese's since the recent employee survey results in January 2017. 2.) Activate the results from the employee survey using MPI's Employee Engagement Approach as well as 3.) Prepare and educate the organization for the upcoming union election in approximately 75 days.



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Scope of Work

The current scope of work detailed in this engagement letter is as follows:

- 1.) **Complete a Gap Analysis using existing Biery Cheese's employee survey data (if available) based on MPI's union vulnerability filters.** MPI Consulting will work with Biery Cheese HR leadership to complete a "Gap Analysis" to identify potential areas of risk which should be addressed on a priority basis and recommend opportunities for improvement based on MPI's union vulnerability experience.

Estimated Cost: \$3k - \$5K

- 2.) **Conduct Union Awareness training for Biery Cheese's Front Line Managers in Louisville, OH (approximately 50 managers).** We recommend that key managers, staff and supervisors attend union avoidance training (3 - 4 hours per training session; 2 - 3 training sessions). The training will be a refresh for some individuals focused on embedding previous training and new for other individuals. During this training, we cover the following topics:

- How unions operate and organize employees;
- The legal process for organizing;
- Why employees seek union representation;
- Positive employee relations for supervisors;
- The role of managers/supervisors in a campaign;
- What company representatives can and cannot say, and should be saying during an organizing campaign.

Estimated Cost: \$7k - \$10k

- 3.) **Conduct in-depth 1:1, face to face, Union Vulnerability Assessments with front line supervisors (approximately 50 managers).** The objective of these assessments are to identify current employee issues and the level of support for the Company in the advent of a union organizing drive. This assessment will become the baseline of information in developing strategies and developing preventive steps to remain union-free by creating a positive employee engagement action steps. The scope of this initial assessment is approximately 50 front line supervisors in Louisville, OH. These assessments are a pivotal element of MPI's success model in helping clients remain union free as we build risk profiles by individual and department based on employee trends. The MPI union vulnerability assessment process will gauge the current state of employee relations at Biery Cheese beyond the top line findings in your employee survey.



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Employee concerns and issues will be identified as well as the perceived level of support for the Company; i.e., interest and/or support among employees for outside third party representation. It will also provide deeper insights regarding organizational issues and the level of work satisfaction/dissatisfaction following your recent employee survey. All of these indicators are useful in identifying the overall level of vulnerability to a union organizing drive. This assessment involves gathering data and information related to the employee relations environment and the preparation of a demographic analysis to report results by department, job classification, length of service, age group, shift, gender, race, pay grade, etc.

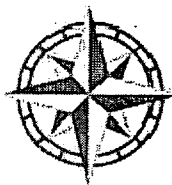
The Vulnerability Assessment includes:

- Data collection including demographic information on the workforce;
- Confidential, one-on-one interviews with the supervisors and other key Personnel, each interview is approximately 45 min - 1 hour;
- Analysis of findings and observations;
- Demographic analysis;
- Preparation of a written report;
- On-site review of findings/report with executive management.

Initial Assessment: \$12k - \$15k during a campaign VA's are ongoing and built into the estimated cost of running a union campaign.

4.) **Employee Captive Audience Meetings** - Employee Captive Audience Meetings will be used to educate employees on key topics related to union organizing and the implications of being in a union. During an active union campaign we would ideally conduct 1-2 captive audience meetings weekly. However, during the run up to the next petition vote we would propose 3 captive audience meetings in total (1 per month). The topics to be covered in those meetings will be determined after the Vulnerability Assessments are completed however key topics could include:

- Union Dues and Dues Checkoff
- Collective Bargaining
- Union Constitution and Financials
- Management Rights
- Strikes etc.



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5.) **Employee Action Teams** - The overall objective of MPI's Employee Action Teams (EAT) is to give employees a voice by directly engaging them on the most important workplace issues identified in the 2017 Employee Opinion survey.

This will be accomplished through facilitated employee action teams that will work together to explore root causes of issues, develop recommendations for corrective actions and then work together with management to develop an implementation plan. Once the recommendations have been vetted and the results have been evaluated, they can then be rolled out on a larger scale. The activities and progress of these teams will be communicated out on a regular basis to all employees so that everyone has full visibility to their progress and achievements. Importantly, the MPI EAT approach provides a sustainable framework to drive employee engagement which over time is lead internally by the client. Clients using this approach have proven its effectiveness in reducing union vulnerability.

EAT Proposed Deliverables, Timeline and Estimated Costs

Deliverables: May-December 2017	Cost
Ambassador Team Facilitation: Provide consulting support to prepare, launch and drive engagement teams at Louisville, OH, 1 hour each week per team, up to 10 sessions per team, estimate 2-3 teams based on survey results (8 hours/week for preparation, delivery and summary of session results)	\$12K - \$15K
Bi monthly update meetings for Leadership Team (1-2 hours/week for preparation, coordination and meeting time)	Included
Development and review of bi-monthly communications materials such as bulletins and supervisor talking points (3-4 hours monthly)	\$2.5K - \$5K
Preparation and presentation of EAT recommendations to Steering, Site Leaders and Executive Teams (1 day)	Included
Preparation and presentation of results to employees in town hall sessions per shift (1-2 days)	Included
Next step project planning and scheduling sessions with project Core team and Steering Team to prepare for project implementation (1-2 days)	Included
TOTAL	\$15K - \$20K



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The Project Leader for this project will be John Hawkins, MPI President. Jon will be supported by Steve Kuebbing, VP MPI Consulting and Maureen Donnellan, MPI Employee Engagement Practice Leader. Administrative Support will be provided by Nancy Sies and other consultants and staff may be assigned as requested or required.

Fees and Expenses

The cost of this engagement has been structured to give the client flexibility to pick the most important items to address their organizational needs.

Action Plan and Estimated Fees

Activities	Deliverables	Timing	Cost
2017			
Phase 1 – Insights Discovery, Gap Analysis	Employee Survey Union Vulnerability Gap Analysis	Sept 2017	\$3K - \$5K
Phase 2a – Capability and Strategy Development	Conduct Union Awareness Training for Front Line Managers and Supervisors (approx. 50 managers)	Sep 2017 and Oct 2017	\$12K - \$15K
Phase 2b – Capability and Strategy Development	Union Vulnerability Assessment - Overall assessment of the level of vulnerability to a union organizing drive. (200 front line managers)	Sep 2017 and Oct 2017	\$12K - \$15K
Phase 2c – Capability and Strategy Development	All Employee Captive Audience Meetings (approx. 500 employees) - 1 all employee captive audience meeting per month - 25 employees attending each session planned - approx. 20 total employee sessions per month	Oct 2017, Nov 2017 and Dec 2017	\$20K - \$25K
Phase 3 – Employee Action Teams	Facilitated focus groups focused on developing recommendations to the company and serving as ambassadors to their peers. 3 teams meeting weekly for 10 weeks	Oct 2017 thru Jan 2018	\$15K - \$20K
Total			\$62K - \$80K



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In addition to the agreed cost for professional fees, all out-of-pocket expenses including such things as travel, lodging, meals, and project-related materials are billed at additional cost. Since the client is local, we anticipate limited out-of-pocket expenses.

Limitations

This agreement details a professional consulting relationship between MPI Consulting and Biery Cheese with respect to the opportunities and projects assigned to MPI Consulting during the term of this Agreement. As part of this Agreement, the client assumes full responsibility for any action taken on recommendations developed by MPI Consulting if such programs are implemented by the client, or under the client's direction, and are not implemented solely by MPI Consulting.

All rights are reserved and no part may be reproduced, adapted, transmitted or stored in any retrieval system in any form or medium whether whole or in part without the express written consent of MPI Consulting.

Confidentiality

In order to reach meaningful conclusions and make actionable recommendations, it will be necessary for MPI Consulting to have access to confidential information. MPI Consulting commits itself to protect the interests of its clients by ensuring that confidential information is carefully safeguarded and not revealed to anyone other than to those people involved in the project.

Agreement

We appreciate the opportunity to work with you on this project. With your signature below, this can serve as our formal basis of agreement. Once you have signed this copy and returned it, we can plan formal kickoff for the project.

For	BIERY CHEESE
Client Contact	Ben Biery
Signed	
Title	CEO
Proposed	\$62K - \$80K

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Cost			
Invoicing	<input type="checkbox"/> Option 1 - Estimated fees billed monthly as professional fees are incurred		
	<input type="checkbox"/> Option 2 - A monthly retainer amount of \$16,250 for the next 4 months. The retainer represents a -10% saving potential on the engagement costs		
Expected Start Date	September 2017	Expected Completion Date	January 2018
Date	15 September 2017	Order No. if applicable	
For	Management Performance International, Inc.		
Signed			
Title	John Hawkins, President CEO		
Date	15 September 2017		