

# FORM LM-20

## AGREEMENT AND ACTIVITIES REPORT

For Official Use Only

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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)

576251

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

1. File Number: C- 65802

### Person Filing

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

Name

Title

Organization International Labor Relations

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

Street 8086 South Yale Ave suite 225

City Tulsa

State Oklahoma

ZIP Code + 4 74136

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:

Dec / 31

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

Organization Future Environmental

Trade Name, if any

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

Street 19701 97th Ave

City Mokena

State Illinois

ZIP Code + 4 60448

7. Date entered into:

3 / 20 / 2014

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

Name Steven Lampera

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 4/18/2014

Date

800-555-7509

Telephone Number

On 4/18/2014

Date

800-555-7509

Telephone Number

Filer: International Labor Relations	File Number C- 65802
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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.):

see attached agreement

<b>Specific Activities to be Performed</b>	
<p>11. For each activity, separately list in detail the information required (See instructions):</p> <p>a. Nature of activity:</p> <p>Engaged to communicate with employees so they can make an informed decision regarding exercising their rights to organize and bargain collectively.</p>	
<p>11.b. Period during which performed:</p> <p>Beginning on or about 3/27/2014</p>	<p>11.c. Extent performed:</p> <p>Ongoing</p>
<p>11.d. Name and address through whom performed:</p> <p>Name Joe Mieluchowski</p> <p>Organization</p> <p>P.O. Box, Bldg., Room No., if any</p> <p>Street 47 E. Jonathan Ct</p> <p>City Kenneth Square</p> <p>State Pennsylvania ZIP Code + 4 19348</p>	<p>Additional Name and address through whom performed, if any:</p> <p>Name</p> <p>Organization</p> <p>P.O. Box, Bldg., Room No., if any</p> <p>Street</p> <p>City</p> <p>State ZIP Code + 4</p>
<p>12.a. Identify subject groups of employees:</p> <p>All employees eligible to vote in the bargaining unit</p>	<p>12.b. Identify subject labor organizations:</p> <p>The International Union of Operating Engineers, AFL-CIO</p>



# International Labor Relations

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## Campaign Consulting

### International Labor Relations

Corporate Headquarters  
8086 South Yale Avenue Suite 225  
Tulsa, OK 74136

**Toll Free:** (800) 555-7509  
**Direct:** (918) 633-6640

Date: March 20, 2014

Via Email: [Steve@FutureEnvironmental.com](mailto:Steve@FutureEnvironmental.com)

Steven A. Lempera  
President  
Future Environmental  
19701 97th Ave, Mokena, IL 60448  
Office: (708) 479-6900  
Mobile: 815-739-1926

RE: Future Environmental ~ Campaign Consulting  
Petition #13-RC-124781 filed on 3/19/14 by the International Union of  
Operating Engineers, AFL-CIO

### **SITUATION ASSESSMENT:**

This Engagement Letter outlines the terms of complete and comprehensive Consulting services to combat the organizing drive launched against Future Environmental, Inc., or "Company". The International Union of Operating Engineers, AFL-CIO, the "Union", has presumably more than 50% of the unit who have signed Authorization Cards purporting to authorize the Union to act as their exclusive representative for collective bargaining wages, hours and working conditions.

Petition #13-RC-124781 dated 3/19/14, has been filed with the NLRB Regional Director requesting that a vote be scheduled on the merits of the petition and an election is forthcoming.

A systematic, organized counter-campaign will be implemented to secure an election win. The counter-campaign must be legal in all respects and all executives, managers and supervisors must be thoroughly trained in what can be said and not said during a campaign to avoid unfair labor practice charges that could void or reverse a positive election outcome.

*Time is of the essence in commencing work on behalf of the Company. Any delay is injurious to the Company's chances of successfully winning the election.*



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### OBJECTIVES:

- ☼ Our objectives for this campaign include conducting a thorough assessment as to the local management and conditions that led to the organizing effort.
- ☼ Training local management in the operation of the National Labor Relations Act including formation of the Company's Union-free philosophy statement, the enforcement of no-solicitation, no-distribution policies, a full understanding of the actual Union Organizing Plan, and an understanding of the use and misuse of Union Authorization Cards.
- ☼ Management's knowledge of what they can say during the Union campaign including disadvantages of Union representation from the viewpoint of the Company Services and the Company employees. A thorough understanding of the facts involving collective bargaining, strikes, Union fines against members, and obligations owed by employees to the Union.
- ☼ An understanding of what the supervisor can do during the organizing campaign. A thorough understanding of the TIPS rules including common questions that employees ask supervisors during a campaign and desired responses.
- ☼ Supervisor/employee role-playing scenarios involving common situations that occur during Union organizing campaigns.
- ☼ Development of a campaign calendar that outlines what should happen in countering the Union organizing effort on a daily basis. This includes development of management and supervisor speeches and talks, hand-outs that can be utilized, posters that can be posted, and legally compliant anti-Union material that can be distributed to all eligible voters.
- ☼ Systematic captive audience meetings with all supervisors and voting employees on a weekly basis, with distribution of appropriate handouts in English or any other applicable language.



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### MEASURES OF SUCCESS:

- ☼ Our metrics will include obtaining the most effective and appropriate bargaining unit and election scenario that improves the likelihood of an effective winning campaign.
- ☼ Winning the election while avoiding all unfair labor practice charges.

### VALUE TO THE ORGANIZATION:

- ☼ The value to the organization will include permitting the Company to continue to operate without the necessity of bargaining with the Union over wages, benefits, hours and working conditions.
- ☼ Proactively identifying those factors and conditions by department that contribute to low employee morale and disaffection.
- ☼ One-on-one discussions with each manager and supervisor to localize issues that demand attention and possible correction during the election and following the election. Reporting to senior management about the strengths and weaknesses in the organization that require immediate intervention and corrective action to minimize the likelihood of future Union encroachment.

### TERMS AND CONDITIONS:

#### Fees:

The hourly fee for Consulting is \$250.00 per hour including travel time (plus expenses). This agreement covers consulting up to and including the election dates directed or stipulated to by the Company and the Union.

Should additional days of Management Consulting be requested by the Company, or an additional Consultant assigned to case, it is understood those additional consulting hours will be billed at our customary rate of \$250.00 per hour.

In the event legal work is required and assigned to an International Labor Relations attorney, legal work done off-site or with the NLRB shall be billed at \$375 per hour.



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Company shall provide air travel, rental car, hotel accommodations, meals, and reasonable business expenses as set forth below to consultants through direct billing to Company.

### Payment Terms:

**Statement of Services Rendered:** Payment of Statement of Services Rendered, to be delivered in an electronic format, is expected upon delivery throughout the campaign for Management Consulting.

**Expenses:** All airfare, hotel, rental car, and reasonable business expenses will be billed as incurred and are due upon presentation of Expense Reports. Expenses may include unpaid transportation (air, rental car, taxi, parking, etc.), lodging expenses, food, and other reasonable business expenses.

### AGREEMENT TERMS:

**Copyright:** It is further understood that all materials included in or with the above referenced items or programs are fully covered and protected by federal copyright laws. Federal law provides civil and criminal penalties for the unauthorized reproduction, distribution or exhibition of protected products. Criminal copyright infringement is investigated by the FBI and may constitute a felony penalty of up to five years in prison and/or a \$250,000 fine.

### U.S. Department of Labor Reporting Requirements:

You further acknowledge that no representation by International Labor Relations or its representatives were relied on by you or any member of your Company in entering this agreement, and that this document represents the full understanding of the parties. You acknowledge and agree that we have informed you of the obligation to report any direct persuader activity performed on your behalf to the United States Department of Labor by both our firm and your firm and that failure to timely file these reports can subject your company criminal penalties.

### Arbitration:

Your payment, in the absence of your signature below, indicates your acceptance of this project and the terms and conditions as stated herein. The parties agree that Oklahoma law governs any dispute between them



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## Campaign Consulting

and to resolve any disputes by arbitration in Tulsa, Oklahoma under the American Arbitration Association rules.

**ACCEPTANCE:** Your signature below indicates acceptance of the terms and this proposal. In the event this Agreement is unsigned by Company, work commenced by Consultant on behalf of Company shall constitute acceptance by Company of all terms and conditions stated herein.

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**Direct:** (918) 633-6640

For Consultant:  
International Labor Relations

For Company:  
Future Environmental, Inc.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

On this day of: March 20, 2014

Jim Teague  
President & CEO  
International Labor Relations

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

On this day of: \_\_\_\_\_

Steven A. Lempera  
President  
Future Environmental, Inc.