FLAME®

THE MAGAZINE OF THE NATIONAL FRANCHISEE ASSOCIATION, INC.
www.nfabk.org

2013 Issue 4



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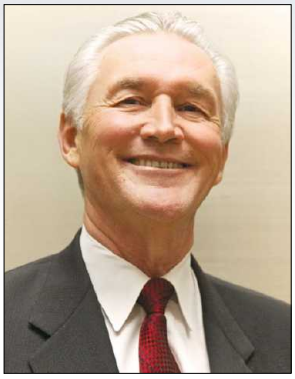
Privileged to Serve

by MITCH **LAIRD**

Here we are at the end of December, finishing up the 2013 year and welcoming 2014 with open arms. It is amazing how quickly the year flew by and it seems like just yesterday I was writing my first column for Issue 1 of the 2013 *FLAME*.

I have been honored to serve you over this past year and have had the opportunity to build relationships with many of you. I traveled to many different regions, spoken at regional meetings and listened to the concerns you have as franchisees and small-business owners. My goal over this past year was to be an effective advocate on your behalf and to be the voice between the franchisees and BKC, and I will continue to make that my mission into 2014.

It was wonderful to catch up with and see many of you at the NFA/BKC Summit in D.C. If you weren't able to attend you can share in the experience by taking a look at the pictorial recap in this issue of *FLAME*. During the Summit, we had the rare occasion to dine with some of our nations' wounded warriors and hear their remarkable stories at the closing gala dinner. It was a moving experience. Thank you to both the GRC and the entire NFA staff for putting on another great event. I also want to extend a thank you to Alex Macedo, Jill Granat and Jim Myers from BKC for attending and furthering their relationship with the franchisees.



Also, thank you to the various system suppliers who supported the NFA during 2013 and continue to sponsor the organization. Without your dedicated support, we would not be successful as the voice for BK® franchisees.

This past year, I have been privileged to serve the organization and each of you, its members. I anxiously await the upcoming year and I look forward to what we can accomplish together. Again, thank you for your support of the association and I wish you a happy and prosperous 2014!

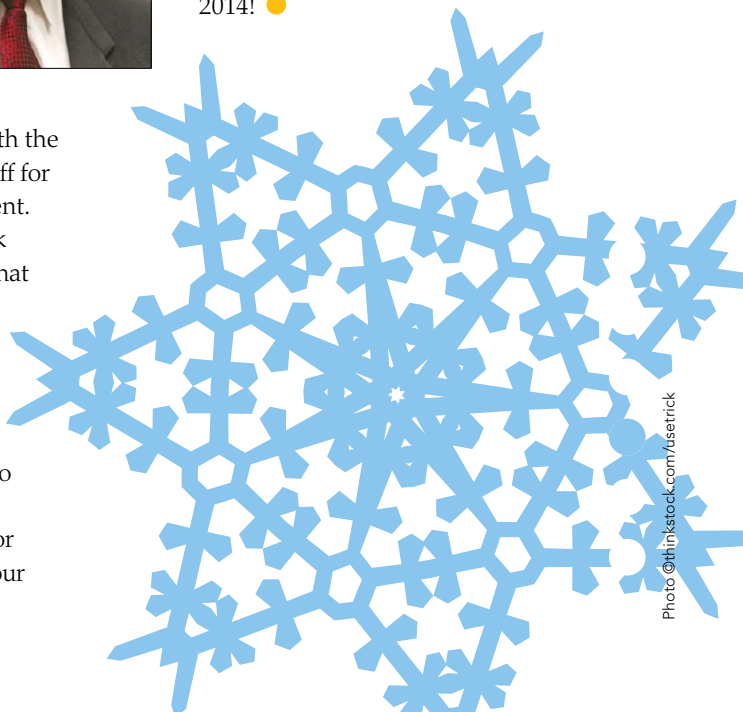


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Think On These Things



by ANDREW **MYERS**

Well, another year has come, and gone, and once again we all gathered with family and friends around tables full of turkey, ham, beef, mashed potatoes with steaming gravy that is salted just right, squash, asparagus, corn, green bean casserole, sweet potatoes (with or without the marshmallow topping, depending on how you like it), pickles, chips and dip of all sorts, different types of cheese, olives, broccoli, both cooked with melted cheese and as part of a vegetable plate, tossed salad with ten different dressing options, coleslaw, homemade rolls where the butter melts immediately as it is spread; all of this to be followed by warm apple pie with vanilla ice cream melting down the side and through the steaming apples, pumpkin pie with whipped cream on top, blueberry, raspberry, pecan, shoofly, banana cream, lemon and chocolate pies, and any other kind of pie you can imagine. You then migrated to the living room, family room, den, basement, to settle in for a day of football, movies, games, jokes and laughter, naps (on the floor and on the furniture, with or without the family pet snuggled by your side), only to do it all over again later on in the evening as you became hungry once again. Hopefully you all enjoyed, enjoyed, enjoyed.

Did I describe the lifestyle(s) of anyone reading this article? If not, well, at least you know what happens in my life as we celebrate the holiday seasons; and I have to tell you that it's a great time and I wouldn't trade it for the world. Year in and year out we stick to our traditions, those established years before, and we don't let anyone, family, friends, acquaintances, the government (as hard as they might like to), corporations, laws, regulations, rain or snow, change or influence in any way, the time we have set aside to appreciate all that is good in life.

I challenge each and every one of you reading this article to make it a point sometime through the remaining part of 2013 and the first few weeks of 2014, to do just that. Set aside some time to be thankful for all that we do have, family and friends, people who we love and care for and those that love and care for us, and try to leave the commiserating at the door for at least a short period of time… if we need to we will have plenty of time for that in the future, but for now, think on good things. We all need the relaxation and rejuvenation that accompanies positive thinking.

With all that said I would like to say thank you for everything you have done for me, the staff here in Atlanta, your support of your association, your support of NAMG and the services provided, your support of the board of directors who lead these awesome companies with a passion and vision unlike I have ever seen in my career. Thanks to our chairman, Mitch Laird, as he endeavors to tirelessly advocate on behalf of the entire system and the officers who support as well; and yes, thank you to those of you who see things a little differently but still support the NFA…we welcome ALL opinions and ideas and we learn from the feedback we receive. Our collective goal should always be to strive to make sure the franchisees are successful, and not just successful but wildly successful, and, regardless of what anyone says, there is nothing wrong with being extremely successful and I hope we are all working to make that happen.

So, to all my (our) friends, please make it a point to lower your blood pressure here at the end of 2013 and into 2014. Set aside some time to love, laugh, live and be thankful. I am! May 2014 be a blessed and profitable year!



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Renovations and New Beginnings

Prior to celebrating its first anniversary as a BURGER KING® franchise, GPS Hospitality unveiled a freshly-remodeled restaurant on Wade Green Road during a ribbon cutting ceremony on Sept. 9. The ceremony included Kennesaw, Ga. community members and



The completed look of Tom Garrett's restaurant #8054.

city officials who came to see the updated restaurant, which received both an interior and exterior facelift. "I think anytime you have business partners that are committed to improving their appearance for their customers, it's going to improve the quality of life for residents by providing a nice place to enjoy a meal," said Mark Mathews, mayor of Kennesaw.

"We have a great location and management team at our Wade Green restaurant," said Tom Garrett, CEO of GPS Hospitality. "We want to reintroduce BK® to a lot of people that have been driving by this building for years. We also hope that guests see our commitment to being a part of the community through our investment in remodeling this restaurant." Garrett became a BURGER KING® franchisee in October 2012 and is in the process of renovating 29 of his 42 restaurants. This year he completed 10 remodels and has 14 planned for 2014.

"We're up in sales and I've had a lot of people comment on the new look," said restaurant manager Donna Hornung. "I'm so happy with the remodel and having new guests stop by." Hornung has served as general manager of the Wade Green restaurant for the past 15 years. She built a rapport with many of the customers, including some regular customers that have resided in the area since the restaurant opened. Michael and Eva Haitchi are two BK® customers who have lived in Kennesaw for 42 years and remember when there was nothing but trees in the area when they first moved from Chicago. "We make weekly visits to this restaurant, instead of going to the McDonald's across the street. I like the French fries better at BURGER KING®," Michael stated. "We only live a mile and a half down the road. Donna, the manager, is a nice person so we want to support the restaurant."

The crew at #8054 is always willing to serve customers with a friendly smile. "We believe that you can't be truly successful unless you have the right management team and crew in place," commented Jermaine Walker, director of operations. "Donna and her team work well together and enjoy coming to work every day to serve their guests hot, fresh food with a smile." He said the restaurant is hoping for a 15 percent increase in sales, but has seen as much as a 30 percent increase in past renovations.

The ribbon cutting ceremony served as an open invitation to Kennesaw residents and the surrounding communities to stop by and enjoy a WHOPPER®. "The renovation reflects the new image of BURGER KING®. When you align a great looking building with quality food and excellent service, it's a winning formula for all involved," commented Garrett. He hopes this winning formula will continue to be successful as GPS Hospitality enters its second year as a BK® franchise.



Franchisee Tom Garrett (L) and Jermaine Walker (R) the director of operations for GPS Hospitality proudly display their newly remodeled restaurant as Kennesaw Mayor Mark Mathews cuts the ribbon.



Kennesaw city leaders and members of the Atlanta NFA team pose with franchisee Tom Garrett, Kennesaw Mayor Mark Mathews and Jermaine Walker, director of operations for GPS Hospitality.

Holiday Cheer Campaign

For the past 30 years, Midwest R Corporation has partnered with the Harvest Food Bank and WOBL radio to raise funds and food for the homeless and hungry in northern Ohio from Thanksgiving until Christmas.

When the holiday cheer campaign first began, Midwest R Corporation and WOBL volunteers filled Thanksgiving baskets and delivered them to the needy in Lorain, Ohio. The school system was also involved, with high school students stuffing the baskets and helping in delivery.

Now, Harvest Food Bank is involved and they are able to service four counties in the area. By donating to the food bank, contributors are able to feed five people for only a dollar. "It doesn't make sense to do food baskets anymore," said Sully Renuart, franchisee and owner of Midwest R Corporation. "Now we don't interact directly with the recipients, but we are able to feed so many more. We started off with only six restaurants and now we have 20, so the amount of money we raise has grown significantly." Last year, community members donated $63,000 and this year, their goal is to raise at least $60,000.

The kick-off event was held Friday, Nov. 22 at restaurant #468 in Elyria, Ohio. Members of the community, small businesses, and local leaders all came to give selflessly to their neighbors in need. There was a free breakfast for guests and an opportunity to buy coupons to contribute to the fund. One coupon is sold for 25 cents or you can buy five coupons for $1. The coupons are good for a free hash brown with a breakfast order and other promotions.

"We had been running the campaign purely from a retail perspective and we thought we could bump up the contributions by hosting a breakfast," commented Doug Wilbur, the president and owner of WOBL radio. "BURGER KING® does a lot with local businesses and we, as a radio station, use local businesses as well. We invite all our community contacts to the breakfast, and the corporate sponsorships of Holiday Cheer were almost as much as the coupon sales."



Local leaders and businesses came to BURGER KING® for the kick-off event to donate and support the Harvest Food Bank.

In the beginning, each of the six, original, participating BURGER KING®'s had live remote feeds from their restaurant in order to spread the word to the community. Now that the fundraiser has expanded to 13 different communities that is nearly impossible to do, so WOBL radio does in-house recordings for each of the 32 agencies that benefit from Holiday Cheer. They get to announce and share their heartfelt stories so the people in Ohio know where and what to donate for the entire month of the fundraiser.

"Money raised goes to local agencies and each neighborhood is being helped, whether by meal trucks or grocery drops," said Renuart. "It is our big fundraiser each year. I think because of the traffic that comes through our restaurant, we are able to bring to the forefront of everyone's mind what's going on, let people know the need and give them a way to help people. This is what we put the most effort behind and it has the most impact on the people of Ohio."

Community members and businesses bring donations to either BURGER KING® or to WOBL radio. There are different levels of sponsorship, starting with corporate sponsors donating more than $100 and then it goes up from there. Some organizations donate $250, $500 or even $1,000, since they know exactly where the money is going. It is a fundraiser to encourage the spirit of giving during the holidays, and it encourages the people of Ohio to share the many gifts they have been given.

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From Capitol Hill to Community Restaurants

The NFA has many legislative partners that are very supportive of small businesses and the role of franchisees in the community. Rep. Scott Garrett, representing the 5th District of New Jersey, is one such individual.

Rep. Garrett made a deliberate point to speak to small-business owners, like Mike Wallstein with Harvey Management Corp., who would be affected by Obamacare. He wanted to see exactly how they felt about the new legislation. Rep. Garrett and his District Director, Rob Pettet, visited one of Wallstein's restaurants and spent two hours with him learning about the restaurant and some of the concerns franchisees face.

Rep. Garrett wanted to know about Harvey Management Corp. specifically, and how they began back in 1970. Wallstein explained his beginnings when his father started the business decades ago. Times were much simpler, with a basic menu and competition was not as strong. With minimum wage protests being a hot topic, Wallstein shared the belief of the media and unions that franchisees can afford to pay a higher minimum wage and still have extra money to spend. He clarified that could be the case for large corporations, but small-business owners are affected differently. "The impacts of these laws are traumatic to us as small business people," commented Wallstein. "We are on very thin margins and Rep. Garrett seemed to understand and appreciate that fully."



(L-R) BURGER KING® franchisee Mike Wallstein, Rep. Garrett and general manager, Rene Cevallos, inside their restaurant in New Jersey.

The restaurant manager, Rene Cevallos, was able to give Rep. Garrett and Pettet a tour of the kitchen, explaining how everything from the broilers to the front counter worked. The visitors asked very insightful questions and Cevallos was very proud to show off his restaurant and how it is run daily. After understanding how the food is prepared, Rep. Garrett, Pettet and Wallstein sat down to enjoy some of the new BK® menu items. "They are big BURGER KING® fast food fans and they tried the new Big King and the BBQ Rib sandwich," Wallstein stated. "They wanted to try a smoothie and then we finished it off with ice cream. They were intrigued with the equipment and procedures of running a restaurant and were happy to talk to us about it."



Mike Wallstein explains the day-to-day struggles of his restaurant to Congressman Scott Garrett.

After lunch, the three were able to discuss Obamacare in detail and how it would affect Wallstein's business and other small businesses around the country. Issues were discussed such as the cost impact and the regulatory and administrative burdens it will place on a small business, like a BK® restaurant. Obamacare needs to be repealed and replaced for a number of reasons, including the fact that it is an unsustainable burden on job creators. On all of these issues, Rep. Garrett is sympathetic and adamant about changing things in Washington," said Wallstein. "He was curious about how we approached this topic of Obamacare with managers and employees as well."

Rep. Garrett spoke to Cevallos, as well as a crew member, and asked them their opinion on the law. Cevallos offered a managerial perspective, since he is a full-time employee with a family and is on the medical plan through the NFA. The BK® employees explained their understanding of the law and whether or not they believed it would work out and benefit the country.

Overall, it was a wonderful meeting. Wallstein felt appreciated and heard while Rep. Garrett was able to get a feel for the people he represents. "We were fortunate enough to see Rep. Garrett at the Congressional Breakfast at the NFA/BKC Summit in November as well," said Wallstein. "He is a great supporter of the NFA and small businesses, and he is someone we consider a friend." Rep. Garrett's office is less than a mile down the road from Wallstein's restaurant, so Wallstein hopes to visit with them more frequently in the near future.

Savannah's Lucky Day: Georgia Lottery Giveaway

Friday the 13th was a lucky day in Savannah! The Georgia Lottery Corporation launched a promotion in partnership with BURGER KING® celebrating 20 years of making fantasies come true.

Savannah Restaurants Corporation kicked off the first event of this kind with a press conference attended by three television affiliates, three radio affiliates and local press. Following the press conference, all BURGER KING® customers over the age of 18 received Fantasy Five buy one, get one free coupons upon upsizing orders that included the purchase of a large fry, large drink or a large combo meal. This promotion also served to drive brand awareness, not to mention sales, to new heights.



"We are excited and honored to be a part of this promotional partnership with the Georgia Lottery," said Alex Salgueiro, President and CEO of Savannah Restaurants Corporation. "Our BOGO Fantasy Five coupon voucher promotion not only provides BURGER KING® guests with great incentive when they 'go large,' but it also helps the Georgia Lottery raise additional funding for their many educational programs."

Since its first year, the Georgia Lottery Corporation has returned more than $14.6 billion to the state of Georgia for education. All Georgia Lottery profits go to pay for specific educational programs, including Georgia's HOPE Scholarship Program and Georgia's Pre-K Program. More than 1.6 million students have received HOPE, and more than 1.2 million 4-year-olds have attended the statewide voluntary pre-Kindergarten program.



Salgueiro has been a supporter of educational programs in Georgia for many years and sees the lottery program as a way to promote educational opportunities for many young people. His personal belief is that an education is the single most important path one can take to better, not only a single life, but society as a whole. It is also his belief that social responsibility lies on all individuals that have the ability to aid in the educational process. He supports that mission with this partnership with the Georgia Lottery Corporation.

The Lucky Friday the 13th event was a magnificent success!

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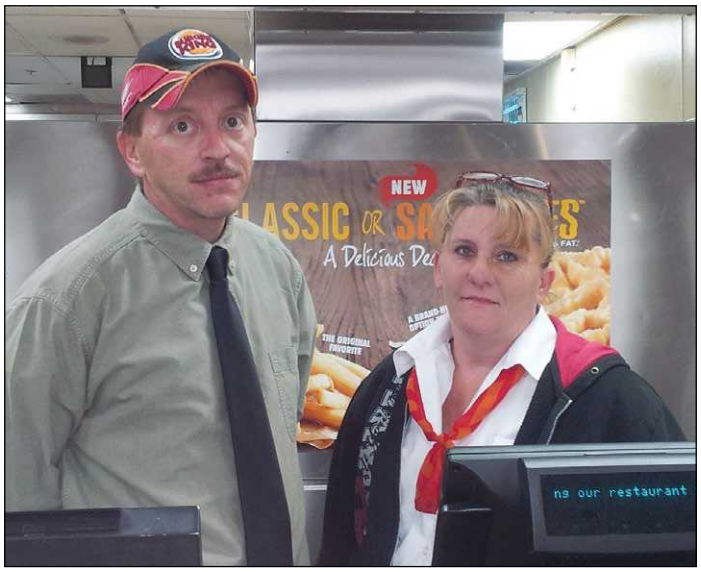
The Narrow Escape

MCL Enterprises, Inc. employees were awarded the CAREing Heroes Award when they were able to help a guest's son who was trapped inside a car.

Employees at restaurant #11326 would never have expected a mother to run into their restaurant panicking and looking for immediate help for her son. "The mother ran in asking for scissors and saying she needed to get her son out of the car because he couldn't breathe," said Denise Pratt, general manager of the Oro Valley restaurant. "He was all right when we went out there, but he was starting to panic and she was obviously worried." Her son had wrapped the seatbelt around himself numerous times, making it too tight to release and he was trapped inside of it.

The general manager, Tim McLaughlin came out to try to release the seatbelt, which did not work at first. He then asked the mother if he could cut the seat belt with his pocket knife, since there were no scissors to be found. She agreed and he was able to release the seat belt and free the boy from the confines of the vehicle.

The mother had two other children playing "Ring Around the Rosie" on a telephone pole, so Pratt's daughter and BK® employee, Maci Pratt, brought them inside to the BK® Playland. Maci made sure they were safe, which gave the worried mother relief. "Another employee came out to help me with my other two children. She brought them into the store to the play area, gave them a toy and ice cream," the mother posted in a Guest Trac comment. "Your team went above and beyond to help out in what could have turned into a very serious emergency. I am so grateful to your people! We are now sold on BK®. Thank you, thank you, thank you for hiring amazing people. They truly made a difference today."



General Managers, Tim McLaughlin and Denise Pratt, were able to assist the little boy and cut him out of the car.

Once Tim had released the child from the seatbelt, the family stayed at the restaurant and enjoyed a BURGER KING® dinner. What started out as a scary situation was quickly resolved by the team members that acted on impulse and were ready to help in every way possible.



General Manager, Tim McLaughlin and BK® employee, Maci Pratt were both able to offer assistance to the mother in a variety of ways.

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The Perfect Tailgate Food

Louisiana State University football fans can literally sleep, breath and now eat LSU football since the $1.20 BK® Tiger Double Cheeseburger came out at Jerry Comstock's restaurants this season to recognize the 120th year of LSU Football.

Strategic Restaurants Acquisition Company, LLC (SRAC) has partnered with LSU for many years. In celebration of LSU's 120 years of football, they looked for additional opportunities to drive sales and traffic, while keeping in mind the LSU fan. The LSU sandwich was available in 135 BURGER KING® restaurants in five major markets through the end of November. All customers had to do was request the BK® Tiger Double Cheeseburger, which is advertised in each restaurant.

The LSU hamburger is complete with two beef patties with melted American cheese, pickles, mustard and ketchup on BURGER KING®'s signature toasted sesame seed bun. It is a fun way to support the LSU Tigers, whether fans are at the game eating it or out with friends at their local BK® restaurant.

"This year, we tied in the consumer's passion for football and a fantastic value to create a win-win for the consumer, for our BK® team and the partnership with LSU," said Melissa Delhom Sabathier, Sr. Director of Marketing for SRAC. "We had a full media plan behind the promotion and had our local agency team create custom creative targeting the LSU fan for radio, billboards and digital platforms. We reinforced the media plan with in-restaurant appearances by the LSU spirit squad and Mike the Tiger, the team mascot, to promote the partnership as well."



Two adorable LSU football fans meet Mike the Tiger at one of Comstock's BK® restaurants.

Throughout the year, BURGER KING® has a street team that promotes the burger at the LSU football games and pep rallies. The team can be seen passing out guest cards that show what the BK® Tiger Double Cheeseburger is, and invite students and fans to try it at their local BURGER KING® restaurant.



The LSU spirit squad came out to BURGER KING® to promote the BK® Tiger Double Cheeseburger.



LSU fans enjoyed tasting the BK® Tiger Double Cheeseburger and celebrating 120 years of LSU football.



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In the Spirit of ThanksGIVING

The holidays are a time to be grateful for what you have and bestow gifts upon others who are not as fortunate. RCS Enterprises LLC in Oklahoma is a prime example of this selfless attitude during the Thanksgiving season as they gave 500 Thanksgiving Day baskets to the hungry and collected coats and blankets for the homeless.

Anthony Rowland, franchisee/owner and Patty Neuwirth, owner of RCS Enterprises LLC, worked with the Association of the United States Army (AUSA) Soldier/Family Council and the Lawton Housing Authority in Lawton, Okla. to provide meals and clothes to those in need. Four of their BURGER KING® restaurants had collection areas right by the door for customers and community members to donate canned goods and new or gently-used coats. Neuwirth said a group of veterans that come in to one of her restaurants every morning even gave away their coats as well.

The housing authority is the leading agency toward the Continuum of Care for southern Oklahoma. They have a program where they partner with other agencies in order to provide a holiday meal for those who need it in the community. Last year, they distributed coats and blankets at the Christmas dinner, but people commented that the temperatures drop well before Christmas and they could use the coats before then. As a result, they switched it up this year and gave out the coats and blankets earlier, along with Thanksgiving baskets.



Ray Hunyadi, the manager at restaurant #10634, and Patty Neuwirth in front of the BURGER KING® counter with the Feed the Need coat collection box.

"It's been a lot of work, but we live in a community where we get good community buy-in and that's what happened here. There's a long list of agencies and people that contributed to the coat drive," said Jervis Jackson with the Southwest Oklahoma Continuum of Care. "Patty and the other owners of RCS Enterprises LLC establish each location as a drop off for coats. Then people started leaving canned goods too, so we made it a drop off for both. Patty offered up four of her restaurants and that helped us out so much."



Tony Rowland and Patty Neuwirth show off the coats that customers have donated for the needy.

Fort Sill is located in the heart of Lawton, meaning there are many military veterans around the area who are unable to find work and make ends meet. The United States Army is cooperating with the soldiers and the Veteran's Council to gather all the goods and distribute them. The general's wife from Fort Sill is really passionate about this cause. "When the general or his wife support something, it gets done," Neuwirth stated.

The media was used as a tool to educate people so they knew where to donate and help out. Numerous radio commercials highlighted the event and there were even a few TV spots on local news stations. "We got really good coverage from the local news and they did a live remote from our restaurant. After it was on the news, I had three bags of coats the next morning," Neuwirth commented. "People have to know about it and it reminds them to donate each time they come in, because the bins are sitting near the front door."

The Saturday before Thanksgiving, volunteers from around the community distributed the Thanksgiving baskets at Faith Based Church of God. The baskets contained turkey, canned food, sweet potatoes, stuffing and much more. Once the

baskets are distributed, the people are then able to pick up coats and blankets for their whole family in the church parking lot.

"We close our BK® restaurants on Thanksgiving because we feel it is a time to have a good meal and spend time with your family," stated Neuwirth. "It is a day we tend to eat more than we need, and instead we need to be thankful and share what we have. We are just hoping to make a better Thanksgiving for those in our community."

The Faith Based Church of God in Lawton had a goal of serving at least 500 people from 9 a.m.-12 p.m. Saturday, Nov. 23. Those they served were so appreciative of what they received, since they are trying to survive the cold winter months. Volunteers came from throughout the community, as well as from Neuwirth's restaurants, to help out and give selflessly.



Those in need of coats and blankets line up to take as many as they need for their family.



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Supporting Florida's Veterans

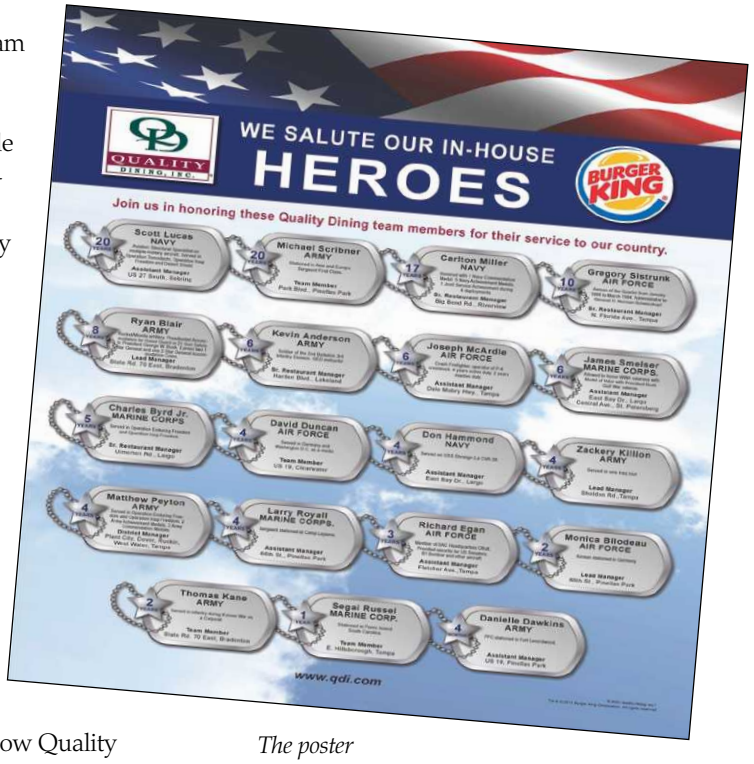
Quality Dining Inc.'s Dan Fitzpatrick, the owner of 165 BURGER KING® restaurants in four states, expanded the Veterans of Foreign Wars Foundation (VFW) Unmet Needs™ Program to the state of Florida this fall.

A proud supporter of our nation's military, Fitzpatrick reached out to the Florida franchisees, which included 374 BURGER KING® restaurants, and asked them to participate in a campaign to benefit the VFW for the month of November. Each BK® restaurant received 500-1,000 vouchers for a free WHOPPER® sandwich or BURGER KING® breakfast sandwich. In order to receive a coupon, each customer donated $1 and then signed a pledge sheet to show their support of military families.

The Florida BURGER KING® customers responded to the campaign with enthusiasm and patriotism. Within the first two days of the promotion, many restaurants had already sold out of their 1,000 vouchers for the month and were asking for another 1,000. "The Unmet Needs™ Program is a proven vehicle that assists military families at a time of great need. Unmet Needs™ is a singular opportunity for Floridians to help their neighbor in the most meaningful of ways," stated Fitzpatrick. "The program is great for our guests as their $1 donation is exchanged for a valuable free WHOPPER® sandwich or breakfast sandwich, but fundamentally allows our guests to make a direct donation while expressing their appreciation for those who have sacrificed through their military service."

The campaign kicked off Nov. 4 and a media day followed, complete with local radio and news stations. There were DJ interviews and they highlighted how Quality Dining Inc. and other Florida operators can make a difference for retired military personnel in the community as well as within their company. Cmdr. Dennis Brogan of Post 2550 spoke on behalf of the VFW and explained how the program works and the benefits of donating to this cause.

Quality Dining Inc. also presented a poster at the media day of the veterans who work within their organization, thanking them for their service to Quality Dining and to the country. Quality Dining took a moment to pause to recognize their in-house heroes who serve or served our country and Dan and CJ Fitzpatrick presented a framed poster to them. Seven veterans were present at the media day and were recognized publicly for their service. On Veteran's Day, the rest of the "in-house heroes" received their framed poster presented by their district and respective restaurant manager.



The poster Quality Dining made listing all of the in-house heroes working for their BURGER KING® company.



Dan and CJ Fitzpatrick pose with the Quality Dining in-house veterans.

CJ Fitzpatrick felt like it was important to raise funds for VFW locally and to salute and highlight their in-house heroes. They have team members, district managers, senior restaurant managers, and other employees within the company who served in the military. They wanted to recognize them with a poster, which listed their position and the location at which they work. The poster was hung in each restaurant until the end of November and Fitzpatrick is very pleased to have these heroes on his team. He really wanted to take time out and salute the valued employees within his organization.

BURGER KING® franchisee Mike DeRosa was responsible for introducing the organization to his fellow franchisees in the Mid-America region in 2007. Since then, he has been an advocate for the VFW as they strive to help those who return home from active duty. Unmet

Needs™ is able to offer assistance to military families who are suffering financially due to deployment, unexpected household issues or medical bills and there are nearly two million members nationwide. Unmet Needs™ offers up to $2,500 and pays for or toward a necessary bill or financial struggle the family is facing. The state of Florida has 1.5 million veterans, both seasonally and full-time, as well as 184 military posts. The 374 participating BK® restaurants planned to raise at least $55,000 during the promotion, but exceeded that amount with the response they saw from customers. Within the first two weeks of the promotion, they were able to raise more than $55,000 and at the end raised more than $210,000 from all 374 restaurants. All the money raised will stay in Florida and go directly to the veterans and their families.



Dan Fitzpatrick and some of the veterans from the surrounding area.

"In 2008, Dan Fitzpatrick started to help us and contribute every year. Dan made it his personal goal to get every restaurant in Florida to participate, which he almost achieved," DeRosa stated. "He was even able to bring BKC restaurants on board, which has never been done before. Dan's done a marvelous job at taking the responsibility of the Florida locations upon himself and he deserves kudos for that."

Quality Dining supported the VFW for years in Indiana and is doing its part to expand the program's reach. "As a supporter of the Unmet Needs™ Program for many years, this program is a win for our military family, the VFW and our guests," said Fitzpatrick. "One behalf of my entire organization, we are honored to do our part for a program that will impact many families across the state of Florida."



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The "Burger Brigade"

EDN, Inc. in Albany, Ga. takes time each November to recognize the military men and women who served and still serve our country daily.

One way the company expresses their thanks is to create a biodegradable Veteran's Day display outside of the Georgia Veterans State Park. The state park reaches out to all the businesses within the town of Cordele, Ga. and asks their support for Veteran's Day by creating an art display near the entrance of the park. Ed Northrop's BURGER KING® restaurant was thrilled to participate, and Ed's daughter-in-law, Anne Northrop, created the display. "There were a few other displays in front of the state park, but nothing as beautiful as this one," Ed commented. "Anne is very creative and she designed and built the whole thing!"

The work of art consisted of the "Burger Brigade," which were six little hamburgers complete with cheese, lettuce and pickled eyes donning camouflaged hats. On the reverse side of the mini hamburgers, arrows point drivers four miles into town to the Northrop's restaurant. There is a tall, straw soldier wearing camouflage and a BURGER KING® belt, who is saluting all veterans. The final touch is a red and white striped sign which reads, "BURGER KING® Salutes Our Veterans."

Over the years, Northrop has participated in numerous promotions and events for Veteran's Day. For the past five years, EDN, Inc. has consistently donated 250 sausage biscuits to the veterans at a morning breakfast in Worth County. The BURGER KING® in Sylvester, Ga. is the only restaurant chain that contributes to this breakfast, and Northrop attends with some of his restaurant managers to pass out the sandwiches. This year, Northrop attended with his BK® employee, Johnny Hilman, who has worked for EDN, Inc. for 31 years. The event is held at a local primary school's cafeteria, where the children and grandchildren of more than 200 veterans get to enjoy a day with their military heroes. Many of the veterans wear shirts or hats representing where they served, and Northrop always wears his military hat from his unit in Vietnam.



The Burger Brigade in front of the Georgia Veterans State Park.



Students' relatives and friends lined up to receive their breakfast catered by BURGER KING®.



Students enjoyed recognizing and honoring the military personnel at their school.

The event begins with a presentation of the colors by the local high school Jr. ROTC and is followed by the singing of the National Anthem and the Pledge of Allegiance. Then, each veteran and active military men and women from every branch of service are recognized. This year, there were nine active U.S. Marines and five active U.S. Army; along with more than 125 veterans from the U.S. Coast Guard, Army, Navy, Marines and U.S. Air Force. The middle school choir performed a plethora of patriotic songs for the veterans and the ceremony was concluded with a speech by the retired U.S. Army Command Sergeant Major. The remembrance day is a learning experience for the students and a wonderful way to give thanks and recognize the servicemen and women who fought for our freedom.

EDN, Inc. restaurants also provide a 10 percent discount to all military on Veteran's Day as a way honor the servicemen and women. Northrop and his company continue to remember all those veterans who served our country and thank all our active military.

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TEAM Schostak Family Restaurants LEAD THE WAY

TEAM Schostak Family Restaurants Leads the Way

Every fall, the TEAM Schostak Family Restaurants (TSFR) Senior Leadership Team meets with their multi-unit managers to develop the strategic goals for the next year. Once the plan is ready to be delivered, it is communicated to the company. The communication of these goals does not stop at the multi-unit level or even at the restaurant management level. With 1,700 team members that comprise TSFR's 61 Michigan-based BURGER KING®'s, the management team is only 15 percent of TSFR's talent. If the goals and objectives were only shared with managers, that would leave 85 percent of the talent aside from a very important mission of the organization. TSFR believes every member of the organization is an important piece of their success. This is why they created Partner for Success Meetings.



Partner for Success Meetings make sure every team member is involved in understanding what the overall goals are for the company for the year. Bi-annually, the multi-unit and restaurant managers hold mandatory meetings in each of their locations with all employees required to attend. The meetings outline each one of TSFR's metrics, and discussions are held to see where results stand with speed of service, GT scores, operating budget, staff

Company goals are shared with all levels to drive results

complement, sales and more. As a team, the restaurants discuss what they can do to ensure all metrics are met. When the porters, greeters, expediters, sales experts (cashiers), WHOPPER® board assemblers, team leaders and shift supervisors know they are a valued team member and are being included in having knowledge of the company's goals, along with having a say on how to achieve these goals, it creates empowerment. They now understand the importance of why they do what they do, and are gratified that their performance will help reach the overall goals of the company.

In addition, TSFR recently developed a communication board that helps keep everyone informed of daily and weekly goals. This is an eye appealing 24 x 24 inch laminated board that is divided into different areas and is displayed in the kitchen in each of the restaurants. Food cost review, metrics, guru milestones, SPO action, BKC news, and more are posted on the board. It is the responsibility of the general manager to keep the information updated and to review it with their team.

TEAM Schostak Family Restaurants' number one core value is their people. They train and develop their people to be successful and in turn the overall organization is successful. Bottom line…effective communication with everyone on the team is what keeps TSFR at the forefront in leading the way!!



A WHOPPER® of a Competition

There is nothing that stirs BURGER KING® franchisees more than healthy competition with one another. This year, BKC started an event called the WHOPPER® Challenge, which encouraged all franchisees to nominate their fastest WHOPPER®-making employees to compete for the title of the nation's fastest sandwich maker.

BKC sent out various memos announcing the competition and calling all franchisees to participate. Franchisees nominated some of their best employees to compete and some are already known within their specific restaurant for having exceptional WHOPPER®-making skills. Throughout the country, BKC judges traveled restaurant to restaurant, not only timing employees, but also making sure the appearance and weight of the sandwiches were consistent. Each employee spent time practicing in order to get their time down and their restaurant managers and franchisees encouraged them every step of the way. First the best were chosen within the restaurant, then within the area, and finally the region and finalists were sent to compete in Miami at the BKC Convention in September.

Only 24 employees were selected to travel to Miami for the final competition held at the conclusion of the BKC Convention on Sept. 26. BKC had a huge set-up for the competitors complete with timers, sandwich making stations, a weigh station, judges, and music to encourage and pump up the competitors. Videographers were gathered around those competing, catching every movement on film, as bystanders cheered and watched each competitor go head-to-head for the title of "the best."

Franchisees were able to attend the trials and, of course, cheered on their employees. "I can't think of a bigger honor than having an employee compete in Miami and represent our company," said Eric Oppenheim with Republic Foods Inc. "They are the ones on the front line

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1 *Ivan Hernandez (R) competes against Mike Stevens (L) in the final round of the WHOPPER® Challenge in Miami.*

2 *Mark Freeman, Director Global Field Management at Burger King Corporation, scrutinizes each WHOPPER® to make sure it adheres to the set guidelines.*

3 *Golden B Enterprises employee, Emma Sanchez, holds a sign for being a round two WHOPPER® Challenge winner with franchisee Bob Reid (L) and restaurant manager Chris Martins.*





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WHOPPER

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The weigh station for the WHOPPER® hamburgers, to make sure each one is the set 4.2 oz.

working extremely hard and they deserve a lot of credit for our success. I couldn't be more proud." Oppenheim's employee, Ivan, had one of the fastest WHOPPER®-making times going into the competition with nine seconds as his personal best. Even at the competition, his time was the fastest; however, he lost points on quality, which bumped him out of the final group.

Bob Reid, with Golden B Enterprises, was another franchisee who was privileged to have his employee, Emma Sanchez, compete. "She's been with us 14 years, so it created a lot of excitement and pride within our organization," Reid stated. "She's a really good person and has a sweet heart, so we were excited to have her go down to Miami. I know she was extremely nervous, but I told her before she left that as far as I was concerned, she already won. There are probably 200,000 BURGER KING® employees and to make it to the top 24 is great. We are as proud as we could be and we wanted her to have fun."

That is exactly what Sanchez did as she met people from all over the country and even met a friend she still keeps in contact with from the event. Reid and his business partner, Hugh Bigham, celebrated her acceptance into the Miami competition by matching the $500 prize BKC gave out and presenting her with candy, roses and a frame to remember the event. Everyone in the company was behind her every step of the way and encouraged her through the whole process.

"She's the best WHOPPER®-maker you could ever find," said Chris Martins, the restaurant manager of store #7778. "Many customers come in to order a WHOPPER® and ask if she could make the sandwich for them. I even ask her to make mine. She must do something special to it or put something extra in it. She's one of the best we have."

Despite all the competitors, there was one winner. Chad Streyle, a team member with Dakota King for 23 years, took home the title of the best WHOPPER®-maker in all of America. "My managers all thought I should try out. I didn't expect to win, but I tried to do my best," Streyle stated. "My competition was really good and anyone could have won; it was anyone's game. Winning was an unexpected blessing."

Streyle said his strategy was to keep his nerves under control, which many competitors, including Streyle, admitted they could not do because of the pressure they felt from all the bystanders, managers, franchisees and cameras watching them. Streyle also mentioned the equipment in Miami was new and different than most have in their restaurants, which added to the discomfort and the nerves each competitor experienced.

Obviously Streyle's nerves did not faze him as much as he thought, because he was able to win the entire competition and take home the $10,000 check. "My fellow team members were very excited and supported me the whole way. They were ecstatic when they found out I won. A couple people met me at the airport with balloons and a cake," he commented. "This was the first year, which means I can hopefully get another chance next year. I will just keep practicing until I get the opportunity again."

While Streyle is planning on practicing to compete again in 2014, all his



Contestants from the WHOPPER® Challenge anxiously await the final results from the competition.



The winner of the WHOPPER® Challenge, Chad Streyle poses with Dakota King franchisee, Tom Walsh Jr.

competitors are hoping to steal that title from him. The WHOPPER® Challenge has become a friendly, competitive game for franchisees and team members and they are looking forward to the rematch at the BKC Convention next year. "When the challenge started, Tom Walsh and I had a $20 bet on whose team member would make it to the finals," stated Oppenheim. "After the first round, my employee, Ivan, got up there and made his first sandwich in 10 seconds, faster than anyone else. However, he lost points when it came to presentation. Now Ivan is working very hard to come back next year and challenge Dakota King for the crown. It's so well-deserved and I gave Walsh $20 already, so I have to get my money back next year."

Many franchisees are encouraging their employees to practice for next year's BKC Convention in October. The judges will be focused on an increase in speed, the perfect weight and mastery of the appearance of the WHOPPER®. Since this was the first year of the WHOPPER® Challenge, expect next year's competition to be more intense and team members and franchisees alike to be more passionate about winning the $10,000.

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Expanding Opportunities



J.P.L. Management had the first BURGER KING® Wal-Mart location in the world at the Wal-Mart in Bowling Green, Ky.



(L-R) Daisha Long, Sarah Sierens and Michelle Azor, employees of J.P.L. Management, enjoy working for BURGER KING® in Wal-Mart.



The B&B Burgers LLC restaurant is open 24/7 and offers round-the-clock service to customers.



B&B Burgers LLC opened their restaurant in late October, attracting hungry Halloween shoppers who were looking to buy candy and costumes.

BURGER KING® has adopted new locations in various Wal-Mart stores, which are popping up all over the country. They are replacing former McDonald's, Blimpie's and Subway locations and are appealing to hungry shoppers as they browse through Wal-Mart stores. Numerous BK® franchisees have jumped on board and are excited about the new possibilities and opportunities that are available with this partnership.

It was BKC who developed the partnership and construction for various locations began this past summer. BKC released several stores they wanted to act as "testers" for BURGER KING® restaurants and offered them to nearby franchisees in good standing. Franchisees were excited to develop the restaurants, but were cautious of why McDonald's and other restaurants ended their lease. So far, it has been a trial and error process to see how successful the restaurants will be and how the partnership works.

J.P.L. Management had the first BURGER KING® Wal-Mart location in the world when they opened their restaurant on Oct. 21 at 10 a.m. Franchisee Andrew Schory says that being the first Wal-Mart restaurant gave him a lot to be nervous about. "Since the restaurant is so new, we are ironing out all the kinks and figuring out how to advertise and attract as much business as possible. Wal-Mart was very good to work with," he said. "We were able to get on the same wavelength and determine the relationship at the beginning. Once that was established, everything has gone really well and they've been very supportive."

B&B Burgers LLC in Texas opened their restaurant two days later. Their BURGER KING® location was greeted warmly by both Wal-Mart and the community. They had two options when selecting their BURGER KING® location, either half of the bakery or the photo area up front. They selected the bakery space within the store for their restaurant, which allowed them to include a small dining area. The restaurant is open 24/7, to keep up with the hours of the store. This allows Wal-Mart employees to grab a snack when they are on their break, especially the late-night breaks from 3-5 a.m.

"It seemed like a really good match," said Paul Bialick, franchisee with B&B Burgers LLC. "We've had success with customers buying food, how warmly they greeted us and they are genuinely happy that we are there. It is a feel-good situation." Like many other franchisees, Bialick is a proud advocate for the in-store restaurants and feels it will lead to further success for the brand.

New franchisee, Denny Rehberg is very excited about the opportunity to partner with Wal-Mart and is hoping to obtain space in his local stores. "I would start working with Wal-Mart now, even if you want to develop a restaurant there in the next two years," stated Rehberg. "If you don't secure your spot, someone else will."

David Blair and Mike Collins with Georgetown Restaurant Holdings, LLC opened a location on Nov. 22 in the Wal-Mart in Cedar Park, Texas. David said it's been good operationally with the new kitchen equipment. The relationship between BURGER KING® and Wal-Mart has been very good so far, which they hope could lead to additional opportunities in the future.

The Wal-Mart BURGER KING® restaurants are a great way to obtain even more exposure to the public and provide easy access to BK® food. These new restaurants are one more way to continue to get the brand's name out in the open. The desire of the franchisees is that guests will return to a free standing BK® after they have a pleasant Wal-Mart experience. The franchisees hope the brand's image will resonate even more with customers and will attract shoppers throughout the day.



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Hiring Recognition

Dakota King Inc. was recognized at the State Capitol in Pierre, South Dakota with the Governor's Awards-Outstanding Private Large Employer of the Year Award for hiring team members with disabilities.

Tom Walsh Sr. and Jr.'s restaurants partner with South Dakota Achieve, which is dedicated to supporting and providing services for people with disabilities. Most of their 11 Sioux Falls restaurants hired at least one individual supported by SD Achieve for the past six months.

"We've always been involved in charities with children," said Walsh Jr. "We partnered with SD Achieve when the guest ambassador program came out and it's an ongoing partnership. We looked to see if we could provide an environment to teach individuals employment-related skills needed to grow and develop. As long as the partnership is working for both the team members and BURGER KING®, I'd say it's a huge success."

Each team member with a disability is able to contribute to the restaurant in his or her own way, based on their capabilities. Some work the kitchen and others thrive on interaction with customers and are wonderful dining room greeters. One team member in particular, Diane Hawkins, was one of the first SD Achieve participants who found employment. The opportunity for her to work and contribute to the community has impacted her life in an immensely positive way. She not only is working and feeling useful, but more importantly, she's made friends with fellow crew and customers.

Hawkins' story is just one example of how Dakota King Inc. is impacting the community in a personal way and adhering to the governor's initiative to increase employment of people with disabilities in South Dakota. While the Governors' Awards have been around since 1988, the Governor's Employment Works initiative was newly started by Gov. Dennis Daugaard.



(L-R) Tom Walsh Jr., Tom Walsh Sr., and South Dakota Governor Dennis Daugaard hold the Governor's Award for Outstanding Private Large Employer of the Year.

Gov. Daugaard has a personal connection with those who have disabilities, since both his parents were deaf. Sign language was the main form of communication in his home while growing up. He understands the struggle that people with disabilities face in finding and securing meaningful employment, and he believes they are fully capable of excelling in a work environment. He often states that it was through his parents' determination that he learned about hard work and success.

Gov. Daugaard recognizes employers who have a commitment to hiring people with disabilities. He, and previous governors, present awards to the businesses, citizens and team members who either excel with a disability or provide an opportunity for people with disabilities to succeed in a work environment. "Dakota King Inc. is seen as a leader in employment of people with disabilities," said Gaye Mattke, director of SD Service to the Blind and Visually Impaired.

A news release written by the Department of Human Services stated, "After owner Tom Walsh and district manager Mike Leslie approached South Dakota Achieve about employing individuals with disabilities, BURGER KING®, Dakota King, Inc., of Sioux Falls began recruiting 'guest ambassadors' for each local restaurant to ensure quality customer service and a clean environment for patrons. The business customized its employment-related services at each store location, based on team member skills and natural supports with the work environment. Tom Walsh Sr., and Tom Walsh Jr., accepted the 2013 Outstanding Private Large Employer award."

Dakota King Inc. was one of seven recipients recognized at the award ceremony on Sept. 9 at the South Dakota State Capitol. The seven categories for the 2013 Governor's Awards were: outstanding employee with a disability, outstanding citizen with a disability, outstanding private employer (small employer), outstanding private employer (large employer), outstanding public employer, outstanding award in transition services and distinguished service award. Each award was given after nominations and reference letters were reviewed by a panel, and then submitted to Gov. Daugaard for his final review and selection.

Patrick Derrick, Director Employment Services/Production at SD Achieve, was the person who submitted the nomination for Tom Walsh Sr. and Jr.'s restaurants. "It was very intriguing to us that they wanted to employ one person with a disability in each Sioux Falls BK® restaurant. That dedication has carried on not only within BURGER KING®, but to other organizations," Diedra Peabody said in her letter supporting the nomination. "Dakota King Inc. is advocating for people with disabilities and they see the need to have that meaningful part of life fulfilled by employment. Those with disabilities have been able to experience the moments in

life that we all appreciate, like receiving employee of the month due to their hard work. That is not something they would have been able to do without Dakota King Inc. and SD Achieve. Dakota King Inc. is setting an excellent example for other employers."

Dakota King Inc. is the largest employer of teens in South Dakota and the company takes that seriously. "Our role is to mentor and develop these young teens and that's how we are making a difference in their lives and in the community. One of our goals at Dakota King Inc. is community involvement," said Walsh Jr. "I think it hits home when you're able to teach them and help them grow. It gives our managers a sense of pride and self-worth, knowing they are making a difference in the community and the young adults' lives."

October is National Disability Employment Awareness Month (NDEAM) and different communities within South Dakota organize events throughout the month to encourage awareness and participation. Community employers, like BURGER KING®, took part in some of these activities. South Dakota Achieve offers support for 400 people with disabilities and their families. They offer all-inclusive services and work toward self-sufficiency for each individual. Together, BK® and South Dakota Achieve will continue to make a difference in the lives of people with disabilities by offering employment and a means to support themselves, while providing them with the support to ensure their success.



SD Achieve partners and managers stand with some of their team members.





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NEFA's Annual Meeting

The New England Franchise Association (NEFA) held their annual regional meeting Oct. 15-17 at the Chatham Bars Inn in Chatham, Mass.

The meeting was a time for franchisees and vendors alike to build relationships and make connections that will last well into the future. "We have personal contact and establish relationships with the vendors during this event," said NEFA Treasurer and Froio Management Group, Inc. franchisee Jim Froio. "We want them to feel like they are part of the team because they truly are a partner for us. We wouldn't have a business if it wasn't for them, so we want them to feel important."



(L-R) Steve Megridichian with FCC Commercial Furniture, franchisee Stan Paulauskas, Joe Pacentine with Jaymark/Pitco and Frank Nunes with Baker Commodities pose during the golf competition.

There was a friendly golf competition for all attendees, and prizes such as golf sportswear and equipment were given out to the winners. The golf game was a fundraiser for the Jimmy Fund and there were close to 80 vendor partners who contributed to the 120 overall attendees. The golf teams were split up so that both franchisees and vendors were in each group and relationships were able to be formed. On the final day, 16 of the vendor groups presented to the franchisees. Each company had 15 minutes of uninterrupted time to sell their product and present to all franchisees in attendance. After the presentations, vendors are able to make additional sales calls to franchisees they met or who had an interest in their product.

The attendees enjoy an opening reception on the first day, which is a great way to establish relationships from the beginning and cultivate them throughout the meeting. A crowd favorite is the New England clam bake on the second night, complete with fresh lobsters, crabs and even a bonfire. It is a way for attendees to unwind and enjoy the New England fall weather on the beach.



(L-R) Myles Couyoumjian with Franke, Diane Joyce with Ecolab, Dave Ziobrowski with Bimbo Bakery and franchisee Larry Kohler were part of the same golf team during the competition.

"I know the vendors and the franchisees look forward to the event. It's a beautiful setting that absolutely takes your breath away as you look out over the ocean," stated Laurie Palmer, NEFA President. "The New England regional meeting builds comradery between franchisees and businesses. It is two and a half days of establishing connections and carrying those relationships forward to help their businesses."



(L-R) Mandy Jacomino with Sicom, Kelton Graham with Dr Pepper, franchisee Stacy Moore and Dan Champagne with RTI were able to bond over the golf game and raise money for The Jimmy Fund.

calendar

Regional Events

Jan. 19-21
Mid-South Gulf/South Central Regional Meeting
Scottsdale, Ariz.

Feb. 9-11
New South Coalition Regional Meeting
Greenville, SC

Feb. 19
Mountain Regional Meeting
Denver, Colo.

Feb. 19
New England Regional Meeting
Waltham, Mass.

Feb. 22-24
Great Western Regional Meeting
Portland, Ore.

Feb. 26
Southwest Regional Meeting
Phoenix, Ariz.

National Events

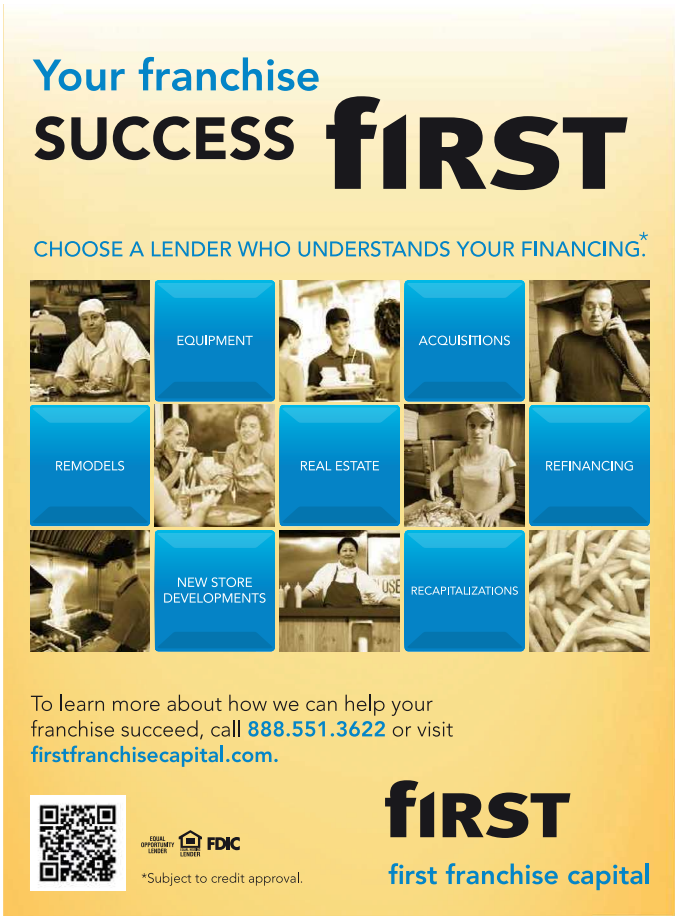
Jan. 29-30
NFA Board Orientation
Kennesaw, Ga.

Feb. 4-5
NFA Board of Directors/Committee Meetings
Phoenix, Ariz.

March 3-5
NFA Government Relations Committee Meeting
Washington, D.C.

Sept. 10-12
NFA/BKC Summit
Washington, D.C.

Oct. 6-9
BKC Convention/NFA Annual Meeting
Orlando, Fla.





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In the Presence of a Hero

Attendees of the Mid-America Franchisee Association (MAFA) meeting earlier this year experienced a rare honor. Medal of Honor recipient, Sgt. First Class Leroy Petry, was a special guest at the meeting and had the opportunity to share his military experience with franchisees and vendors.

Petry received the Medal of Honor for saving the lives of his fellow comrades on May 26, 2008 in a battle in Paktya Province, Afghanistan. While there were not many Americans in the area, they knew they had the prime opportunity to attack and they took advantage of that. The crew flew in with helicopters and was excited about the mission, since they were expecting lots of action. When they encountered the enemy, they immediately split up and started to try to defuse and destroy them, but the enemy was strong and fought back hard. Sgt. Petry was in charge of the first squad who attacked. When he and his fellow soldier, Robinson went back to scout out the courtyard, they were hit by an AK-47. Petry was hit in the thigh, while Robinson was struck in his rib cage. SSG Daniel Higgins, of the 75th Ranger Regiment, came out and threw a tourniquet on Petry's leg to stop the bleeding.



Sgt. Petry dressed in his full uniform while speaking at the MAFA conference.

Suddenly, a grenade was thrown over the wall, knocking Robinson and Higgins out. When Higgins came to, he saw that another grenade was being launched at him. Sgt. Petry quickly reached for the grenade to throw it around the wall. When he did, the grenade detonated and blew his hand off. Luckily, he was able to put a tourniquet on it so the bleeding would slow down significantly. When Sgt. Petry called in to inform the soldiers that his hand was gone, they told him to get out of the warzone. However, he still wanted to fight until the enemy was defeated. Petry fearlessly continued throwing grenades and remained calm in order to protect his soldiers that were with him. Throughout the entire battle, Petry continued to fight courageously, which led to nearly all the soldiers returning from the mission.

Sgt. Petry was a true hero that day and he was able to tell the attendees at the MAFA meeting his remarkable story. Petry is an extraordinary person and he met almost every attendee during the three-day event. "He did speak [during the conference], but the biggest part was he was there the whole time," stated MAFA Regional President Mark Malenchik. "He worked the room and made an attempt to get to every supplier's booth and meet every franchisee. I tell everyone he won the Medal of Honor, but he's more than that. He's a hero and you don't get to meet heroes very often."

Sgt. Petry has made guest appearances on Fox and Friends, Good Morning America and the Daily Show with Jon Stewart. One time, Petry's family was being interviewed live for a news show and Petry's 7-year-old was asked how he felt about his dad receiving the Medal of Honor and being recognized at the White House. His son's response was, "I'm really proud of my dad, but I was more happy he saved his friends and they're still alive today." This answer shows the kind of person Petry is and how he instilled those values in his children as well. When Sgt. Petry lost his hand and was shot in the legs, he knew his mind was still able to work, so he did his best to assist and control things on the radio.

It was Petry's friend, Tom Walsh Jr. with Dakota King, Inc., who invited the hero to the MAFA meeting. Petry and Walsh Jr. met at the Walsh's South Fork Ranch in rural South Dakota five years ago while Petry was recovering from his injury. He was one of 15-20 soldiers who stayed for three days in order to learn how to cope with his new handicap. "He's definitely a leader," said Walsh Jr. "He enjoys helping and that's really what his calling is. He's enlisted in active duty and his role is helping wounded veterans and setting them up for success. He's got a big heart and he'd do anything for anyone; that's just his personality."

The Walsh's had the opportunity to attend the Medal of Honor ceremony at the White House two years ago. The three-day event allowed Walsh Jr. to be surrounded by President Obama, Vice President Biden, officers of every rank and other government officials. President Obama presented the award to Sgt. Petry, who in turn gave a speech. "It was almost like a dream," Walsh Jr. stated. "We were around all these soldiers and talented men and women who've fought for our freedom. To be a part of something so unique is incredible. When Leroy speaks, he is doing it for his team and for his fellow soldiers. He never mentions himself, but rather he is representing the soldiers who were lost and never returned home."

When Sgt. Petry spoke at the MAFA meeting, the style was similar. Many attendees were speechless and would get emotional over hearing his story and having the honor of meeting him. He was able to share his experience and learn from the BURGER KING® franchisees, a career he is thinking of entering when he leaves the Army. The meeting was able to give Sgt. Petry



Franchisee Mike DeRosa is able to present a check to the VFW Unmet Needs™ for $100,000 due to BURGER KING®'s efforts.

an inside view of franchising and what the industry is really like, with both the positive and negative aspects. Successful franchisees shared tips and ideas with Petry, who was eager to learn about owning a franchise. Sgt. Petry was also able to unite with franchisees and explain how the military can help them in their business. "It's an honor for me to connect the franchise industry and the military, since they support one another," said Petry. "While we are overseas fighting, we have some great potential employees coming out and they are interested in finding jobs. Franchisees should look heavily into hiring veterans."

One aspect of the meeting that touched Sgt. Petry was the auction and donations for the Veterans of Foreign Wars (VFW) Unmet Needs™ program. As a husband and father, he understands what it's like for families to face financial difficulties while a loved one is away. In order to support this cause, he auctioned off two coins in the design of his Medal of Honor and was able to raise $3,000.

Sgt. Petry was also impacted when MAFA dedicated a bench to past franchisee, Ray Richard, during the memorial golf tournament. In the military, Petry is used to never leaving a man behind and honoring and remembering fellow soldiers. For the association to honor Richard like this really showed Petry how much of a family the NFA is and how much they respect one another.

During the six years of Petry and Walsh Jr.'s friendship, Sgt. Petry has learned so much about the franchise industry. He was honored to attend the MAFA conference this year and would gladly attend next year, so he can continue to learn about the field. "After the conference, I received a number of emails from attendees thanking me for coming and saying how much it inspired them and meant to them," Petry commented. "But I felt the opposite and like I gained more than I gave. The invite was very much appreciated."

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Bill Hufnagel:
Always a Smile on his Face and a Kind Word to Say

William Hufnagel was known by all as a loyal BURGER KING® franchisee and friend to all he encountered. He was a BURGER KING® franchisee for 44 years, opening his first restaurant the day Armstrong and Aldrin walked on the moon, July 21, 1969. Bill originally partnered with Charles Mund for 23 years, before branching off on his own.

Bill was one of the original franchisees in New Jersey, and his life was the epitome of the American dream. He risked all his possessions to enter the BURGER KING® brand as a franchisee and operating partner. His German parents taught him to be a hard worker, and he came to work every day until the day he passed at 89 years of age. He had a special passion and love for the BURGER KING® brand and the people he met through his various associations. He was a mentor for many franchisees in the area; he was recognized as a pioneer for the BURGER KING® brand in New York.



Jim Adamson, William Hufnagel and Jim McLamore pose as William is recognized for his work with BURGER KING®.

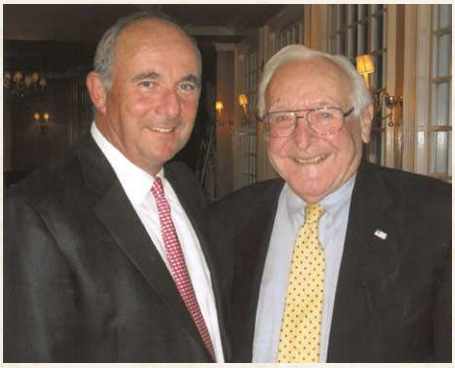
"Bill Hufnagel was a founding member of the Metro NY Franchisee Association, who devoted countless hours to represent franchisees within our region. I will always remember Bill as the consummate professional who fostered franchisee participation together as a united group on behalf of the brand," remembered franchisee Joe Anghelone of Georgetowne Group L.P. "Bill was a true legend in our region that stood as an exemplary role model for all of us. Bill always greeted everyone cheerfully and displayed a keen personal interest in their business and health. Bill and his spouse, Eleanor, were the quintessential couple who warmly conveyed their best wishes to whomever they befriended over the years. Bill was a champion among franchisees who will always be missed and never forgotten"

Born in New Jersey, Bill and his son, Jim, built four restaurants in Jersey City, where Bill grew up. Whenever the two were visiting their restaurants in Jersey City, Bill would give Jim the tour of his hometown, pointing out where he grew up, went to school, had his first job, where his friends and family lived and even his first apartment when he got married. Bill had a true love for his hometown.

"He epitomized what a BK® franchisee is, should be and he was always committed to the brand. His passion was unparalleled. He was one of the nicest men I ever knew and was very fair," said Steve Lewis franchise owner of U.S.

Restaurants, Inc. “He had a lovely family and his wife is one of the softest, kindest women you’d ever meet. She never has anything bad to say about anyone. It was an honor to know him and to work with him. He taught me so much about what being a franchisee would be like and I always looked up to him.”

Bill was a personal friend of BK® founder, Jim McLamore. He sat on the BK® equipment council, marketing council and was an original member of the NFA. "I remember Bill as the perfect gentleman.



James Hufnagel and William Hufnagel

Always measured in his speech and I don't ever recall Bill raising his voice,” stated Julian Josephson franchise owner of Mirabile Investment Corp. “He had a vast memory of the BURGER KING® system from its earliest days, and continued to always believe in the viability and success of the brand. The BURGER KING® system lost one of its stalwarts with Bill's passing. He is sorely missed by all who knew him."

According to his son Jim, his key strengths were that he always had a smile on his face and a kind word to say both at work and at home. “He was liked by everybody. If you had a problem with Bill, odds are you were the problem,” Jim stated. “There was a special love for this man by all who met him.” As a Roman Catholic, he attended daily Mass and was a very religious man. His faith and his family were his two most important possessions in life.



Business partners Charles Mund and William Hufnagel discuss plans for BURGER KING®.

Bill married the love of his life, Eleanor, in 1950 after they met in college. Jim said his parents had a true love affair which lasted for 63 years. There was always a mutual respect between them and that is what helped their marriage. Bill and Eleanor adopted their three children, Jim, Diann and Beth, and were blessed with five grandchildren and five great grandchildren.

Jim said that last February he and his dad were driving home from Florida. On the car ride home Bill said that his life exceeded all expectations he ever had. Having a successful business, traveling to 50 countries, having the number of friends he had, and so much more. He could not even envision the life that he had when he was younger. Bill’s life truly was beyond his wildest dreams and he will be missed greatly by BURGER KING®, the franchise community and his family.

Tom White:

Known for his Generous Heart



Tom White displaying some of his fresh, home grown tomatoes.

Tom White will always be remembered as having a childlike innocence and strong head on his shoulders. He was loved by all, whether it was his nieces and nephews or business partners and in-laws. He was a true southern gentleman and loved the simple things in life.

One of seven children, Tom was eight years older than his business partner and brother, Michael. "He was a great brother. I loved him a lot and I miss him very much," said Michael White, franchisee of MIKAW Corp. "He was like an anchor for me, someone I could hold on to. He was a lot smarter than me and he excelled in every aspect. He was a steadying influence in my life."

Tom and Michael were very different in their management approach for running their BURGER KING® restaurants. While they both would accomplish their day-to-day tasks, the way each completed them was entirely different. Michael was more outspoken and handled the business and the numbers, while Tom handled the marketing and communication side of the company.

A journalism major from the University of South Carolina, White was great at planning events and edited every memo Michael would send out. "I was prone to write what I thought," Michael acknowledged. "I would ask Tom what he thought of emails before I sent them and one time I was ready to send out an abrasive one. Tom responded, 'Don't send it. We may need this guy one day and he will always remember this.' That was one management lesson I learned from Tom; don't burn any bridges and maintain a cordial relationship with everyone."

Tom did not marry until he was 48-years-old, which meant he spent many years acting as the "cool uncle" to his countless nieces and nephews. "He was always the perfect uncle because he was a bachelor for so many years and had tons of time to spend with us," said Anne Michelle Miller. "He was the kind of uncle that always brought the useless gifts that children love like rubber snakes, candy, firecrackers and all the things your parents don't want you to have. He loved children and he gave us his time, which is the best gift anyone could give."

White had a passion for music and a vinyl album collection that took over his apartment when he was a bachelor. He especially liked blue grass music and played the guitar for anyone that would listen or sing along. MIKAW Corp. was one of the proud sponsors of a huge blue grass festival in North Carolina called MerleFest, named after famous singer Doc Watson's son, who passed in a tragic accident. He treated Doc as a personal hero and admired him greatly. Due to the BK® sponsorship with the music festival, Tom and his nephew Jonathan were able to eat dinner with him and even play guitar together. It was a truly magical moment that would not have been possible if it were not for BURGER KING® and the sponsorship they had with the music festival.

A curious mind led Tom to the library most of the time, where he would pick up a book on any and every topic. He loved to read and if he had a question or interest, he would do research until he was satisfied with his answer. Because of this, he knew a lot of trivia that the

average person would not know. "He was someone I looked up to for sure," commented his nephew Jonathan White. "He was very funny and his love of music and reading had a huge impact on me. I am an English teacher and we used to spend time in the library and playing guitar together growing up."

He also had a knack for gift-giving and would remember a comment made in a random conversation months before a birthday or Christmas, but it was that gift that would be opened up on the special day. Tom always had a piece of paper in his pocket and would write down thoughts, questions or even gift ideas as they came to mind. Always a very generous man, he used to take his nieces and nephews to putt-putt golf, amusement parks, haunted houses and anything he thought would be fun and the children would enjoy.

At age 48 he married Janet, the principal at the private school his nephews attended. "Janet became a great member of our family. She was an uptown girl and he's all rednecks, white socks and Blue Ribbon beer," Michael stated. "He was the best brother, friend and uncle.

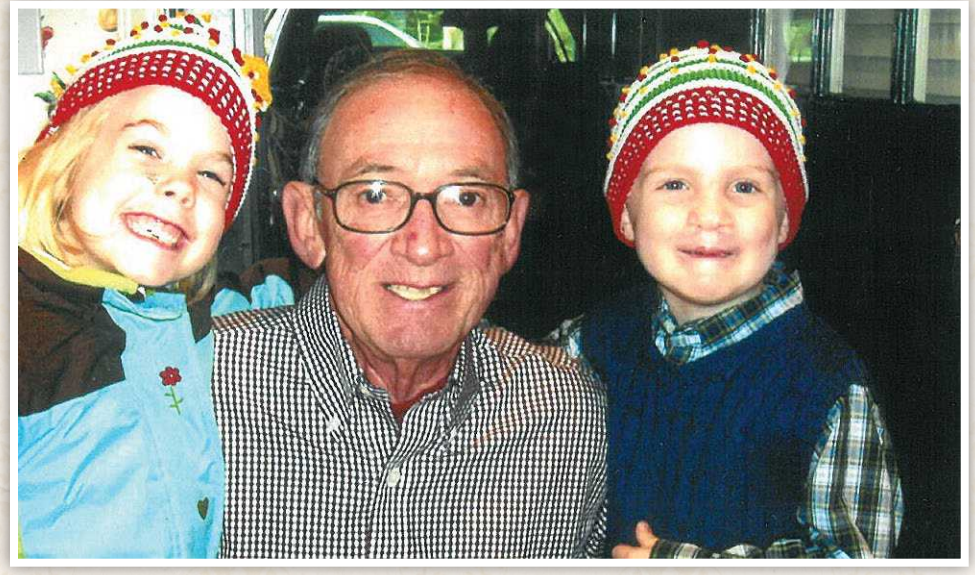


Tom White playing guitar with blue grass artist and his personal hero, Doc Watson.

With Tom around, you didn't need a Santa Claus."

Michael appreciated all the love the franchise community showed when Tom passed. Michael, his wife and Janet all received cards, thoughts and prayers from franchisees. They were given dozens of them and it proved how well thought of Tom was by his fellow franchisees. "Although Tom was known for his humor and practical jokes, he had a very grounding effect on me as well as others in the New South Coalition," commented Pete Cotter with KIN/TGS Restaurants, Inc. "Tom's common sense and thoughtful approach had a way of bringing our group back to a resolution versus being caught up in the heat of a discussion. Tom was well-loved and will be greatly missed."

Tom was a wonderful BURGER KING® franchisee, but more importantly he was loved and appreciated by so many. His legacy will never be forgotten.



Tom White with his grandchildren, Leah and Charlie, whom he loved so much.

The NFA Welcomes P3 Foods, LLC

A quick-service industry pro, Curt Pedro has come full circle in his career, ending up with the company he worked for in high school when he was a part-time employee at his local BURGER KING® in Minnesota.

Since high school, he has dabbled in various quick-service concepts including Dunkin' Donuts for eight years and Wendy's before that. It is through these experiences that he is prepared to be a BK® franchisee and he hopes to utilize what he learned to become successful with his own restaurants. Pedro was able to gain a great appreciation for rebuilding brands and the effort that is poured into it.

"From asset-based systems, products, menu operations and even to ownership, I consider BURGER KING® to be a great investment. The different levels of exposure I've had in QSRs from both the corporate and franchisee perspective will also help me," Pedro stated. "I think there's a lot of learning from the Wendy's experience and the burger industry in general. I learned about different restaurant systems and how to utilize them to their full potential to achieve better service."

Pedro is one of three operators and franchisees with P3 Foods, LLC, including Mike Peterson and Tony Pendolino. The beginnings of their partnership began eight years ago when Peterson and Pedro both worked at Dunkin' Donuts. Soon after, Peterson joined a franchise group as a Franchise Services Manager (FSM) and Pedro became his Corporate Liaison and Operations Manager for several years within the franchise group. Ever since then, the two were always open to the possibility of doing business together someday.

The three business partners are working together to develop their team and are embarking on some remodeling projects in their eight restaurants in Minnesota. They are excited about this new franchise opportunity and are continuing to learn and master the BURGER KING® brand daily. "I think there's a lot of room to grow, but it's exciting to see the passion within the brand. I would have to say I love the enthusiasm for the Game Changer direction and how the food is continuing to resonate with loyal customers," said Pedro. "At the end of the day it's about people and the guests within the brand. We need to build a solid foundation to attract the next generations of loyal enthusiasts to BK®."

P3 Foods, LLC will utilize each of their operators' strengths to lead to the success of their franchise company. They also plan to look to the members of the NFA as mentors to learn tricks of the trade and understand how other franchisees offer their services to each customer. Pedro hopes that in joining the NFA, he can partner with other franchisees to influence the changes that are needed within the business and brand today.

As Pedro is working on building his BK® tool chest and utilizing the training from previous quick-service employers, he still is able to make time for his wife, Katie and 15-year-old son, Cole, who plans on continuing the family business one day. Pedro also incorporates his Minnesota passion, hockey, into his daily life and plays as often as possible. A college hockey player, Pedro looks to sports as a metaphor for how businesses are run: with hard work and team effort. He is an enthusiastic hunter and general outdoorsman and continues to enjoy learning about his new hobby and business at BURGER KING®.



Curt Pedro in one of his BURGER KING® restaurants.



Curt Pedro's son, Cole and his wife, Katie, in the holiday spirit.



Curt Pedro and his son, Cole, enjoy the outdoors and fishing together.

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Politician Turned Franchisee

Denny Rehberg is known in the state of Montana as a well-respected businessman, politician and now a BURGER KING® franchisee.

As a fifth generation Montanan, he has lived on the same ranch as numerous family members before him and even raised 600 cattle and 600 cashmere goats. It was not long until his love for politics stirred him to get involved with the government. He was Montana's lieutenant governor for six years and was the sole congressman of Montana after that. When he retired in January, it was his nephew, Matthew Colebank who approached him about an opportunity with BURGER KING®.

Colebank is a retired naval recruiter and was an SPO Coach for BK® restaurants in Montana and Wyoming. He knew franchising might be a profession of interest to Rehberg, and Rehberg started down the path to become a franchisee. He purchased his first property in Montana, reconstructed the restaurant and is opening his first BK® in the middle of December 2013.

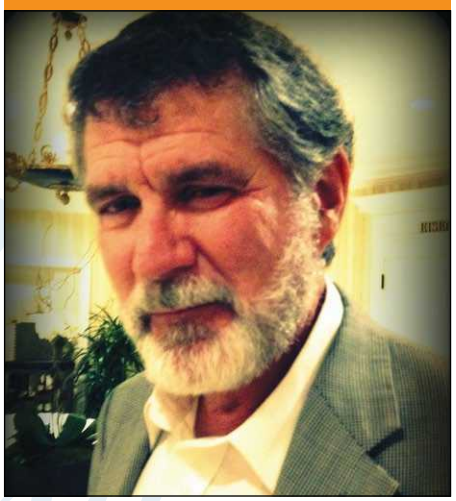
Rehberg took an active role in franchising by already attending the Burger King Global Convention in Miami in September and the NFA/BKC Summit in D.C. this November. His business partner is his wife, Jan, and the two of them make the perfect business pair. Denny is interested in the marketing and advertising side of the business, while Jan, an attorney, is intrigued by the operations side. They plan on including Matthew as a business partner as well, since he was the person who introduced them to the idea of franchising and BURGER KING®.

Once Rehberg opens his first restaurant, he is planning on opening up many more throughout Montana. After attending the BKC Convention, Rehberg says his goal is "to make sure Tom Walsh does not get another Corvette. I could never beat him in an arm wrestling competition, but he is a great mentor. Receiving the car next year would be my goal." Rehberg lives each day by the motto, "Everyday, in everyway, we will get better and better." It is a constant reminder that life is not as bad as certain situations can be and one must strive to improve what can be improved.

When he listened to the ideas at the BKC Convention in Miami, he was able to feel confident in the identity and growth of the brand. He believes there are areas where BKC needs to improve, like with the architecture of the restaurant buildings and the unnecessary hoops franchisees must hop through, but is excited overall. "I think the BURGER KING® management will be able to go toe-to-toe with the competition out there," Rehberg remarks. "They are able to adapt to the changing nutritional expectations being set, but not get away from the BK® brand and the flame-broiled burgers."

While there is always room for corporate to improve, he is very grateful for the work the NFA has done for the franchisees. He was presented to the NFA through Amir Allison with Allison Investments, LLC, who introduced him to Pete Cotter chairman of the Government Relations Committee. "It is not what I can gain from the NFA, but what I can give back," stated Rehberg. "Having been in Congress for 12 years, I got to know the association very well. I feel like I owe the association my full support and I want to be involved as much as I can."

Rehberg and his wife, Jan, have been married for 35 years and were high school sweethearts. They have three children, A.J. (30), Katie (25) and Elsie (15). In his spare time, Rehberg is an avid hunter, fisherman, and helicopter pilot. He hopes to utilize his helicopter skills and travel from one BURGER KING® restaurant to another when he owns numerous locations.





Denny Rehberg with his business partner and wife, Jan, and business partner and nephew, Matthew Colebank.



Denny Rehberg, Jan, and Matthew Colebank stand in front of the beginnings of their restaurant.

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RSI's PMIX Dashboard Tools Get a Tune Up!

Enhancements Made to the PMIX Gross Profit Margin Calculation on RSI Web

The gross profit margin (GP) calculation process used in the PMIX Dashboard tools is now enhanced, providing RSI members with more visibility on the breakdown of the components used to calculate gross profit margins at both a restaurant and the national level.

Previously, the gross margin calculations shown on the RSI PMIX website only contained those food and packaging items that are directly included in the BURGER KING® Gold Standard recipe. However, there are several food and packaging items used in BURGER KING® restaurants that are not included in menu item recipes. This results in gross profit margin calculations that are significantly higher than actual food and packaging costs because those "indirect" food and packaging costs were excluded from the calculation. For example, the difference between "theoretical" food costs, which only included recipe items and the "actual" food costs as represented in an average restaurant P&L report, could have been as much as 600 basis points.

In order to "close the gap" and make GP calculations more accurate, RSI uses the BURGER KING® Gold Standard recipe specifications for calculating menu item plate costs, but has also implemented adjustments so that the gross margin calculations shown in the PMIX Dashboard reports now more accurately reflect the gross margins that a restaurant operator might find in his monthly P&L.

The primary adjustment is to include "indirect" costs that are not included in the official recipe, which can be estimated for each restaurant based on that restaurant's purchases of those items from the distribution centers (DC). Another adjustment is being made to reflect an estimation of average restaurant "waste and loss" (PLV).



The GP calculation components that are now shown in the PMIX report include:

- **Net Sales:** The average sales figure

used for calculating GP% (Only includes restaurants reporting product mix).

- **Direct Costs:** Includes items that are part of the BURGER KING® Gold Standard recipes.
- **Indirect Costs:** Includes restaurant specific adjustments made for food and packaging items not in the BURGER KING® Gold Standard recipes (i.e. Oil, Ketchup Packets, Paper Bags, etc.)
- **National Product Line Variance (PLV):** Includes adjustments made to account for the difference between theoretical cases usage and actual cases purchased from the DC, and represents an estimate of restaurant's waste, loss and shrinkage.
- **Other Adjustments:** The unaccounted for adjustments designed to help close the gap between the PMIX GP% and P&L GP%.



The PMIX Dashboards are available to RSI members via RSI Web. For assistance with viewing and/or accessing the PMIX Dashboard on RSI Web, or questions about the GP calculation used in the PMIX Dashboard tools, please contact the RSI Help Desk at helpdesk@rsilink.com.

** There may be some rounding differences due to hidden precision in the numbers.*

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It takes a lot of different players to keep BURGER KING® a top-notch operation. Franklin Machine Product's role is supplying repair parts and accessory items so that BURGER KING® can keep their equipment well-maintained and in good working order.

Franklin Machine Products (FMP) has been supplying the food service industry with replacement parts for almost 100 years. In that time, they have developed a significant customer base, resembling a who's who list in the restaurant world. A customer may start out as simply a purchaser looking to acquire a much needed part, but eventually, he/she becomes a fan, recommending them as a trusted source to industry peers and coworkers. With such strong advocacy, it's not surprising that for the last 13 consecutive years, FMP has been chosen by readers of Foodservice Equipment and Supplies magazine as Best-in-Class for the Parts and Accessories category. A lot goes into maintaining such a coveted industry title: parts expertise, a dependable inventory and outstanding customer service, just to name a few.



The heart of the FMP operation is its two distribution centers, located in Lumberton, N.J. and Las Vegas, Nev. These facilities house more than 15,000 unique line items and maintain a fulfillment rate in excess of 99 percent. Contributing to this success is an aggressive cycle count procedure which ensures an accurate physical inventory and strict quality control measures that include a process which double checks each order before it leaves the building.

Another key to FMP's award-winning service is its people. A large percentage of FMP's employees have been with the company for more than 10 years. This tenure on the job contributes significantly to a standard of consistency and efficiency. Going hand-in-hand with this longevity is an emphasis on training. Every sales associate goes through six weeks of thorough and intensive product training before taking his or her first call. Not only is accurately filling an order paramount, learning to fill a customer's need is a priority.

A major factor that sets FMP apart from other parts distributors is its manufacturing and sourcing capabilities. FMP directs the production of a number of their top-selling items. Additionally, its connection in the industry creates access to manufacturers around the world. These abilities enable them to observe the industry, listen to their customers' needs and create solutions in the form of products that address the problems that plague their daily operations. Products like their Baffle Boss, their heavy-duty scale, and their line of digital timers have all been made available because they saw a need in the industry and were able to come up with a solution that saved the customer either time, money or accidents. As customers become exposed to this focus on innovation, they open up about the troubles they are having in their kitchens and ask FMP to develop or find a solution.

The BURGER KING® community experiences FMP's award-winning customer service through efforts that go above and beyond supporting the BURGER KING® brand. They attend close to a dozen conferences each year, meeting the franchise owners and store managers and taking action on any constructive feedback. FMP has been an associate member of the National Franchise Association for more than a decade; they participate in the annual convention and advertise in the *FLAME* magazine. Always focused on BURGER KING®'s parts and supply needs, they bring into stock new, pertinent items in a timely fashion. A dedicated sales staff is assigned to BURGER KING®, all knowledgeable in what it takes to keep BK® stores up and running. The FMP BURGER KING®-specific catalog is more than 300 pages of schematics and exploded-view diagrams showcasing all the equipment found in BURGER KING® stores and listing the in-stock parts needed to maintain and repair the equipment. For those stores interested in tracking store-wide compliance for things like PPE and Clean and Safe items, they can provide detailed reporting when it is required. All of this contributed to FMP being named BK® supplier of the year in 2007/2008.

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Compiled and written by
Melissa Butz and Kristi Hoffman

NFA/BKC SUMMIT 2013

BK® Descends on Capitol Hill for NFA/BKC Summit

The NFA/BKC Summit was held Nov. 13-14 at the Hyatt Regency on Capitol Hill in Washington, D.C. The Summit began with Sen. Ted Cruz (R-TX) addressing donors at Johnny's Half Shell for the BURGER KING® Franchisee PAC luncheon. Sen. Cruz also kicked off the legislative workshop afterwards by discussing the ways he supports franchisees and small businesses. There were various speakers during the session including Jeff Lungren, Matt Walker and Rob Green who touched on topics such as health care, tax reform, minimum wage, and the renewable fuel standard. Franklin Coley with the Center for the Next Economy spoke about the restaurant opportunities center and recent protest activity. NFA vice president of legislative affairs, Misty Chally shared statistics on how legislation can hurt and help small-business owner's bottom lines. Former member of Congress and new BK® franchisee Denny Rehberg spoke about grassroots advocacy and GRC chairman Pete Cotter ended the session. The first day of the Summit concluded with a reception at Charlie Palmer Steak where several members of the Senate came to visit with their constituents.

The next day of the Summit started early with a Congressional breakfast. The breakfast was a prelude to the afternoon hill visits, which were introduced by a brief general session. Rep. Tom Cotton (R-AR-04) welcomed attendees, then the Government Relations Committee enlightened attendees to the protocols on the Hill and the key points to address during their meetings. Each of the 20 hill visit groups met with two Senator's offices in the morning and three members of the House in the afternoon to voice the issues they are most concerned about. An enjoyable lunch was held at Bullfeathers and Rep. Darrell Issa (R-CA-49) provided remarks as attendees relaxed in each other's company.

The event concluded with a Gala Dinner, which honored veterans and our nation's active military. Rep. Tammy Duckworth (D-IL-08), an Iraq War veteran, spoke to those at dinner about her experience and genuinely thanked all those who have fought for our country. Rep. Phil Roe (R-TN-01) was this year's receipient of the King of the Hill Award, while the Great Lakes Franchisee Association (GLFA) won the Most Improved PAC Cup Award and the Metro New York Franchisee Association (MNYFA) won the PAC Cup Champion Award. The keynote speaker was American political news correspondent and conservative commentator, Tucker Carlson. His vivacious personality had attendees in stitches and captivated by each word he spoke.

With significant speakers and attendees, this year's Summit was very educational for all who attended. By lobbying on Capitol Hill, franchisees were able to make their voices heard and act as advocates for the change they wish to see. Be sure to save the date to attend next year's Summit Sept. 10-12.

BURGER KING® Franchisee PAC Luncheon



BURGER KING® Franchisee PAC donors enjoy the luncheon.



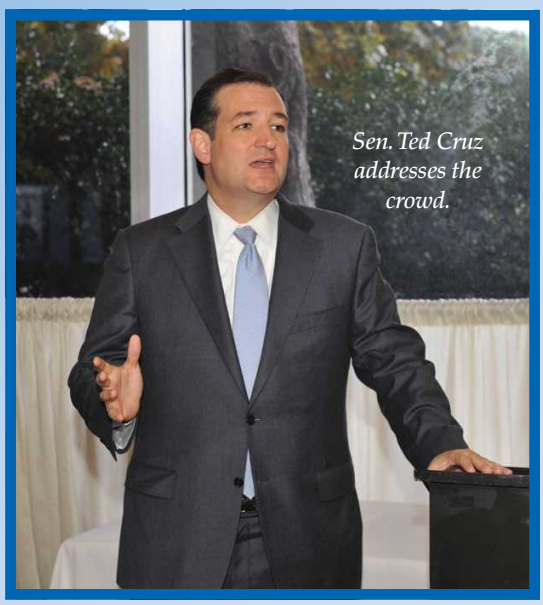


Franchisees and vendors focused on what Sen. Cruz had to say.

The BURGER KING® Franchisee PAC luncheon was held at Johnny's Half Shell.



Franchisees Jim Froio, Joe Clements, Tom McDonald and Jerry Comstock enjoy their lunch.



Sen. Ted Cruz addresses the crowd.



Texas franchisee Don O'Brien introduces Sen. Ted Cruz.



Don O'Brien poses a question to Sen. Cruz.



Attendees give a standing ovation to Sen. Cruz.



Platinum level PAC donor, Greg Dolphin, shakes hands with Sen. Cruz.



Franchisees Christy and Gavin O'Neill, and Michael Callahan intently listen to Sen. Cruz.



Government Relations Committee Chairman Pete Cotter thanks Sen. Cruz for speaking at the luncheon.

Legislative Workshop – Nov. 13



Franchisees Greg Dolphin and Bill Patterson enjoyed catching up with each other at the Summit.





Coca-Cola's Jim Andrist speaks with franchisee Denny Rehberg and his wife Jan before the session began.



(L-R) Franchisees Amir and Tami Allison share a laugh with RTI's Betsy Baltzer and Brian Robison.

Franchisee Tom Clarke poses a question to the speaker.



NFA/BKC Summit attendees participate in the presentations during the legislative workshop.



Tax reform, immigration and minimum wage were all discussed by Matt Walker from the National Restaurant Association.



NFA Chairman Mitch Laird kicks off the 2013 NFA/BKC Summit.



NFA's Vice President of Legislative Affairs, Misty Chally, shares statistics during her "Do the Math" session.



Franchisee Jack George is entertained by a comment made on stage.



Franklin Coley, the Research and Campaign Director at Center for the Next Economy, talks about the restaurant opportunities center.



Rob Green, executive director at the National Council of Chain Restaurants, shared a labor regulatory update and information on the renewable fuel standard with attendees.



Jeff Lungren from the U.S. Chamber of Commerce expands upon current health care reform concerns.



Jim Myers, vice president North America franchising at BKC, is actively engaged during the general session.

Senate Reception



Paul Dobbel and Mike Kadelski, listen to Mike DeRosa (center).



Franchisees Dominic Flis and Mike Wallstein socialize at the reception.



Attendees networked with members of the Senate at Charlie Palmer Steak.



Betsy Baltzer with RTI poses with franchisees David and Camilla Ostrowe.



Constituents Kenny Gillenwater, Tom Kelly, Bill Keller and Andrew Schory entertained Sen. Mitch McConnell from Kentucky.



Tom McDonald, Nevada Sen. Dean Heller, Karla Mazza, and Robert Hull enjoy the cocktail reception.



Franchisee Kelvin Ford listens as Tom Roose shares a story with Sen. Tim Scott from South Carolina.



Andre DeBussey, Jay Gill, Carol Parks, Jim Andrist, Patrick Sidhu, Andy Myers and Georgia Sen. Johnny Isakson.



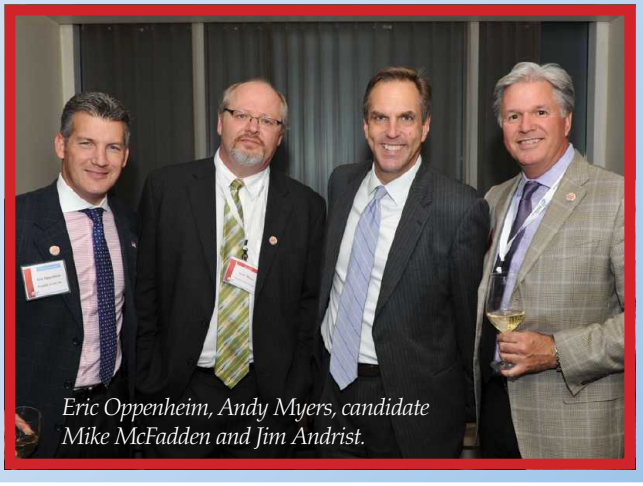
Denny Rehberg, Bruce Pavlikowski, Arizona Sen. Jeff Flake, Mitch Laird, Brad Flahiff and Mike Laird.



Minnesota Senate hopeful Mike McFadden shares his perspective on his race against Sen. Al Franken with attendees.



Bill Keller, Tom Keller, Kentucky Sen. Rand Paul, Andrew Schory and Kenny Gillenwater.



Eric Oppenheim, Andy Myers, candidate Mike McFadden and Jim Andrist.



Pete Cotter, Brittany and Kelly Reid and Kelvin Ford relax at the cocktail reception.

Congressional Breakfast



Pete Cotter greets Rep. Robert Pittenger (R-NC-09).



Franchisees Don O'Brien and Jack George speak to Rep. Randy Weber (R-TX-14).



Rep. Mick Mulvaney (R-SC-05), Pete Cotter, Matt Herridge and Rep. Jeff Duncan (R-SC-03) have a laugh over coffee.



Tom McDonald and Rep. Joe Heck (R-NV-03) discuss small business issues at breakfast.



Franchisees Eric Oppenheim and Mike DeRosa greet Rep. Virginia Foxx (R-NC-05).



Joe Mirabile poses with Rep. Alan Nunelee (R-TN-01).

Rep. Tim Huelskamp (R-KS-01) and his constituent Dennis Erickson.





Rep. Jeff Duncan (R-SC-03) and Rep. James Lankford (R-OK-05) converse with attendees.



Michael Callahan, David Ostrowe, Rep. Tom Cole (R-OK-04) and Camilla Ostrowe.



Jay Gill, Carol Parks, Patrick Sidhu, Rep. Jack Kingston (R-GA-01) and Tom Roose.



Bob Reid, Eric Oppenheim, Rep. Renee Ellmers (R-NC-02), Pete Cotter, Rep. George Holding (R-NC-13) and Rod Martin.



Ohio franchisees Camilla and Claude Warren and Gavin O'Neill catch up with Rep. Patrick Tiberi (R-OH-12).



Albert Bijou, Mike Wallstein, David Sutz, Rep. Scott Garrett (R-NJ-05), Roopali Jethwa and Drew Paterno.

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Legislative Workshop – Nov. 14

The North Carolina delegation - Larry Foresee with Dr Pepper, franchisee Pete Cotter and franchisee Rod Martin.





Rep. Tom Cotton shares with franchisees and vendors at the NFA/BKC Summit.



Arkansas franchisee Dominic Flis opens day two of the legislative workshops.



Government Relations Committee member Matt Herridge discusses health care talking points that attendees will share on the Hill.



GRC member Gavin O'Neill explains tax reform and how to effectively advocate for it on Capitol Hill.



GRC member Brian Robison takes time to let guests know the "dos and don'ts" for meetings on Capitol Hill.



Lunch at Bullfeathers



In between Hill visits, attendees were treated to a delicious lunch at Bullfeathers.



The NFA/BKC Summit attendees took over Bullfeathers during lunch.



Franchisee Joe Mirabile and RSI's George Hoffman have a chat before lunch.

Franchisee Laurie Palmer talks about her experience on the Hill.





Ron Nobler with Coca-Cola, franchisee Greg Dolphin and franchisee Don O'Brien gather for Rep. Issa's luncheon speech.



Rep. Issa addresses the attendees.



Jerry Comstock greets Rep. Darrell Issa (R-CA-49).



Jeffrey Jenrich with Dr Pepper enjoys the conversation at lunch.

Hill Visits

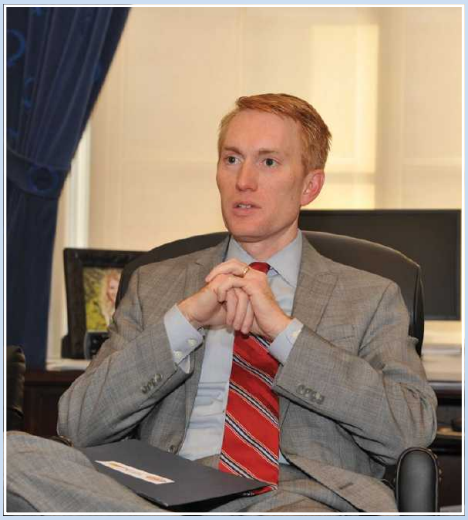


Joe Clements, Michael Callahan, Patti Crane, Sen. James Inhofe's legislative assistant, David and Camilla Ostrowe and Anthony Menninger.



Oklahoma franchisee David Ostrowe advocates for rights of small-business owners as Patti Crane, Camilla Ostrowe and Michael Callahan listen in.





Rep. James Lankford (R-OK-05) voices his opinion on legislation impacting small business.



The Oklahoma/Louisiana delegation talks to a member of Rep. Tom Cole's staff.



Hill group 8 meets with Rep. John Fleming (R-LA-04).



Hill group 11 - Jay White, Scott Maher, Robert Hull, Eric Oppenheim, Jim Froio and Kathy Black.

Rep. John Fleming thanks Camilla Ostrowe for meeting with him.



Gala Dinner

2013 King of the Hill award recipient, Rep. Phil Roe.





Patti Crane, Tara Robbe and Jim Andrist with Coca-Cola pose with Tucker Carlson.



Attendees gather for a relaxing evening of fellowship to close the event.



Attendees pose with Sgt. Ryan Hughes, USMC Retired and his wife Nodira.



Kentucky franchisees, Tom and Bill Keller.



Margaret Thomas with The Aleethia Foundation receives a donation from franchisee Mike DiSeveria.



Franchisee Ed Northrop recognizes the Wounded Warriors in attendance at the dinner.



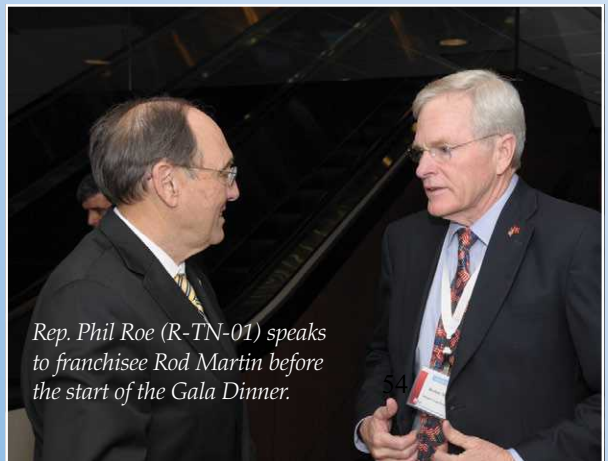
Conservative commentator and political news correspondent, Tucker Carlson.



Rep. Tammy Duckworth, the representative for the 8th district of Illinois and an Iraq war veteran, recognizes veterans during the week of Veteran's Day.



Tucker Carlson with Alex Macedo, president of BURGER KING® North America.



Rep. Phil Roe (R-TN-01) speaks to franchisee Rod Martin before the start of the Gala Dinner.



Jody George, Tucker Carlson and Jack George.

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NFA/BKC SUMMIT 2013



by MELISSA **BUTZ**

MNYFA Wins Most Improved

The Most Improved PAC Cup Award was given to the Metro New York Franchisee Association (MNYFA) at the NFA/BKC Summit gala dinner.

While NFA BOD representative Drew Paterno accepted the award, it was GRC member David Sutz who was the driving force behind the MNYFA being honored. "David Sutz really got behind it and was a strong motivator by reminding us of the reasons to donate and why we should get involved with the BURGER KING® Franchisee PAC," commented Paterno. "David really made it happen. He started something now and there is plenty of room for growth."

Sutz is very passionate about political action committee funds and believes they are very helpful and appreciated by legislators. Since the legislators are working hard with limited funds to fight for small-business owners, any help by those they influence can make a substantial difference. The more franchisees that are involved in the political action committee donations at a local and national level, the larger the franchisee influence will be on the government.

"It's a win/win for everyone. I think it's also important for every franchisee to be involved in local politics when they go back home," said Sutz. "If you don't have a seat at the table, then you have nothing to say."

Sutz was the constant reminder for MNYFA this year and would tell members he needed their check at every meeting. He would even hand out applications and tell the franchisees to return them to him, which many did. When the franchisees know how important donating is and the difference it makes, Sutz believes many more will jump on board. "I'm going to push these guys even harder to donate. We have a lot of new members and franchisees; my goal and my job is to introduce them to the GRC and get them to participate."





PAC Cup Champion Award goes to GLFA

The Great Lakes Franchisee Association (GLFA) was honored to receive the PAC Cup Champion Award for their political action committee donations during 2013. Last year, the GLFA won the Most Improved PAC Cup Award with a 27 percent growth. Their members were able to donate even more this year to earn the title of PAC Cup champion.

The GLFA was unsure of how much each region had contributed to the funds, and was pleasantly surprised when they were informed of their win. Ryan Kennedy, the government relations assistant for the NFA, sent periodic updates on the number of contributions, which would then be sent out to all members of the GLFA. Constant reminders were one way to encourage participation and keep the BURGER KING® Franchisee PAC donations in the forefront of everyone's mind.

"We were thrilled to win the award. Most franchisees are engaged during a presidential election year. We wanted our members to stay active, so we sent notes out to the membership," stated GLFA President, Kevin Egnatuk. "We knew we received a lot of contributions, but being a non-political season, we weren't sure if it would be anywhere near what it would take to win. We were excited when we got the news."

Egnatuk encourages the GLFA members to write their senators and congressmen and women. His organization, Northwind Investments, Inc., participates fully, and they feel it is the only way to truly make a difference in the government today. With Obamacare hurting small-business owners, advocating for change within the legislation is the only way to avoid feeling the full repercussions of the law. The political action committee donations are able to show legislators the issues that BURGER KING® franchisees care about and thank them for their support.



Obamacare is Unworkable for Businesses and Families

by Rep. Phil **ROE**, M.D.

As the Obamacare rollout continues, it's clearer than ever before that this law will not work. In fact, the president's health care law is already doing more harm than good, especially to job creators, and the overall forecast for the law is bleak.

Earlier this year, Secretary of Health and Human Services Kathleen Sebelius testified before the House Committee on Education and the Workforce, on which I serve, and said that the stories regarding employees losing jobs, wages and hours at work because of the health care law were merely "speculation." According to a CNBC report, 41 percent of businesses have frozen hiring because of Obamacare. But that's not all—one-fifth said they had reduced the number of employees in their business as a specific result of the health care law. This isn't speculation—for these business owners, the fallout from the president's health care law is all too real.

It's reality for a BURGER KING® franchisee in my district, Mike Clayton, who was forced to close one of his stores. Mike put a thank you note in my hometown paper, The Johnson City Press, thanking the people of the Tri-Cities area for 39 years of loyal business. When explaining his difficult decision, Mike said that politicians had "passed a law so unfriendly to business and workers that it forces the business to limit hard-working Americans to fewer hours and lower pay at a time of high unemployment and less opportunity for people to prevail." Mr. Clayton underscored there is no "give by government to correct these unintended consequences" so his decision to close his store was greatly impacted by the lack of flexibility. Other hardworking Americans like Mike are being forced every day to make tough decisions because of the unintended consequences of a flawed law.

According to the non-partisan Congressional Research Service, as of November 2011, the Obama administration has missed as many as one-third of the deadlines required by their own law. It seems that each week there is more news of delays of Obamacare. First, it was the employer mandate delay and then the administration has delayed caps on out-of-pocket expenses until 2015. Just a few weeks ago, the day before Thanksgiving, the administration announced that online enrollment for small businesses would be delayed as well. One thing the administration won't budge on is delaying the mandate for families. Next year, Americans without health coverage will have to pay a tax of either one percent of their income or $95, whichever is greater. This is unacceptable, especially considering the failures of Healthcare.gov.



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Over the past four years, I have talked a great deal about what I thought the problems with Obamacare would be. Because of Tennessee's experience with TennCare, I anticipated that insurance would become increasingly unaffordable and that many Americans would lose access to their existing policies. Despite such warnings, the president pushed ahead and promised that Americans who liked the health insurance they had could keep their plan. Unfortunately, my worst fears have become a reality for too many Americans.

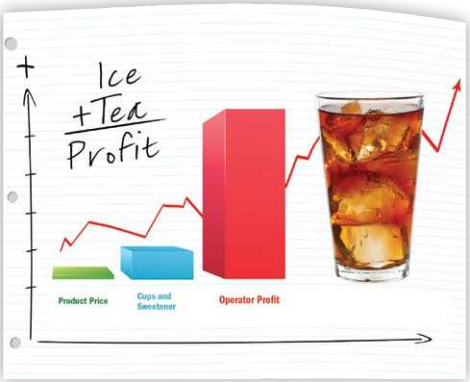
The problems with this law extend beyond a broken website and the president's broken promises. The law itself is broken, and the only answer is to repeal and replace it. We owe it to the millions of Americans across the country who have lost their insurance plans, who can no longer see their doctor and who have seen their premiums skyrocket to find a better way to reform health care in this country. I believe this so strongly that I wrote a market-based, patient-centered health care reform bill, the American Health Care Reform Act.

No one is talking about returning to the status quo before Obamacare. The health care system in this country was broken before Obamacare, and the truth is, it still is. Obamacare isn't working, and that's not a party-line talking point that's a fact. And as long as I hear from Americans who are struggling because of this law, I will continue to fight against it. There is an answer to our country's health care problems, but Obamacare isn't it.

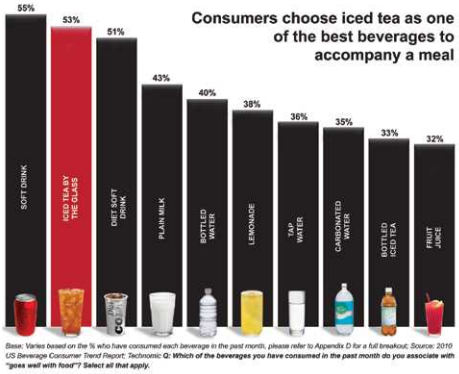
REP. **ROE** *(R-TN-01) is the recipient of the 2013 NFA King of the Hill award.*

Iced Tea, Your Sweet Profit Opportunity

Fresh brewed iced tea is one of the most profitable products sold in your restaurants. Each three gallon brew of iced tea can generate $30-40 of revenue, with a GP of 80-95%. Now there's a reason to get excited and sell more iced tea! Having that fresh brewed iced tea readily available for your customer makes great business sense. It truly is sweet profits for your restaurants.



Iced tea continues to be one of the fastest growing beverages for the food-service industry. For the 21st consecutive year, consumer purchases of iced tea have increased. In 2012, commercial servings of iced tea exceeded 5.6 billion! This growth continues across the USA, with tea's popularity gaining in all regions, making iced tea the second most popular beverage in the USA according to Technomic's Beverage Consumer 2012 Trend Report. Consumers choose iced tea as one of the best beverages to accompany a meal, just barely second behind soft drinks.



What is it about iced tea? Iced tea is known as a great thirst quencher and excellent for hydration. Tea is also perceived by consumers as a healthy beverage, and for a good reason. Tea contains vital flavonoids, which are linked to improved heart, gastrointestinal, bone and oral health. In fact, tea has one of the highest contents of flavonoids among common food and beverage products, with 115 mg. of flavonoids per 8 oz. serving. As consumers continue to be more health conscious and recognize tea's natural goodness, this will only serve to continue the growth of iced tea sales.

S&D's great tasting iced tea will have them coming back for more. S&D blends its tea specifically for iced tea to enhance the flavor, color, clarity and aroma. Once your customers taste your iced tea, they will recognize its quality and will come back for more. S&D is a direct importer of tea, and controls all aspects of the manufacturing process. This makes us uniquely qualified to provide the highest standards for quality tea. There is no wonder that S&D Coffee & Tea is the largest foodservice iced tea supplier in the USA and has won awards for its iced tea year after year.

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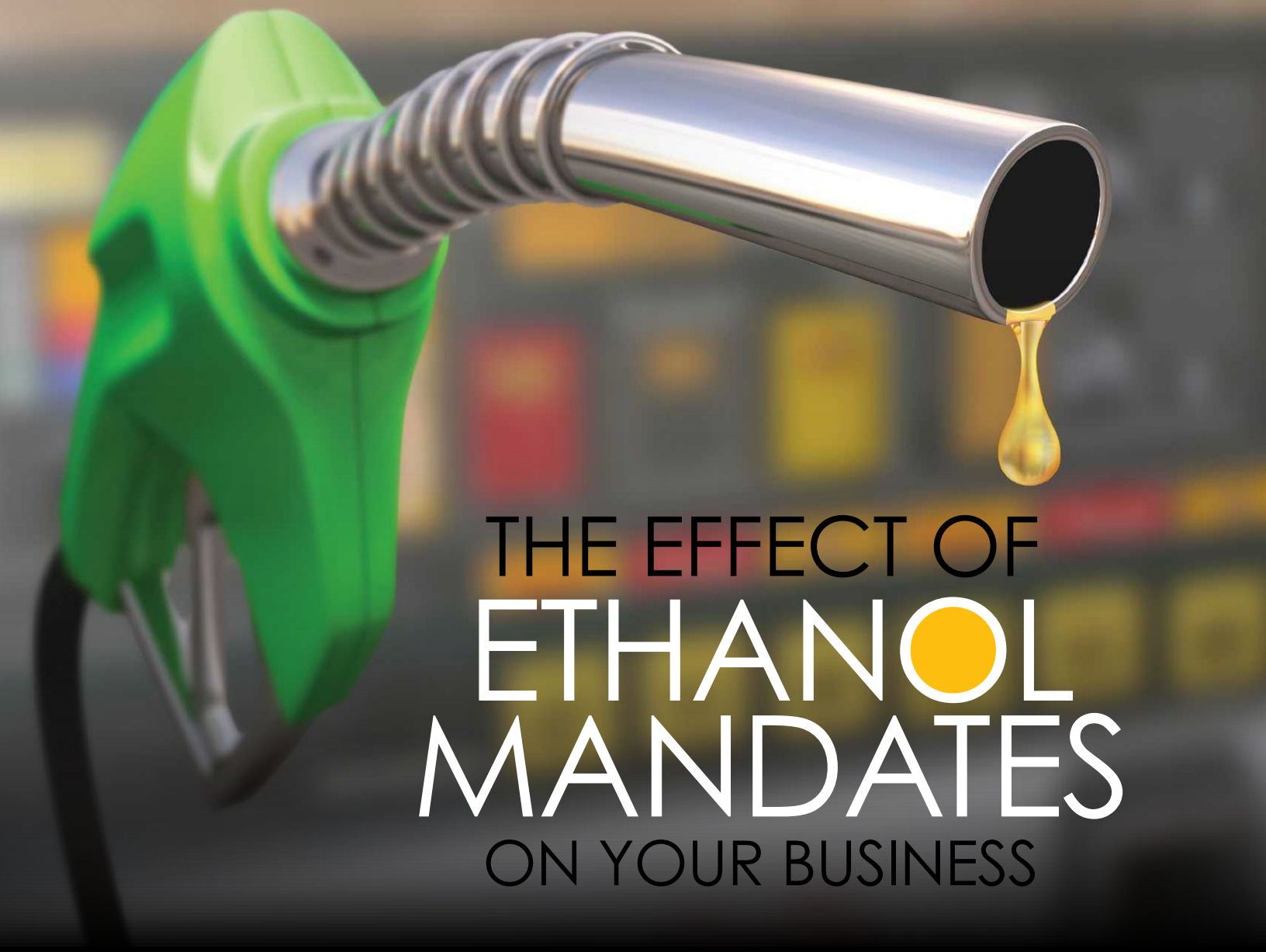
standard certification of ISO 9001:2000 and now have achieved ISO 9001:2008.

- SQF 2000, Level 3 Certified.
- S&D is also committed to making a difference as a leader in corporate social responsibility. We were the first U.S.-based company to engage with Tea 2030, a multi-stakeholder collaboration focused on sustainability in the tea sector.
- Product innovation with S&D's product development staff is leading the way to bring profitable beverages to the foodservice industry.
- S&D is there to support your business.

S&D Coffee & Tea is proud to be a Sapphire Sponsor of the NFA and a supporter to the franchise community throughout the year.

This article was contributed by S&D Coffee & Tea. Contact Glenn Quintana at 704-956-4042 or quintanag@sndcoffee.com. Please visit our new website at www.sdcoffeetea.com.





THE EFFECT OF ETHANOL MANDATES ON YOUR BUSINESS



by MISTY **CHALLY**

Rising food costs are, and will continue to be, a significant challenge for BURGER KING® franchisees in the foreseeable future. According to the National Restaurant Association, wholesale food costs have increased nearly 30 percent more than the last six years and more than 25 percent of restaurant operators cite food costs – which represent about a third of every dollar in restaurant sales – as a significant burden this year.

Although a number of factors contribute to this escalation in cost, the corn-ethanol mandate in the renewable fuel standard – also known as RFS – plays a primary factor. Mandated renewable fuel standards were initially adopted as a provision of the Energy Policy Act of 2005 (EPAct) and later expanded and extended in the Energy Independence and Security Act of 2007 (EISA). As required under the EPAct, the original RFS program required 7.5 billion gallons of renewable-fuel to be blended into gasoline by 2012. EISA increased the volume of renewable fuel required to be blended into transportation fuel from nine billion gallons in 2008 to 36 billion gallons by 2022.

The consequences of these mandates have been increasingly overwhelming to BURGER KING® franchisees and others in the food industry. The National Council of Chain Restaurants (NCCR), of which NFA is a member, commissioned a study by PricewaterhouseCoopers LLC which examined the effects of the federal Renewable Fuel Standard corn ethanol mandate on chain restaurant industry commodity costs. According to the study, since the inception of the RFS in 2005, the price of a bushel of corn has risen by 300 percent. As a result, small-business owners who operate chain restaurants have experienced up to a 10 percent overall increase in food costs – an especially significant impact due to the industry's narrow profit margins. This results in an increase of overall costs up to $3.2 billion annually for chain restaurants alone. These increased costs are passed on to farmers, food manufacturers, food retailers and ultimately consumers.

Apart from rising food costs, the RFS has corollary impacts on transportation costs and gasoline prices. The RFS requires billions of gallons of corn-based

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ethanol to be blended into the domestic fuel supply, thus minimizing the reliance on crude oil and gasoline. However, this measure has unforeseen consequences on the economy with specific regions of the United States unable to obtain the required supply of ethanol. For instance, the majority of corn-based ethanol is grown, produced and shipped from the upper-Midwest also known as the "Corn Belt" of America. Ethanol cannot be transported from the Corn Belt by pipeline and must therefore be shipped by rail, truck or barge. For states such as Florida or Alabama to receive the millions of gallons of ethanol required by law, trucks and trains would need to travel hundreds of miles to deliver the product. The transportation costs of this delivery would outweigh the value of the mandated alternative fuel and essentially be a negative acquisition.

Congressional and Regulatory Action

The negative repercussions of RFS standards have caused Congress to allow certain policies to expire. In January 2012, Congress refused to extend tax credits and protection tariffs in relation to the production of ethanol. Specifically, the tax credit, commonly referred to as the "blender's credit," was created in 2004 to provide oil companies with an economic incentive to blend ethanol with gasoline. The protectionist tariff, which places a 54 cent per gallon tax on imported ethanol, has prevented developing countries from exporting cheaper, more efficiently produced ethanol to the United States. While the expiration of these economically burdensome policies can be seen as a victory for the market, the larger RFS mandate still remains in effect.

On April 10, 2013, Judiciary Committee Chairman Bob Goodlatte (R-VA-06) introduced H.R. 1461, the Renewable Fuel Standard Elimination Act. This bill would eliminate corn-based ethanol requirements entirely and cap the amount of ethanol that can be blended into conventional gasoline at 10 percent. The bi-partisan bill, which currently has 70 co-sponsors, presently sits in the House Energy and Commerce Committee but does not have a companion bill in the Senate nor is it scheduled for a hearing or vote in the near future.

The Obama Administration is also reacting to the negative effects of RFS on the food service industry. On Nov. 15, the Environmental Protection Agency (EPA) released its Notice of Proposed Rulemaking for the 2014 RFS and, for the first time, proposed to reduce the volume of ethanol that must be added to the fuel supply; the EPA proposed that 15 billion to 15.52 billion gallons of ethanol be added to the fuel supply in 2014 compared with 18.15 billion gallons as targeted by current law. However, many in the food service industry don't believe this proposal, if adopted, will have a significant impact on food costs. As Rob Green, Executive Director for NCCR stated, the proposal "reaffirms our steadfast belief that Congress needs to repeal the RFS mandate once and for all. The time has come to end the federal government's failed experiment with the RFS and the corn ethanol mandate."

MISTY **CHALLY** *is the NFA vice president of legislative affairs. Chally can be reached at 202-416-0270 or mistyc@nfabk.org.*

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Are Common Work Rules Now *Illegal*?

Expanding NLRB Enforcement Into Non-Union Workplaces

The recent "strikes" for $15/hour wages brought to light a forgotten reality: a law originally passed in 1935 to promote collective bargaining through unions has real impact on union-free workplaces. The National Labor Relations Board (NLRB) which enforces the National Labor Relations Act (NLRA) has also recognized that fact and has flexed its muscles in ways that catch many employers by surprise, resulting in unanticipated liability. Why? With the percentage of the private-sector workforce continuing its decades-long slide, many employers are simply not exposed to union issues. This is particularly true for QSRs which seldom, if ever, have a unionized workforce.

The NLRB has been very aggressive of late in extending its reach into non-union workplaces. While the NLRA has applied since the very beginning to both union and non-union workplaces, it was typically only unionized workplaces or workplaces involved in a union campaign that came to the attention of the NLRB. Under the leadership of the current general counsel of the NLRB and his immediate predecessor there is now an increased emphasis on ridding workplaces of common work rules that, in the opinion of some, unlawfully infringe on employee rights under the NLRA. Recent cases have struck down rules on confidentiality, at-will statements in hand books, class action waivers, social media policies and others. Failure to be aware of these changes can result in unanticipated liability if an employer terminates an employee pursuant to one of these now-unlawful rules or if other corrective action must be taken.



by DOUGLAS H. **DUERR**

Are Confidentiality Policies Now Illegal?

Many employers have broad policies requiring employees to keep non-public information confidential and often require employees to enter into confidentiality agreements. However, the NLRB, considers such provisions unlawful under the NLRA and will strike down restrictions that are broadly written with sweeping, non-exhaustive categories that encompass nearly any information related to the employer. Why? Because employees have a right under the NLRA to talk with each other (and unions) about such things as pay and other terms and conditions of employment. Broad confidentiality policies arguably could have the effect of chilling that protected activity. Even if that is not the employer's intent when implementing such confidentiality restrictions, NLRB law has settled that ambiguous employer rules – rules that reasonably could be read to have a coercive meaning – are construed against the employer.

Unfortunately for employers, not only are broad confidentiality restrictions unlawful according to the NLRB, but so is requiring confidentiality in workplace investigations. Until recently, most employers as a matter of routine would require witnesses and others not to discuss

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an ongoing investigation. Indeed, such confidentiality requirements were in line with Equal Employment Opportunity Commission instructions to employers to maintain confidentiality of harassment complaints. However, the NLRB has ruled that such confidentiality requirements chill the exercise of NLRA rights and are therefore unlawful absent an individualized determination that there are particular reasons confidentiality needs trump employee rights.

While the NLRB has struck down broad, routine confidentiality policies, some limitations are still possible. First, confidentiality policies that specifically define the information to be held in confidence (e.g., profit margins, product pricing, customer lists, etc.) are likely to pass muster. Second, managers, supervisors and so-called confidential employees (e.g., human resource personnel) can still be required to keep personnel and other information (including compensation information) confidential.

Are Employment At-Will Policies Now Illegal?

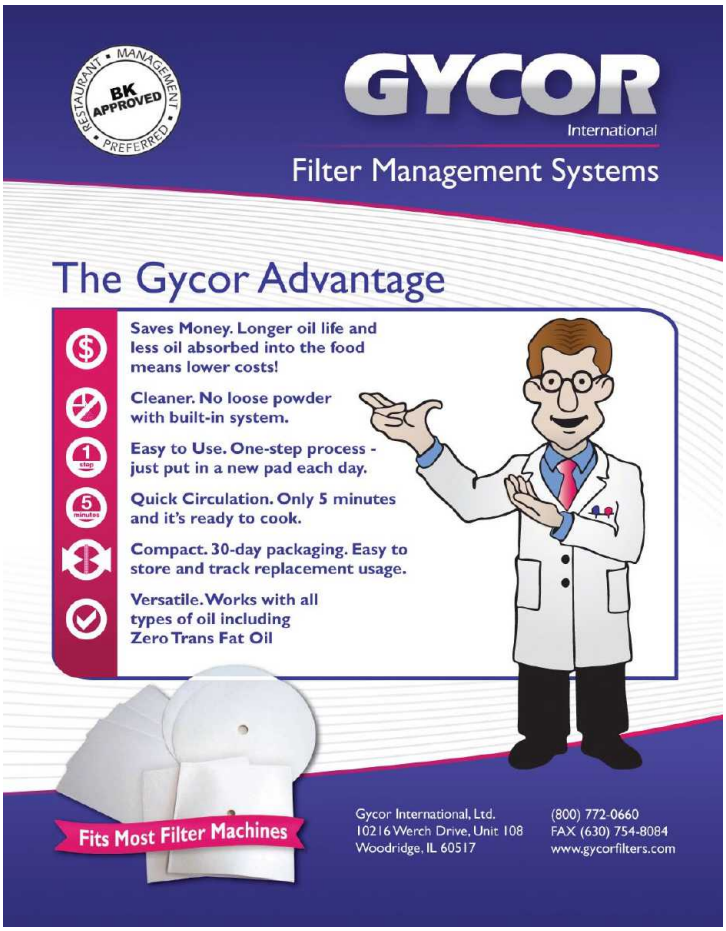
Many employers have policies providing that employment is at-will, meaning that the employer and the employee both have the right to end employment at any time for any reason. These policies are often set forth in offer letters and in employee handbooks, and they sometimes provide that no one has the authority to change that policy. The NLRB has held that the latter provision violates the NLRA because it could be reasonably interpreted as meaning that a union could not bargain for a limitation on the employer's right to terminate an employee. Thus, while at-will policies are not illegal under the NLRA, the policy should provide that at least the CEO or president has the authority to amend the policy.

Are Class Action Waivers Enforceable?

With the ever increasing number of wage and hour cases being filed as class or collective actions, many employers are implementing mandatory arbitration agreements with provisions requiring employees to bring such matters individually and not through a representative (i.e., class or collective) action. These agreements seek to take advantage of several U.S. Supreme Court decisions upholding such arbitration agreements in non-employment contexts (e.g., credit card agreements). Beginning in 2012, the NLRB has held that arbitration agreements that waive employees' right to proceed, as a class or collectively, violated the NLRA. Although a majority of courts have rejected the NLRB's position, the NLRB has held its ground. Thus, it is unclear for now whether class action waivers in the employment context are enforceable.

In addition to rules on confidentiality, at-will policies and class action waivers, the NLRB has found numerous social media policies unlawful and considered rules regarding negative communications, loyalty, cellphone usage at work, and many more. Part two of this series will cover these and other common work rules that may now be unlawful.

DOUGLAS H. **DUERR** *is a partner at Elarbee Thompson LLC, a national labor and employment law firm with an industry practice area focused on restaurants and franchises, which can be found online at www.elarbeethompson.com.*







Your Team Needs You, Coach

Are you standing in the way of your restaurant's team winning?

A simple question for you:

How many of your employees must deliver for one of your customers to enjoy the service experience you envision at your restaurant? From the moment they pull up to your location, until the time they leave? (Take a moment to really think about this before you continue reading.)

OK, now that you have that number in mind, here's the next question: does every single one of those employees understand that if he doesn't deliver in his own area of focus, you may lose a customer – for life? And that impacts the entire team.



by D.J. **ALLEN**

Yes, we used the word "team." (Some cynical people love to use this opportunity to bail out on these conversations calling them "fluffy." The good news is these types of people are made for leading people too. The bad news is it was about 40 to 50 years ago.) The fact is if you and your managers are not leading your group of employees the way a coach leads a team in sports, you are falling behind.

Business is a team sport. Service organizations who are embracing this philosophy are thriving in a more and more competitive marketplace. However, simply saying your group of employees is a team is not enough. To truly bring a group of people together starts with educating them and providing feedback – continuously – on the value every

Photo ©istockphoto.com/mrPliskin

role in the organization brings and how every role works together to deliver that winning service experience. That's where we get into trouble as leaders; we just don't feel we have the time.

OK, let's take a timeout. (Again, we are talking sports here.)

Louisville won last year's NCAA Championship in men's basketball. How many points did head coach Rick Pitino score for the Cardinals? How many rebounds did he grab? Obviously, the answers are zero and zero.

In college football, Nick Saban has built Alabama into the gold standard. Saban has never scored a touchdown nor made a tackle for the Crimson Tide.

The top coaches in sports understand their primary role is to build a team made up of talented people and then put those people in the right roles so they are all in a position to succeed. Along the way, the coach guides every single teammate to improve and ultimately perform at his or her highest level of potential. This is what produces results. This is how games are won; how championships are claimed.

So, are you playing the role of coach and focusing on putting others in a position to succeed daily? Or, are you and your managers still playing the role of star player, utility man and water boy all at the same time? Scrambling to just get through the day and keep your heads above water.

Unfortunately, many leaders in business have not evolved to the role of coach. And it is part of a simple failure cycle to fall into. (Trust me, I've been there!) The reason this happens is because nearly every leader in business rises through the ranks by being the best. The best water boy ever, then the best utility guy ever, and finally the best star player ever. As an entrepreneur or manager, we mistakenly believe our role is to still be all of these roles – just on steroids. (OK, bad sports pun. Sorry.)

We fall into the trap of being so busy doing that we don't take the time to teach – to be a coach. And whose fault is that? (Wait for it… Wait for it…) That's right, it's ours. And our fault only. If you have not surrounded yourself with people who can do more of the daily doing, then that is on your hiring practices. If you have that team around you, but you are still trying to be the star player, it's time for you to step out of your comfort zone. Your team needs you, coach.

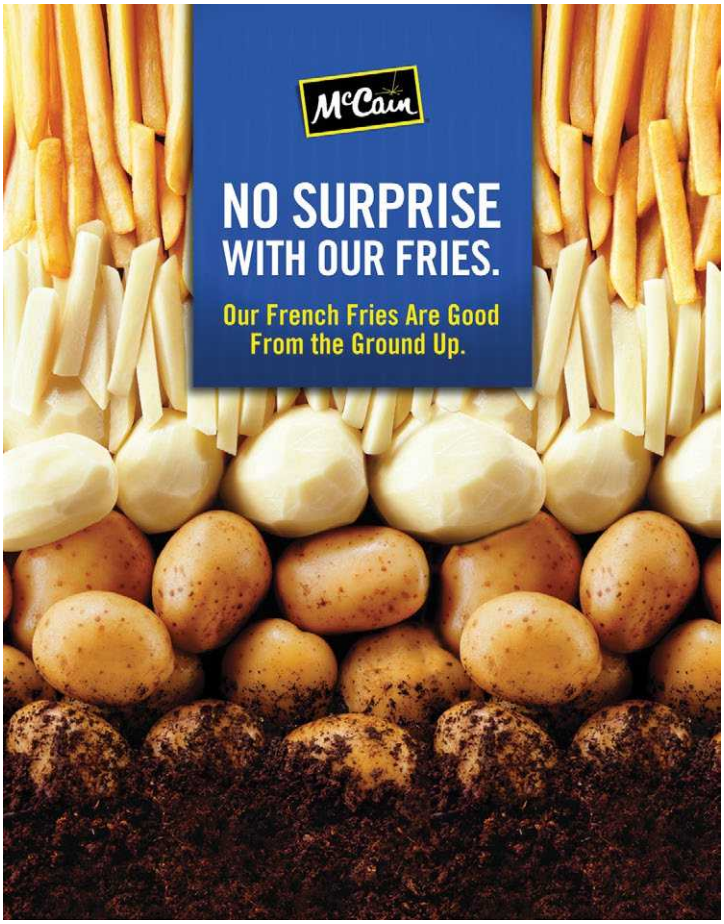
So back to that very first question. What was your number? Remember, the question was: How many of your employees must deliver for one of your customers to enjoy the service experience you envision at your restaurant?

Now, what is your strategy today to make sure every single one of those teammates knows just how important his particular role is and how they are doing at it?

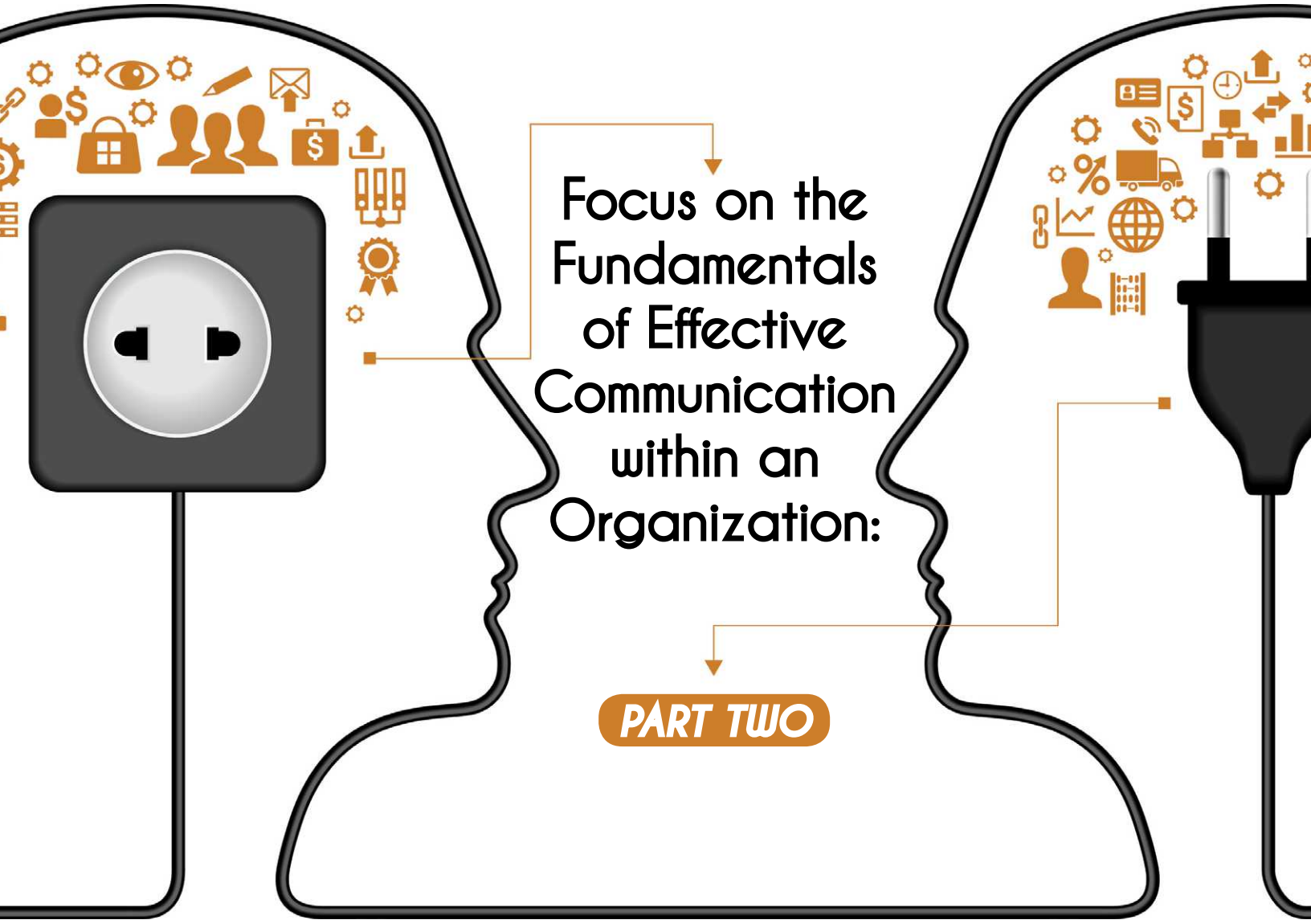
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D.J. **ALLEN** *is the founder of Xs & Os of Success, a leadership, organizational and professional development firm which equips leaders in business – as well as the sports industry – to produce championship results with their teams through strategic planning, workshops and coaching. Allen is also a keynote speaker and the co-author of the book "The Xs & Os of Success: A Playbook for Leaders in Business and Life" with Oklahoma basketball head coach Lon Kruger. Allen can be reached at dj.allen@xsosofsuccess.com or 702-826-9433.*







Focus on the Fundamentals of Effective Communication within an Organization:

PART TWO

In Part One, I suggested that business performance could be explained using the following formula:

Talent + Energy + Time = Results

Consequently, communication approaches that ruin working relationships waste the time, energy, and talent in the organization. Conversely, communication approaches that strengthen working relationships optimize the talent, energy, and time in an organization toward improving results.

Communication Approaches that Strengthen Working Relationships (the headline is "Respecting the other person.")

At the heart of building a stronger relationship with another person is truly respecting that person. If you're only working to build a stronger relationship with that person because your boss is making you do it, then you are unlikely to make any real progress.

Do you respect the person, even though you might disagree with some aspects about him or her? Why do you respect the person? What is it about him or her that you admire? If you can't find something to base your respect upon, then you aren't going to put in any real effort toward strengthening the relationship.

If you do respect the person, then here are 10 approaches to consider in strengthening that relationship:



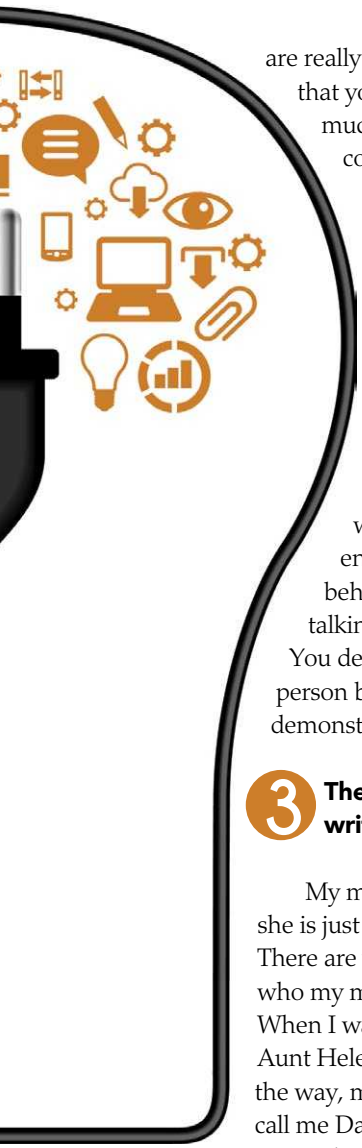
by DAN **COUGHLIN**

1 Spending one-on-one time with the other person. (Recommendation: 10 Key People List, minimum 90 minutes once a quarter with each person, repeat quarter after quarter.)

At the very minimum, I believe you need to spend 90 minutes of quality one-on-one time with the other person every three months. This could be at lunch or in a conference room or riding in a car or over the phone or on Skype. For those 90 minutes have no agenda and no interruptions. Turn off your cellphone and get away from your emails. Go away from your office where you won't be tapped on the shoulder with constant requests. Ninety minutes, four times a year might not seem like much, but I've been amazed to find out that sometimes people go a decade without ever having any quality one-on-one time with a key person in their part of an organization. Then they wonder why the relationship has never gotten very strong.

I suggest you make a list of the 10 key people you want to have a strong working relationship with, and then schedule 90 minutes with each of these individuals every quarter. If you

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are really faithful to that, I think you will find that your relationship with each of them is much stronger at the end of the year. Then continue to do that year after year.

2 360-Degree Respectfulness (to the person's face, in side conversation and behind the person's back).

The ultimate relationship builder is on-going constant respectfulness to the other person. This includes to the person's face, in side conversations when you bump into them at a conference or during a break at a meeting, and behind the person's back when you are talking about him or her to another person. You demonstrate how much you respect the person by the comprehensive way in which you demonstrate that level of respect.

3 The Enormous Power of the Handwritten Note

My mom is in her mid-eighties now and she is just as strong as ever and is a great leader. There are very few business people who know who my mom is, but trust me she's a great leader. When I was 12 years old and I got $10 from my Aunt Helen, Mom said to me, "Danny (and by the way, my mom is the only person allowed to call me Danny), you write a handwritten letter to Aunt Helen and thank her for that gift." When I was 18 years old and received a scholarship to go to college, my mom said, "Danny, now you write a handwritten letter thanking each of the committee members." When I was 22 years old and I got my first job after college, my mom said to me, "Danny, you write your new boss a handwritten letter and thank him for that job." A few weeks ago my mom said, "Danny, I see that your high school teacher's father passed away. Now you write him a letter thanking him for all that he did for you." I've been writing handwritten letters for the past 40 years.

Last year, I shared this idea in a speech at Shell Oil. Two weeks later, I received a handwritten letter thanking me for the idea from the North American director of operations for Shell Retail Marketing. He told me that he had just written a handwritten letter to 80 people across the North American organization.

Handwritten letters are a powerful way of thanking people and letting them know that you are thinking about them. This is especially true in an electronic world of email, text, Skype, Twitter, teleseminars, video conferencing and so on.

4 Clarify and bring light to a situation (as opposed to keeping the other person in the dark).

Imagine you're sitting in the back of a well-lit room. Your boss holds up a book and says, "Could you please come here and take this book back to your seat?" That's a very simple thing to do. You just walk up, take the book, and go back to your seat. Now imagine the room is completely dark and you can't see your boss or the book. She asks you to come to her and take the book, except this time she doesn't have it in her hand. It's placed somewhere along the wall in her briefcase. Now it's a much more complicated situation. You are quite literally grasping in the dark for a book you've never seen before.

That's what it is like when a person gives very poor directions to another person. In the absence of any reasonable clarity it is very hard for the other person to be effective at all. Unfortunately, this happens a lot.

To be an effective communicator, clarify what you want done and why it is so important. Then make sure that the environment is clear and well-explained so the other person can move forward with minimum uncertainty. This isn't always possible, but try to put as much light on the situation as you can by explaining items of importance to the other person.

5 Understand what makes the other person feel important. (Dale Carnegie quoting two others: "The deepest urge in human nature is the desire to be important. The deepest principle in human nature is the craving to be appreciated." From the book, *How to Win Friends and Influence People*.)

I first read, *How to Win Friends and Influence People*, in 1988. Those two sentences above remained stuck in my brain ever since. Here's another sample from that book: "If you tell me how

Continued on Page 66



Continued from Page 65

you get your feeling of importance, I'll tell you what you are." I can't encourage you enough to read this book. It is THE master class on effective communication.

If you can understand what drives another person more than any other factor, then you will have an opportunity to communicate with that person in a way that matters the most to him or her. It takes time to understand what makes the person's heart race faster and care to a greater extent. Once you know what that is for the person, you can gear your comments toward that nerve center in meaningful ways.

6 Totally Listen (Consider what the other person is saying. Close the loop. Conversations are most effective when they go both ways.)

The ultimate sign of respect is to totally listen to what the other person is saying. There is nothing greater than sincerely listening to what the person considers important at that moment. For five minutes really let go of everything else in your life and totally tune in to what the person is saying and how he or she is saying it. In general, people don't listen very well to each other. I think that's a fair statement to make after all these years of watching people interact with others. Letting go of life's distractions to attentively and empathetically listen is a remarkable gift that you can give to another person.

7 The Incredible Impact of Patience and Calmness

It's quite easy for people to get frazzled. There are a lot of things in life that can create tension, both at home and at work. That tension can quickly escalate at work into very dramatic situations. The person who can stay calm and patient is the one who can maintain strong working relationships with a diverse set of people, and help get the group from a state of tension to one of collaboration, problem-solving and innovation.

8 A Willingness to be In the Moment at a Moment's Notice. (It can't be every moment, can't be never.)

You show how much another person means to you by setting aside what you had planned for the day to be with that person. If that person is dealing with a crisis at home or at work and you let go of what you had on your agenda to step into his or her world, you are clearly saying, "You are more important to me than what I was doing." Of course, you can't do this every day for every person you know because you would no longer be getting any of your work done. However, when you do this it sends a very loud message about your priorities.

9 Apologize. Really apologize with sincerity.

We still are human and we still make mistakes. When you make a mistake, even if you unintentionally made that mistake, it's typically reversible by sincerely apologizing for what you did. Go to the other person, look him or her in the eye, and say, "I'm sorry for what I did. It was the wrong thing to do, and I sincerely apologize." Of course, your future actions have to support the sincerity of that apology. You can't then go berate the person again behind his or her back.

10 Walk a Day in the Other Person's Shoes

Most complaints about people in other departments are based on not really knowing what they are doing. People in marketing complain about people in operations and information technology and strategy and vice-versa. The comments are constant and never-ending from organization to organization that I've worked in. It usually goes like this, "They have no idea how hard we are working and how many hours we are putting in. They don't do anything in that department to really go the extra mile, and I'm sick of being taken advantage of." I've now heard that comment from many, many people in operations, finance, marketing, human resources, sales, information technology, event planning, research and development, and senior executives in charge of the whole organization.

If people in every group feel that way, then there's a very good chance that most people don't understand what other people are going through. One way to make some progress toward resolving all the complaining is for people to spend time in each other's roles. Then maybe the complaining will transform to greater understanding and appreciation of what other people do.

BONUS: Care about the other person's success.

The icing on the cake of a great working relationship is truly caring about the other person's success and genuinely congratulating him or her on that success. Teamwork happens when a group of people support one another toward achieving meaningful objectives and fulfilling a meaningful purpose. The success is not about just you as an individual. It's about the success of other individuals and the group as a whole. Be just as excited for other people when they succeed as you are when you succeed.

Here are two questions I encourage you to think about:

Which of these approaches do you feel are the most useful to strengthening work relationships?

What other communication approaches have you found that are effective in strengthening work relationships?

Conclusion

Communication occurs in any organization with two or more employees. It's very easy to fall into negative communication habits that drain the organization of its talent, energy and time. By consciously working to communicate in effective ways, you are increasing the chances that more of the talent, energy, and time in your organization will go toward improving results.

DAN **COUGHLIN** *works with business leaders to improve their impact on teamwork, execution, innovation and branding. His clients include McDonald's, Anheuser-Busch InBev, Abbott, GE, Marriott, Coca-Cola, Shell, Toyota, RE/MAX, Boeing, Subway, BJC HealthCare, Shawnee Mission Medical Center, St. Louis Cardinals, Prudential, Land O'Lakes, ACE Hardware, Jack in the Box, Denny's, Land O'Lakes, Holder Construction, Kiewit Construction, McCarthy Building Companies, and more than 200 other organizations. Visit Dan at www.thecoughlincompany.com.*

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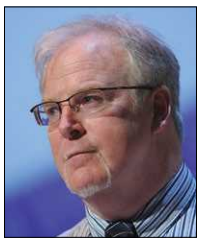
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ELEVEN FATAL FLAWS OF Service-Giving



by JIM **SULLIVAN**



When plotting their service strategy and delivery, too many operators, managers and trainers focus on what they should "do" for their customer. I think it's more important to first focus on what not to do. In other words, do you know what you don't know that you don't know?

Most customers today define service as "the absence of complaints," not as something a company "gives them." Let's take a closer look at the fundamental fatal flaws of service-giving as seen through the customer's lens. Eliminate these service blunders, and you may no longer have the need to "teach" service at all because your customers will have a consistent experience characterized by the absence of complaints.

1. Fail to be a servant leader. What's happening on the inside of your store is felt on the outside by our customers. Treat your team the way you expect them to treat your customers, and never treat a customer better than you do an employee. We need to spread energy everyday—not take it away.

2. Fail to focus. Most customer complaints can be traced back to

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disrespect or perceived disrespect. A distracted, visibly irritated or stressed team member or manager should not be the first thing a customer experiences when walking in our front door. After all, they just drove past 10, 20, 30 or 40 other restaurants to come to ours. The customer is not an interruption of our job. The customer is our job.

3. Superficial Congeniality. Everyone can detect the difference between genuine and forced hospitality. What does "superficial congeniality" look like? Picture the flight attendants on your last trip.

4. Letting guests overhear managers and crew discuss the daily activities of running a restaurant. Customers should never be within earshot of managers telling team members to wipe down a table, clean bathrooms or clock out. They should never have to hear a manager reprimanding an associate, or listen to a manager complaining to another manager about business. Pull those conversations away from your customers.

5. Not noticing a customer with a problem. The most important real estate in your restaurant is the 18 inches or so between the top of the table and the top of the customers head. Constantly scan the guest's body language in every section for patrons who look like they need something or appear unhappy with their sandwich, fries, beverage or experience.

6. Avoiding a customer with a problem. This is much worse than not noticing a problem in the first place. Managers must be vigilant about resolving a small problem before it becomes a big one. The classic problem resolution formula follows the acronym BLAST: Believe the customer, Listen to them, Act on the complaint, Satisfy them and Thank them.

7. A public work area that is not spotless. You sell more in a clean restaurant, and don't ever think that customers don't notice and talk about it. Our work areas should be spotless—Disney-clean—always and all ways. Ray Kroc, McDonald's original CEO was fanatical about cleanliness and said: "Clean the corners and the middle will take care of itself."

8. Failing to teach the team WHY. Way too many foodservice owners and managers tell their teams what to do and how to do it instead of first teaching WHY we do it. Case in point: we constantly train the team to suggest combos, beverages, fries…but how many of us have ever spent an equal amount of time explaining why we sell? When was the last time you explained Foodservice Economics 101 to your crew? Do they know the average profit on the dollar is less than a dime? Do they know how much you spend on utilities, rent, napkins, food, equipment, supplies, etc? At our website (Sullivision.com) you can order a simple poster for your crew that shows the profit on the dollar or our best-selling "What We Get Paid For" poster and DVD that will teach them how the foodservice business works.

9. Over-looking teachable moments. This is a common flaw among operators. Go through the trash occasionally. Find the bucket or bag that wasn't completely emptied. Point out that the extra portion may have been the team's raise they threw away. Help teams to think like owners do.

10. Failing to communicate before every shift. If you don't give your team specific goals before every shift they will presume you don't have any, and substitute their own. Is that really what you want? Every month, set specific sales and service goals for every single shift and then share them with your team. A short two minute pre-shift meeting should be mandatory, not optional. You can download a free pre-shift meeting planning template on our home page at www.sullivision.com.

11. Making lots of mistakes (but never learning from them). Messing up is one thing, but failing to recognize the error and learning not to make the same mistake again is what distinguishes good operators from great ones. At manager meetings, identify three specific operations-related challenges from the previous week to discuss, analyze and learn from. It's all about continuous improvement. As the Japanese proverb says: One hundred days to learn; one thousand to refine.

Bottom line? We're only as good as our last happy customer. Think like your customers and focus first on eliminating dissatisfaction. Ironically, you can stop "giving service" and instead give the most precious gift you can supply to a customer: The absence of complaints.

JIM **SULLIVAN** *is a sought-after consultant, author and speaker at leadership conferences worldwide. Follow him on LinkedIn and Twitter @Sullivision. This article was reproduced with permission from Sullivision.com.*

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As part of the Dr Pepper Snapple Group (DPS), Dr Pepper is the No.1 flavored carbonated soft drink company in the Americas and a leading innovator and marketer of functional/non-carbonated beverages. DPS serves consumers throughout North America via a broad and flexible route to market. This includes a combination of direct store delivery and warehouse delivery capabilities supported by 21 manufacturing centers, more than 115 distribution centers and approximately 19,000 employees across North America, in addition to the operations of hundreds of third-party bottlers and distributors. With a brand heritage spanning more than 200 years, Dr Pepper Snapple Group's portfolio includes more than 50 brands and hundreds of flavors of carbonated soft drinks, juices, teas, mixers, waters and other beverages.

In the U.S., DPS markets, bottles and distributes a broad range of soft drinks, non-carbonated beverages and mixers, from iconic national brands to regional favorites. In addition, they distribute a number of licensed brands in various territories, such as Fiji Water, Sunny Delight and Big Red. Nearly half of DPS' annual volume is distributed through a company-owned bottling and distribution network. The remainder is driven through third-party/licensed bottlers and distributors, including those in both the Coca-Cola and Pepsi bottling systems, as well as independent bottlers, brokers and distributors.

Corporate social responsibility is more than just "doing the right thing." When a company commits to sustainability, it's making a promise to do good things that net a positive change for everyone it touches. Dr Pepper Snapple Group has made a strong commitment to environmental stewardship on every level of its business. Creating and distributing such a wide portfolio of brands from locations across North America gives them an opportunity to make a real difference. Over the past five years, the company has invested resources into aligning and integrating operations to serve its customers and consumers more efficiently and consequently reducing energy and fuel consumption per unit of production.

At the same time, DPS has pursued a multi-tiered approach to reducing waste by ramping up recycling, developing innovative packaging solutions and collaborating with the industry on the Full Circle Recycling Initiative. Water conservation has also been one of their primary concerns, and in 2008 they began tracking their consumption and waste water discharge to help them measure the success of their ongoing production and facility improvements.

DPS has specific environmental sustainability goals. By 2015, DPS will:

- Improve energy efficiency and reduce CO2 from emissions in manufacturing by 10% per gallon of finished product.
- Increase product shipments per gallon of fuel used by 20%.
- Replace 60,000 vending machines and coolers with Energy Star-rated equipment that is approximately 30% more energy-efficient.
- Reduce manufacturing water use and wastewater discharge by 10% per gallon of finished product.
- Recycle 90% of manufacturing solid waste.
- Conserve more than 60 million pounds of plastic through PET package light weighting and redesigns and increased use of recycled PET.

So where did Dr Pepper come from?

Charles Alderton, a young pharmacist educated in England, worked at Wade Morrison's store, where he also served carbonated soft drinks at the soda fountain. He had noted that customers soon got tired of drinking the same old fruit flavors. The inventive Alderton decided to make something new by blending several fruit-based flavors. After numerous experiments, he finally created one he liked. Alderton tested his drink first on Morrison, then on select patrons. Other patrons at Morrison's soda fountain soon learned of Alderton's new drink and began ordering it. Dr Pepper was born.

Dr Pepper gained such widespread consumer favor that other soda fountain operators in Waco, Texas began buying the syrup from Morrison. This soon presented a problem for Alderton and Morrison, as they could no longer produce enough syrup at their fountain to supply the demand. Robert S. Lazenby, a young beverage chemist and proprietor of The Circle "A" Ginger Ale Company in Waco, had also tasted the new drink and was favorably impressed. Morrison suggested Lazenby produce the syrup in his bottling plant, and Lazenby agreed. Alderton, the originator, was primarily interested in the pharmacy and had no designs on the drink. He suggested that Morrison and Lazenby develop it further.

In 1904, Lazenby and his son-in-law, J. B. O'Hara, introduced Dr Pepper to almost 20 million people attending the World's Fair Exposition in St. Louis. The exposition was the setting for more than one major product debut. Hamburgers and hot dogs were first served on buns at the exposition, and the ice cream cone was introduced. In subsequent years, Morrison and Lazenby remained impressed with the growth of Dr Pepper. They formed a new firm, the Artesian Mfg. & Bottling Company, which later became Dr Pepper Company. Lazenby and O'Hara moved the company from Waco to Dallas in 1922 and opened their new operation in 1923.

In 1963, Diet Dr Pepper was introduced as "Dietetic Dr Pepper." Sales were initially slow due to the unfortunate name, which was changed three years later to "Diet Dr Pepper." In 1991, Diet Dr Pepper was reformulated and sales soared. In 2002, as Americans became increasingly health conscious, Diet Dr Pepper became a top 10 soft drink in the United States, a position that it holds to this day.

In 1996, Dr Pepper launched a new proprietary 20-ounce PET (plastic) bottle, the Dr Pepper "Angle Bottle," in test markets. Many bottlers switched to this new package in 1997. From 2002 through 2008, Dr Pepper offered several delicious flavor extensions including Cherry Vanilla Dr Pepper, Dr Pepper Berries & Cream, and Diet Cherry Chocolate Dr Pepper. In 2008, Dr Pepper introduced Dr Pepper Cherry in regular and diet varieties and consumers fell in love with its smooth kiss of cherry. Dr Pepper celebrated its 125th anniversary in 2010 as America's oldest soft drink.

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**IF=Inside Front, CW=Cover Wrap, IB=Inside Back, BC=Back Cover*

2014 Editorial Calendar

ISSUE	AD ARTWORK DEADLINE	PUBLICATION DATE
1	Feb. 10	March
2	May 12	June
3	Aug. 6	September
4	Oct. 22	December

Call for Franchisee News

FLAME Issue 1 is due out in March 2014. We want to highlight, in detail, any news or events associated with our members. If you have ideas for potential stories, please contact Melissa Butz at melissab@nfabk.org or 678-797-5160 by Feb. 10. Our editorial staff can assist in writing the story for you.

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