FORM NLRB-508
(3-21)

FORM EXEMPT UNDER 44 U.S.C 3512

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CB-284123	10-6-2021

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name
BCTGM International Union and Local Unions 3G, 50G, 252G, and 374G (see Attachment)

b. Union Representative to contact
(b) (6), (b) (7)(C) [redacted]

c. Address *(Street, city, state, and ZIP code)*
See Attachment for addresses of the Charged Party Unions

d. Tel. No.
(b) (6), (b) (7)(C)

e. Cell No.

f. Fax. No.

g. e mail
(b) (6), (b) (7)(C)

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) 8(b)(1) and 8(b)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge *(set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)*

See Attachment. As set forth in greater detail in the Attachment, this Charge relates to bad faith bargaining and other violations of the Act by the Charged Party Unions in negotiations for a replacement "Master Agreement" covering 4 bargaining units.

Kellogg Company requests that the General Counsel seek and the Board approve a petition for injunctive relief under Section 10(j).

3. Name of Employer
Kellogg Company

4a. Tel. No.
269-226 2952

b. Cell No.

c. Fax No.
269 988-2952

d e-mail
budayd@millerjohnson.com; eastlandk@millerjohnson.com

5. Location of plant involved *(street, city, state and ZIP code)*
4 Plants in Battle Creek, MI, Lancaster, PA, Omaha, NE, and Memphis, TN (see attachment for plant addresses).

6. Employer representative to contact
David Buday / Keith E. Eastland
Outside Counsel - Kellogg Company
Miller Johnson

7 Type of establishment *(factory, mine, wholesaler, etc.)*
Food manufacturing facility

8. Identify principal product or service
Cereal Production

9 Number of workers employed
1,400 unit employees

10. Full name of party filing charge
Jeffrey Canfield, Corporate Counsel Labor and Employment

11. Address of party filing charge *(street, city, state and ZIP code)*
1 Kellogg Square, Battle Creek, MI 49017

11a. Tel. No.

b. Cell No.

c. Fax No.

d. e-mail
Jeffrey.Canfield@kellogg.com

12. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Jeffrey Canfield, Corporate Counsel

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Address 1 Kellogg Square, Battle Creek, MI 49017

Date Oct 4, 2021

Tel. No.

Cell No

Fax No.

e-mail
Jeffrey.Canfield@kellogg.com

RECEIVED NLRB 2021 OCT 6 AM 11: 22 REGIONAL OFFICE GRAND RAPIDS, MI

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes

Attachment to Unfair Labor Practice Charge

Kellogg Company brings this Unfair Labor Practice Charge against the Bakery, Confectionery, Tobacco Workers, and Grain Millers ("BCTGM") International Union and BCTGM Local Union 3G, Local Union 50G, Local Union 252G, and Local Union 374G (collectively "the Unions").

The Unions have violated Sections 8(b)(1) and 8(b)(3) of the National Labor Relations Act during ongoing negotiations for a voluntary, coordinated replacement "Master Agreement" covering certain mandatory terms and conditions of employment for four separate groups of bargaining unit employees represented by the Unions at Kellogg Company's (the "Company") Ready-to-Eat Cereal plants in Battle Creek, Michigan, Omaha, Nebraska, Memphis Tennessee, and Lancaster, Pennsylvania. The Unions' actions and conduct violating Sections 8(b)(1) and (3) of the Act, includes, but is not necessary limited to, the following:

- The Unions have failed to bargain in good faith by entering into and engaging in negotiations for a new labor contract covering mandatory topics without a sincere intent to reach an agreement and with the intention of frustrating negotiations.

- The Unions have refused to meet and bargain with the Company in person and at reasonable times and places in a good faith effort reach agreement on a replacement contract, beginning on the afternoon of September 29, 2021 and continuing thereafter.

- The Unions have unlawfully conditioned in-person meetings and consideration of Kellogg's proposals on the Company acceding to the Union's bargaining proposals.

- The Unions have failed to consider or respond in good faith to Kellogg's contract proposals on mandatory terms and have acted to frustrate the bargaining process.

- For example, the Unions have refused to consider, discuss or respond to Kellogg's October 1, 2021 Comprehensive Offer for Settlement ("Comprehensive Offer") provided to the Unions by email and in-person on October 1.

  - More specifically, after the Unions refused to meet with Kellogg in person for a scheduled committee bargaining session on October 1, Kellogg emailed its Comprehensive Offer to the Unions' (b) (6), (b) (7)(C)

  - Approximately 30 minutes later, (b) (6), (b) (7)(C) text messaged Kellogg's (b) (6), (b) [redacted] attempting to reject the Company's Comprehensive Offer by claiming that Unions do not recognize any offer not presented at the table.

  - (b) (6), (b) (7)(C) then went to the Unions' meeting room in the hotel where the parties are engaged in ongoing negotiations and (b) (6), (b) (7)(C) the International Union's (b) (6), (b) (7)(C), was the only union committee member present. (b) (6), (b) (7)(C) approached (b) (6), (b) and placed two copies of the Comprehensive Offer on the table in front of (b) (6), (b) 7)(C) [redacted].

  - (b) (6), (b))(C) [redacted] became upset upon receiving Kellogg's revised contract proposals, which contain significant contract improvements and movement toward the

Unions, claiming again that the Union did not "recognize" the offer, and telling [redacted] to "shove your offer up your ass."

- Since then the Unions have continued to refuse to meet, discuss, consider or respond to Kellogg's October 1, 2021 Comprehensive Offer. In fact, they have falsely communicated to bargaining unit employees that Kellogg's contract Offer was "fake" or not real.

- The Unions cancelled prescheduled meeting dates without good cause and in attempt to frustrate ongoing negotiations, including when the Unions left Indianapolis, the location of bargaining, on the morning of Saturday, October 2, 2021 and then falsely claimed that the Union remained available and willing to meet.

- The Unions have also engaged in conduct that interferes with employees' Section 7 rights, not only by refusing to bargain in good faith, but also by making knowingly false statements about negotiations. For instance, after Kellogg provided its Comprehensive Offer to the Unions, and falsely stated to each group of bargaining unit employees that the Company's Comprehensive Offer is "fake" and "has never been presented to the negotiating committee" in an effort to prevent unit employees' from supporting or seeking a vote on the Comprehensive Offer.

Kellogg seeks injunctive relief under Section 10(j). Under the Board's Section 10(j) Manual, relief is appropriate when:

> "one party to a collective-bargaining relationship has engaged in a refusal to bargain in good faith. The violation may be based on a wide variety of situations—such as a refusal to meet and bargain, a refusal to supply relevant and necessary information requested by the other party, an insistence to impasse during negotiations on a permissive or illegal subject of bargaining, or a course of conduct reflecting a bad-faith refusal to bargain with an open mind and a sincere desire to reach an acceptable agreement. Where such violations pose a real danger of creating industrial unrest and/or of undermining employee support for the union, l0(j) relief may be appropriate. See generally *Rivera-Vega v. ConAgra, Inc.*, 70 F.3d 153 (1st Cir.); affg. 876 F.Supp. 1350 (D.P.R. 1995); *Kobell v. Paperworkers*, 965 F.2d 1401 (6th Cir. 1992); *Fleischut v. Burrows Paper Corp.*, 162 LRRM 2719, 2723 (S.D.Miss. 1999); *Silverman v. Reinauer Transportation Co.*, 130 LRRM 2505 (S.D.N.Y. 1988), affd. mem. No. 89- 6010 (2d Cir. June 23, 1989); *Boire v. SAS Ambulance Service*, 108 LRRM 2388 (M.D.Fla. 1980), affd. per curium 657 F.2d 1249 (5th Cir. 1981); *Douds v. Longshoremen ILA*, 241 F.2d 278 (2d Cir. 1957)."

The Unions' conduct and ongoing violations of the Act pose an immediate danger of creating industrial unrest. Instead of complying with their legal obligation to bargain in good faith with the Company over mandatory subjects of bargaining, the Unions have refused to meet, refused to consider or respond to Kellogg's contract proposals, falsely claimed that Kellogg's contract offers are "fake" proposals, provided premature notice of an intent to strike after the Master Agreement's terms are no longer in full force and effect, and threatened an strike in support of their bad faith conduct.

Addresses of Charging Party Unions:

- **BCTGM International Union**
  10401 Connecticut Avenue
  Kensington, MD 20895

- **BCTGM Local 3G**
  1006 N. Raymond Road
  Battle Creek, MI 49014

- **BCTGM Local 50G**
  8984 J Street
  Omaha, NE 68127

- **BCTGM Local 252G**
  3035 Directors Row, Building A
  Suite 1310
  Memphis, TN 38131

- **BCTGM Local 374G**
  3543 Marietta Ave.
  Lancaster, PA 17601-1160

Addresses of Affected Kellogg Company Facilities:

- **Battle Creek**
  425 Porter Street
  Battle Creek, MI 49104

- **Omaha**
  9601 F Street
  Omaha, NE 68127

- **Memphis**
  2168 Frisco Ave.
  Memphis, TN 38114

- **Lancaster**
  2050 State Road
  Lancaster, PA 17601

RECEIVED
NLRB
2021 OCT -6 AM 11: 22
REGIONAL OFFICE
REGION 7
GRAND RAPIDS, MI

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlrb.gov
Telephone: (313)226-3200
Fax: (313)226-2090

Download
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Mobile App

October 7, 2021

Jeffrey Canfield,
Corporate Counsel-Labor and Employment
Kellogg Company
1 Kellogg Square
Battle Creek, MI 49017

Re: Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM), AFL-CIO, CLC and Local Unions, Local 3G, Local 50G, Local 252G and Local 374G (Kellogg Company)
Case 07-CB-284123

Dear Mr. Canfield:

The charge that you filed in this case on October 06, 2021 has been docketed as case number 07-CB-284123. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Rana Roumayah whose telephone number is (313)335-8064. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other

witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Elizabeth Kerwin
Acting Regional Director

Enclosure: Commerce Questionnaire

cc: Keith Eastland, Attorney
Miller Johnson Attorneys
45 Ottawa Avenue SW
Suite 1100, P.O. Box 306
Grand Rapids, MI 49505-0306

David Buday, Attorney
Miller Johnson Attorneys
45 Ottawa Avenue SW
Suite 1100, P.O. Box 306
Grand Rapids, MI 49505-0306

Kellogg Company
425 Porter Street
Battle Creek, MI 49014

Kellogg Company
9601 F Street
Omaha, NE 68127

Kellogg Company
2168 Frisco Aveue
Memphis, TN 38114

Kellogg Company
2050 State Road
Lancaster, PA 17601

FORM NLRB-5081
(3-11)

NATIONAL LABOR RELATIONS BOARD

Rana Roumayah

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER
Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM), AFL-CIO, CLC and Local Unions, Local 3G, Local 50G, Local 252G and Local 374G (Kellogg Company)	07-CB-284123

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

[ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS *(Products handled or manufactured, or nature of services performed).*

7A. PRINCIPAL LOCATION:	7B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:	B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT *(Check the appropriate box):* **[ ] CALENDAR [ ] 12 MONTHS or [ ] FISCAL YEAR** *(FY DATES _____)*

	YES	NO
A. Did you **provide services** valued in excess of $50,000 directly to customers outside your State? If no, indicate actual value. $_____		
B. If you answered no to 9A, did you **provide services** valued in excess of $50,000 to customers in your State who purchased goods valued in excess of $50,000 from directly outside your State? If no, indicate the value of any such services you provided. $_____		
C. If you answered no to 9A and 9B, did you **provide services** valued in excess of $50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than $50,000, indicate amount. $_____		
D. Did you **sell goods** valued in excess of $50,000 directly to customers located outside your State? If less than $50,000, indicate amount. $_____		
E. If you answered no to 9D, did you **sell goods** valued in excess of $50,000 directly to customers located inside your State who purchased other goods valued in excess of $50,000 from directly outside your State? If less than $50,000, indicate amount. $_____		
F. Did you **purchase and receive goods** valued in excess of $50,000 from directly outside your State? If less than $50,000, indicate amount. $_____		
G. Did you **purchase and receive goods** valued in excess of $50,000 from enterprises who received the goods directly from points outside your State? If less than $50,000, indicate amount. $_____		
H. **Gross Revenues** from all sales or performance of services ***(Check the largest amount)*** [ ] $100,000 [ ] $250,000 [ ] $500,000 [ ] $1,000,000 or more If less than $100,000, indicate amount.		
I. **Did you begin operations within the last 12 months?** If yes, specify date: _____		

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

[ ] YES [ ] NO *(If yes, name and address of association or group).*

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE *(Type or Print)*	SIGNATURE	E-MAIL ADDRESS	DATE

PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlrb.gov
Telephone: (313)226-3200
Fax: (313)226-2090

Download
NLRB
Mobile App

October 7, 2021

(b) (6), (b) (7)(C)
Bakery, Confectionery, Tobacco Workers and
Grain Millers International Union (BCTGM), AFL-CIO, CLC
10401 Connecticut Avenue
Kensington, MD 20895

Local 3G, Bakery, Confectionery, Tobacco Workers
and Grain Millers International Union (BCTGM), AFL-CIO, CLC
1006 North Raymond Road
Battle Creek, MI 49014

Local 50G, Bakery, Confectionery, Tobacco Workers
and Grain Millers International Union (BCTGM), AFL-CIO, CLC
8984 J Street
Omaha, NE 68127

Local 252G, Bakery, Confectionery, Tobacco Workers
and Grain Millers International Union (BCTGM), AFL-CIO, CLC
3035 Directors Row
Building A, Suite 1310
Memphis, TN 38131

Local 374G, Bakery, Confectionery, Tobacco Workers
and Grain Millers International Union (BCTGM), AFL-CIO
3543 Marietta Avenue
Lancaster, PA 17601-1160

Re: Bakery, Confectionery, Tobacco Workers
and Grain Millers International Union
(BCTGM), AFL-CIO, CLC and Local
Unions Local 3G, Local 50G, Local 252G
and Local 374G
(Kellogg Company)
Case 07-CB-284123

Dear (b) (6), (b) (7)(C) and Madam or Sir:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be

represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Rana Roumayah whose telephone number is (313)335-8064. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability.

Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Elizabeth Kerwin
Acting Regional Director

Enclosure: Copy of Charge

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

BAKERY, CONFECTIONERY, TOBACCO WORKERS AND GRAIN MILLERS INTERNATIONAL UNION (BCTGM), AFL-CIO, CLC AND LOCAL UNIONS LOCAL 3G, LOCAL 50G, LOCAL 252G AND LOCAL 374G (KELLOGG COMPANY) Charged Party and **KELLOGG COMPANY** Charging Party	**Case 07-CB-284123**

AFFIDAVIT OF SERVICE OF CHARGE AGAINST LABOR ORGANIZATION

I, the undersigned employee of the National Labor Relations Board, state under oath that on October 7, 2021, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM), AFL-CIO, CLC
10401 Connecticut Avenue
Kensington, MD 20895

Local 3G, Bakery, Confectionery, Tobacco Workers
and Grain Millers International Union (BCTGM), AFL-CIO, CLC
1006 North Raymond Road
Battle Creek, MI 49014

Local 50G, Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM), AFL-CIO, CLC
8984 J Street
Omaha, NE 68127

Local 252G, Bakery, Confectionery, Tobacco Workers
and Grain Millers International Union (BCTGM), AFL-CIO, CLC
3035 Directors Row
Building A, Suite 1310
Memphis, TN 38131

Local 374G, Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM), AFL-CIO
3543 Marietta Avenue
Lancaster, PA 17601-1160

Jeffrey Canfield,
Corporate Counsel-Labor and Employment
Kellogg Company
1 Kellogg Square
Battle Creek, MI 49017

David Buday, Attorney
Miller Johnson Attorneys
45 Ottawa Avenue SW
Suite 1100, P.O. Box 306
Grand Rapids, MI 49505-0306

Keith Eastland, Attorney
Miller Johnson Attorneys
45 Ottawa Avenue SW
Suite 1100, P.O. Box 306
Grand Rapids, MI 49505-0306

Kellogg Company
425 Porter Street
Battle Creek, MI 49014

Kellogg Company
9601 F Street
Omaha, NE 68127

Kellogg Company
2168 Frisco Aveue
Memphis, TN 38114

Kellogg Company
2050 State Road
Lancaster, PA 17601

October 7, 2021

Date

Carol A. Koper, Designated Agent of NLRB

Name

/s/ Carol A. Koper

Signature

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Attorneys

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MERITAS LAW FIRMS WORLDWIDE

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October 4, 2021

VIA FIRST CLASS MAIL

Ms. Colleen Carol
Resident Officer - Resident Office 07
National Labor Relations Board - Region 7
110 Michigan Street NW
Room 299
Grand Rapids, MI 49503-2363

Re: Unfair Labor Practice Charge for Filing

Dear Ms. Carol:

This law firm represents Kellogg Company and is authorized to submit for filing with Region 7 the enclosed Unfair Labor Practice Charge against the Bakery, Confectionery, Tobacco Workers, and Grain Millers ("BCTGM") International Union and BCTGM Local Union 3G, Local Union 50G, Local Union 252G, and Local Union 374G.

Please contact me at your earliest convenience to discuss Kellogg Company's presentation of evidence in support of this Charge. Please also contact me if you have any questions or would like to discuss this matter.

Sincerely,

MILLER JOHNSON

By
Keith E. Eastland

RECEIVED
NLRB
2021 OCT -6 AM 11: 22
REGIONAL OFFICE
REGION 7
GRAND RAPIDS, MI

KEE:[redacted]
Enclosure

cc: Kellogg Company
BCTGM International Union
BCTGM Local Unions 3G, 50G, 252G, 374G