

**JOINT LABOR MANAGEMENT COMMITTEE**  
**Of The Food Industry**

Potential Anti-trust Issues

The Joint Labor Management Committee of the Food Industry (the "JLMC") is chartered as a not-for-profit "business league" or "trade association" under the laws of the District of Columbia. Although it includes both labor organizations and employers as members, the JLMC qualifies as a "business league" or "trade association" because it is an organization which is devoted to improving business conditions within one or more lines of business (in this case, the retail food industry) and limits its membership to those employers and labor organizations which are committed to promoting the common economic welfare of all members.

Because they are continually in competition with one another and often have divergent individual economic interests, members of the JLMC are potentially in danger of committing a deliberate or (more likely) inadvertent violation of Federal anti-trust statutes and regulations through their interactions at JLMC meetings. Broadly speaking, such statutes and regulations generally prohibit an express or tacit agreement between two competing business entities to unreasonably restrain trade within a particular line of business by, for example, fixing prices, allocating markets or customers or engaging in a concerted refusal to deal. In order to minimize the possibility that even casual conversations or comments made at a JLMC meeting could be considered to be a violation of such statutes or regulations, the guidelines set forth on the attached document entitled "Anti-trust Dos and Don'ts" should be observed by every JLMC member at every gathering of the JLMC.

## ANTI-TRUST DOS AND DON'TS

### DO:

- Use JLMC gatherings to discuss general industry/economic trends.
- Use JLMC gatherings to discuss ways of improving labor-management relationships.
- Use JLMC gatherings and resources to seek legislative and/or regulatory action that would benefit the industry as a whole.
- Use JLMC gatherings and resources as a way of working together to identify and secure service providers or programs that would improve the lives of employees in the industry and provide a benefit to the industry as a whole.
- Exercise caution when speaking to competitors at JLMC gatherings.
- Raise an objection if a prohibited topic is brought up for general discussion at a JLMC gathering.
- Use JLMC gatherings as a means to engage in side discussions concerning specific current labor-management issues/disputes between members of the JLMC.

### DON'T:

- Use JLMC gatherings to discuss or establish programs designed to harm or hobble competitors within the industry.
- Use JLMC gatherings as a means to engage in side discussions on prohibited topics with other members of the JLMC.
- Use JLMC gatherings to share or discuss non-public information concerning topics such as current or future pricing, expansion or contraction plans, profit margins or costs with other members of the JLMC.