

FORM LM-20 AGREEMENT AND ACTIVITIES REPORT



This report is mandatory under P.L. 88-257, 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.

538074

1. File Number: C 65536

Person Filing

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

Name Randy C. McCarthy
Title Secretary - Treasurer
Organization National Consultants Associated, Ltd

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

Street 66 Rodeo Drive
City Hopewell Junction
State N.Y.

ZIP Code + 4 12533

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:

6 / 30

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 Consolidated Lumber Corporation
Organization

Trade Name, if any

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

Street 90 Oak Street
City Clifton
State N.J.

ZIP Code + 4 07014

7. Date entered into:

11 / 12 / 13

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

Name Mark J. Shirkvan, Pres.

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

President
(If other title, see instructions)

Title President

14. Signed

Treasurer
(If other title, see instructions)

Title Treasurer

On

12/3/13
Date

845-592-4400
Telephone Number

On

12/3/13
Date

845-592-4400
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.): Assist Consolidated Lumber Corporation in NLRB Representation Election Campaign against United Brotherhood of Carpenters and Joiners of America.

Fee: \$25,000 plus expenses

[See Attached Agreement]

Specific Activities to be Performed

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

- a. Nature of activity: Hold meetings with management staff, hold meetings with eligible voters, assist in drafting leaflets/letters as necessary, all to persuade employees to vote no in union election

11.b. Period during which performed:

11/12/13 - 12/4/13

11.c. Extent performed:

Will have last meeting on 12/4/13

11.d. Name and address through whom performed:

Name Randy C. McCarthy and Andrew J. Gallin
Organization National Consultants Associates, Ltd.

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

Street 66 Rodeo Drive

City Hopewell Junction

State N.Y. ZIP Code + 4 12533

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:

[See attached "Voting Unit"]

12.b. Identify subject labor organizations:

Metropolitan Regional Council of Carpenters, Southeastern Pennsylvania, State of Delaware and ~~Eastern~~ Eastern Shore of Maryland

#10 - 1 of 2 pages

NCA

National Consultants Associated, Ltd.
Labor and Public Relations

66 Rodeo Drive
Hopewell Junction, N.Y. 12533

Telephone: 845.592.4400
Facsimile: 845.592.4399

VIA E-MAIL

November 4, 2013

Consolidated Lumber Corporation
90 Oak Street
Clifton, NJ 07014
Attn: Mark J. Shirvan, President

Dear Mr. Shirvan,

This will confirm the terms pursuant to which National Consultants Associated, Ltd. ("NCA") will represent Consolidated Lumber Corporation/Consolidated Distribution Services ("Consolidated") in its union organizational/election campaign with United Brotherhood of Carpenters and Joiners of America ("Union"):

1. Services To Be Provided

NCA will meet with the supervisors of the employees who are eligible to vote in NLRB Election Case No: 4-RC-115837 and will assist in developing and implementing a campaign strategy, including the preparation of any campaign literature deemed necessary, day-to-day consultation with management staff and/or its designated representatives concerning issues/questions relevant to said campaign and conducting up to three (3) meetings with the employees eligible to vote.

2. Fee For Services

For the services to be provided, Consolidated will pay NCA a total of Twenty-Five Thousand (\$25,000.00) Dollars; Twelve Thousand Five Hundred (\$12,500.00) Dollars to be paid up front upon the signing of this agreement; and Twelve Thousand Five Hundred (\$12,500.00) Dollars to be paid on the last day of employee meetings, plus any and all reasonable expenses incurred. Travel expenses will be reimbursed at the applicable IRS mileage rates.

#10- 2 of 2 pages

If the above terms meet with your approval, please indicate your acceptance of same by signing below as indicated and returning this agreement to NCA along with the first payment. Please scan a signed copy to me as well.

Thank you for your attention in this matter and Andy and I look forward to working with you.

Very truly yours,

Randy C. McCarthy

Randy C. McCarthy

Accepted:

Consolidated Lumber Corporation/Consolidated Distribution Services

By: *Wm J. Shaw*
 11/7/13
 Date

Returned via fax on 11/12/13

#12.a. - 1 of 1 page

Voting Unit

Included: All full-time and regular part-time shop workers, warehouse workers and truck drivers employed by the Employer at its facility located at 1801 S. 12th Street, Allentown, PA

Excluded: All other employees, including customer service representatives, office-clerical employees, guards and supervisors as defined in the Act.