

## **Letter from the President and Chief Operating Officer**

Fellow Store Owners;

Last week UPS withdrew their requirement that we open all drop-off packages received in our stores from the MBE Operations Manual. This was the direct result of an effort The Brown Board began in late May of this year right here on our forum. The Brown Board's intent was to establish the fact that UPS is using the MBE Operations Manual in a self-serving manner and that changes, additions, and deletions often have nothing to do with the operations of our stores but rather are made solely to benefit UPS.

There have been absolutely no changes to The Department of Transportation regulations. There haven't been any published corrections to the UPS attorneys' opinion concerning our store liability. The only change has been UPS concern for drop-offs in our stores. So what does this prove?

We have proven that the MBE Operations Manual is full of arbitrary rules and requirements, that UPS could be prodded to withdraw onerous requirements if the pressure was applied. And, because the DOT regulations did not change but UPS withdrew the package inspection requirement it has become infinitely easier to challenge other parts of the Operations Manual as capricious.

We demand that future changes to the Operations Manual be reviewed and published by either The Brown Board or FAC. The Operations Manual is part of our UFOC and it is now apparent to everyone that UPS is willing to change the contract on a whim and without real thought as to how operations in our stores are actually conducted. If changes to this part of our contract are not reviewed and agreed to by a representative owners group who can say what future changes will be made. And, if changes to the Operations Manual are not published no court in the world can hold us accountable for reading this document everyday to determine what new rules have been imposed on the franchise owner.

We appreciate the support of BSA and we appreciate the support of our membership. Our total focus continues to be the improved financial position of the franchise owners.

Sincerely,

Joseph Elias,  
President & COO  
Brown Board Owners' Association