

FORM LM-20

AGREEMENT AND ACTIVITIES REPORT

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.

1. File Number: C- 65536

Person Filing

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

Name Randy C. McCarthy
Title Pres / Sec-Tres
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 Shawn Maloney
Organization Bio-Bright NY
Trade Name, if any
P.O. Box, Bldg., Room No., if any
Street 120 Broadway - 36th Fl.
City New York
State N.Y. ZIP Code + 4 10271

7. Date entered into:

4/6/17

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

Name Shawn Maloney
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

Randy C. McCarthy

President
(If other title, see instructions)

Title President

14. Signed

Randy C. McCarthy

Treasurer
(If other title, see instructions)

Title Treasurer

On

5/4/17
Date

(845) 592-4400
Telephone Number

On

5/4/17
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):

Helped Bio-Bright NY develop and implement an NLRB Election Campaign, including preparing and distributing informational leaflets at meetings held with eligible unit voters to persuade them not to vote for unionization

Fee: \$10,000 plus expenses - Written Agreement attached.

Final Payment of \$5,000 not yet received

Specific Activities to be Performed:

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

- a. Nature of activity: Meet with eligible voters and drafted and handed out leaflets at said meetings in connection with an RC Petition filed at the NLRB by Bricklayers Union Local 7

11.b. Period during which performed:

4/13/17 - 4/25/17

11.c. Extent performed:

Completed

11.d. Name and address through whom performed:

Name Randy C. McCarthy
Organization National Consultants Assoc. Ltd.
P.O. Box, Bldg., Room No., if any
Street 66 Todeo 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:

Full-time and regular part-time tile restoration workers officially known as Tile Grout Field Worker

12.b. Identify subject labor organizations:

The Marble Polishers and Maintenance Finishers Local No. 7 of the International Union of Bricklayers and Allied Craftsmen

#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

April 5, 2017

Bio-Bright NY
120 Broadway, 36th Floor
New York, NY 10271
Attn: Shawn Maloney

Dear Mr. Maloney:

This will confirm the terms pursuant to which National Consultants Associated, Ltd. ("NCA") will provide services to Bio-Bright NY ("BBNY") in connection with its union election campaign involving the organizational efforts of Tile, Marble & Terrazzo BAC Local Union No. 7 ("Union"):

1. Services To Be Provided

NCA will consult with BBNY's management staff and will assist in developing and implementing a campaign strategy, from start to the conclusion of the campaign, including the preparation of any campaign literature deemed necessary, day-to-day phone consultation with management staff and/or its designated representatives concerning advice/issues/questions relevant to said campaign, and conducting up to three (3) group meetings with the employees eligible to vote in the election. [The three (3) group meetings may be broken down into sub-groups of two (2) meetings each for maximum impact and efficiency.]

2. Fee For Services

A. For the services to be provided, BBNY will pay NCA as follows:

- I. Upon execution of this Agreement - \$5,000.00
- II. Upon conclusion of the last of the aforementioned employee meetings - an additional \$5,000.00
- III. Upon the conclusion of the NLRB Representation Election, currently scheduled to take place on April 27, 2017- a third payment of \$5,000.00, but only if the vote is in favor of BBNY and against union representation.

The payments provided for in 2A(I) and 2A(II) above will be paid regardless of the outcome of the election. If the applicable petition is withdrawn after the campaign commences, that will be considered a favorable outcome, upon which the payment of all amounts provided for in paragraphs 2A(I), 2A(II) and 2A(III) will become due and owing. Reasonable expenses, if any, will be billed separately and additionally.

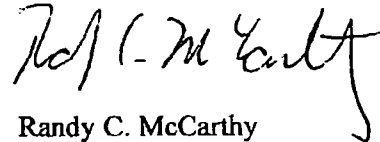
#10 - 2 of 2 pages

B. This fee does not include any time spent dealing with contested election issues, unfair labor practice charges or any other issues that are raised at the National Labor Relations Board or in any other State or Federal forum and said fee is limited solely to the services to be provided as outlined hereinabove. The fee also does not include the cost of an interpreter to translate from English to another language, either orally at the group meetings or in writing with respect to any written campaign material that is utilized during the campaign.

If the above terms meet with your approval, please indicate your acceptance of same by signing below as indicated and scanning this agreement back to me at your earliest convenience. [Scanned signatures will be deemed originals]. Upon the signing hereof, please mail the first payment to National Consultants Associated, Ltd.

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

Very truly yours,


Randy C. McCarthy

Accepted:

Bio-Bright NY

By:


Shawn Maloney

4/6/17
Date

VIA E-MAIL ONLY