



**Food 4 Less Negotiations Success!**

**UFCW Pharmacists Standing up for Patients and Making Change in California**

**Know Your Rights**



# The Worker

The Newsletter of the UFCW Local 135  
San Diego, CA

### 🎉 Congratulations 🎉

**Shawn Tando, CVS (9141)**  
26 years

**Danette Walker, CVS (9141)**  
26 years

Notify your union within 30 days of:

- Marriage
- Birth
- Adoption
- Divorce
- Change of Address
- Death in the Family
- Change of Guardianship

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# The Worker

## November 2017



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## President's Message

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**By Mickey Kasparian**  
President  
International Vice President

**W**e began negotiations with the Kroger Corporation, on a new Food 4 Less contract in April of this year – six months ago. Although it was a long road, at that time we were optimistic that we could achieve a new contract before the last agreement expired in early June – but that didn't happen. We had a real fight on our hands.

But you, our UFCW Local 135 members who work inside those Food 4 Less stores, did not waver. We kept you informed and up-to-date on negotiations. And because of this, you stood together during tenuous talks, even taking a vote to authorize a strike.

And finally after six months of collective bargaining, we overwhelmingly ratified a

# Congratulations on the New Food 4 Less Contract! It was a Team Effort

good contract on October 16. We had settled a fair contract with the same Kroger Corporation a year ago, which protected our health care and pension benefits and provided decent wage increases for our Ralphs members. We wanted the same for our Food 4 Less members and we got it. In fact, that was our main goal.

Many of you mentioned to me that when your customers saw us outside with Boycott signs, they drove right by. Many customers walked up to ask us why we were out there and when we told them, they turned around and walked away. They respected you enough to not cross a picket line, and that is important.

I have to say, these were some of the strangest negotiations I've been involved

and thank community members from organizations like the Employee Rights Center and from the faith community at IWJSD. Thank you also to our strong UFCW Local 135 Retirees who came out to support you. Thank you to our staff as well. They stepped up like champs.

We thank our elected officials, and their staffs for supporting our members.

Our collective efforts made Kroger re-evaluate their bargaining position. They decided to exchange proposals – after we had voted for strike authorization. In conjunction with our other UFCW Southern California Local leaders, we reached an 11th-hour tentative agreement as we prepared for a work stoppage. A week or so later, our Food 4 Less members overwhelmingly approved a new three-year contract.

Now we are tasked with plotting a course and laying out a roadmap to guide us as we prepare for negotiations with Viejas Casino and Rite Aid next year and our master food employers in 2019.

Your trust and faith in us at the bargaining table speaks volumes as you allowed us to represent you.

You set the bar for future negotiations and we will need your help in the future. Thank you to all for helping to protect the rights of hard working people and families who have earned dignity, respect and a fair wage! ■

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**"I have to say, these were some of the strangest negotiations I've been involved with. Fortunately for us, we had you – our members who stood together and showed strength and solidarity."**

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with. Fortunately for us, we had you – our members who stood together and showed strength and solidarity. We got this contract because our members from Food 4 Less and our other stores stood together. We also had help from

## Secretary- Treasurer's Report



**By Richard Barrera**  
Secretary-Treasurer

Our grocery store pharmacists have for years been dealing with dangerous levels of understaffing. This often leaves a pharmacist by themselves with no support even as they are required to provide increased services to patients, including immunizations, in addition to their normal duties.

Some of our courageous pharmacist leaders are now bringing this situation to the attention of elected officials in Sacramento. In response to pharmacists' concerns, our UFCW Western States Council approached Sacramento's leaders and asked for legislative hearings so that we could bring the issue to light.

As a sign of UFCW's influence in Sacramento, a new sub-committee of the State Senate focused on workforce issues in the Pharmacy industry was created. Senator Josh Newman from Orange County took the lead in scheduling a hearing at Cal State Fullerton October 2.

At the hearing, three UFCW pharmacists, Cheryl Butler and Keith Fung from Local

# UFCW Pharmacists Standing up for Patients, Making Change in California

770 and Jean Drexler from Local 324, offered powerful testimony on the risks to both pharmacists and patients from under-staffing.

Bolstering the testimony of our pharmacists at the hearing, Local 135 Pharmacists Suzanne Bradbury and John Leuck submitted written testimony:

From Suzanne Bradbury: "Current work load is now causing excessive stress leaves among employees, as well as poor job satisfaction – leading to faster turnover rates. This puts extreme pressure on remaining staff to work double shifts, as training for new employees is non-existent. We are forced to train staff on-site which is nearly impossible while continuing to be responsible for maintaining daily

my family, my ability to retire at a certain time, and shortens my time on the clock that would allow me to complete all the required tasks thrown at us. I know more and more people are working off the clock to complete daily tasks to meet demands and still avoid overtime."

John Leuck: "A lack of proper staffing at Ralphs Pharmacies has created a situation that is potentially dangerous for our patients. The traditional workload for the pharmacist combined with an ever in-cresing clinical load including vaccinations, biometric screenings and MTM management combine to produce a very difficult work environment. Ralphs routinely staffs a single pharmacist, with no ancillary help, on the weekends and for up 5 hours of a 12 hour shift on Monday through Friday. It's not difficult

to see how this could create an environment where it is impossible to function as a professional health care provider."

At the end of the hearing Senator Newman said, "If pharmacists are taking on an expanded role in health

care, we have to take better care of our pharmacists."

Moving forward, additional legislative hearings will be scheduled in other parts of California and our locals will be working with the States Council to develop legislation that protects pharmacists in our grocery stores.

Thank you to Suzanne and John for lending your voice for real change for all of our pharmacy members and our patients.

To see the hearing, go to: <http://ufcw135.com/>

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**"As pharmacists increasingly raise the issue of understaffing our UFCW Western States Council approached Sacramento's leaders and asked for legislative hearings so that pharmacists could bring the issue to light."**

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tasks. It takes upwards of six months to train a technician to be independent in a pharmacy setting. Work flow is then impacted as staff turnover steadily increases because companies do not care if sufficiently trained employees continue. The days of loyalty, earning a pension and vacation weeks, and looking forward to "retirement" are long over as the reward has been removed and the companies reap the benefit of the "lucky to have a job" mentality.

"I now work three 12-hour shifts and use my four leftover hours to get more tech hours. This affects the income for

## Meet Steward of the Quarter: Brenna Scott

**B**renna (rhymes with Renee) Scott has worked at CVS for 11 years and has been a steward that whole time. She works as a pharmacy technician at the 32nd Street and University CVS.

As a steward she makes sure she knows the contract thoroughly so she can educate others who don't know the contract and who may have questions or need help.

"When they come to me with their problems if I don't know what's going on, I investigate and research so I don't give them misinformation," Brenna said.

"For me personally, I think the union is great, we have great insurance, they go to bat for you if you're being cheated out of your money, hours, vacation or if you need a mediator between workers and management," she said. "The union is like your second family. As stewards you develop a relationship with your union representative. It's that stepping stone when you need help and you don't know where to turn and who else to turn to."

Brenna has been active with the union as well. She has been to a couple of marches against Walmart.

"They tore down that landmark building that was there," she said. "I was sad that they demolished that and turned it into a Walmart after all."

A few years ago she was out on the Food 4 Less picket line too.

"I knew nothing about what was happening and I went to the store to get some breakfast food and the next thing you know I'm outside walking back and forth and handing out flyers to some of the folks here in the neighborhood. A lot of my



*Brenna Scott and her Godson/Nephew Brandon Shannon*

customers over at CVS saw me out there and they turned away. I'm active in the community and the community is pretty supportive.

"I also help out with UDW (United Domestic Workers). I'm part of that union also. When my mother was alive I was her health care provider. I'm a Seventh Day Adventist and I was told we are a union too. I was just born and bred union."

Brenna has one son and numerous God kids including her nephew whom she raised since he was one and a half. She has another God son named Carter whom she has every weekend now to help his mom out. Brenna is married to Andra (pronounced Andre) and is a health care provider to him.

"There was a time, if I wasn't at church or work, I was at the hospital, but now he's doing

better," she said.

"Believe it or not my fun is volunteering to take care of the kids at church. I'm an active pathfinder counselor. We take the kids out camping and teach about God's creation. We do community service to help the elderly and the homeless. We help to take them shopping and try to keep them a part of their community too. We make them feel like they have their independence still. With the homeless we collect toiletries, clothing and feed them once every two to three months."

Her family tries to stay involved in politics, she said, but she's not a political-type person, she said. "I'm not a political type person so I'm in the background and listen to everything that goes on. Her cousin Geneviève Jones-Wright is running for San Diego County District Attorney."

"I'm a huge family and church person," she said.

# Union News Briefs



## Supreme Court To Hear Case That Could Cripple Labor Unions

The Supreme Court, with a reconstituted conservative majority, is taking on a new case with the potential to financially cripple labor unions representing government workers.

The high court agreed Thursday to again consider a free-speech challenge from workers who object to paying fair share dues to unions they don't support.

The Illinois case involves Mark Janus, a state employee who says Illinois law violates his free speech rights by requiring him to pay fees subsidizing a union he doesn't support, the American Federation of State, County and Municipal Employees.

Janus is seeking to overturn a 1977 Supreme Court case, *Abood v. Detroit Board of Education*, that said public workers who refuse to join a union can still be required to pay for bargaining costs, as long as the fees don't go toward political purposes. The arrangement was supposed to prevent non-members from "free riding," since the union has a legal duty



to represent all workers.

This latest appeal is from a state employee in Illinois. It was filed at the Supreme Court just two months after Trump appointee Justice Neil Gorsuch filled the high court seat that had been vacant since Justice Antonin Scalia's death.

The stakes are high. Union membership in the U.S. has declined to just 10.7 percent of the workforce, and the ranks of private-sector unions have been especially hard hit.

About half of all union members now work for federal, state and local governments, and many are in states like Illinois, New York, and California that are largely Democratic and seen as friendly toward unions.

A federal appeals court in Chicago rejected Janus' claim in March. Gorsuch was confirmed in April and the appeal was filed in June.

The court could decide to overturn *Abood* when they hear this case this winter.

## UFCW Advocates Safe Line Speeds at Poultry Plants



On Oct. 11, UFCW International President Marc Perrone sent a letter to the Acting Deputy Under Secretary for Food Safety at the U.S. Department of Agriculture explaining why a recent petition

by the National Chicken Council to eliminate line speeds at poultry plants poses a dangerous risk to American families.

"This petition, submitted to you in early September, would allow select poultry plants to run their lines with no speed limits, endangering both workers and consumers. Even more troubling is that this petition essentially requests that USDA create this new "no speed limit" rule behind closed doors with no opportunity for notice and comment by the public as the regulatory process requires," Perrone wrote.

President Perrone's entire letter can be read at: <http://www.ufcw.org/ufcw-perrone-letter-to-usda/>.

## Local Labor Union Files Complaint Over Jerry Jones' Anthem Mandate



FRISCO, Texas – Local 100 of the United Labor Unions filed a complaint against the Dallas Cowboys on Tuesday, alleging owner and general manager Jerry Jones has violated the National

Labor Relations Act by threatening to fire players if they choose not to stand for the national anthem.

Jones said earlier this week if a player "disrespects the flag" and national anthem by not standing, then the player will not play.

According to the filing to the National Labor Relations Board, "the employer, evidenced by repeated public statements, is attempting to threaten, coerce and intimidate all Dallas Cowboys players on the roster in order to prevent them from exercising concerted activity protected under the act by saying that he will fire any players involved in such concerted activity."

# UFCW Members Join Other Unions for Leadership Workshops and Trainings at Kaiser Conference

UFCW Local 135 members and union representatives attended workshop trainings in Portland, OR at the annual Union Delegate Conference for Kaiser Permanente (KP) workers. UFCW International President Marc Perrone spoke.

Members from UFCW Locals 7, 27, 324, 400, 555, 770, 1428, and 1996 also attended the annual three-day Conference for KP's workers in Portland Oregon in August.

The theme of the conference, which took place in August, was "Renew, Resist, Persist." There, UFCW members attended workshops on leadership roles in the workplace.

The Union Delegate Conference is an opportunity for UFCW members to prepare for collective bargaining in 2018 with the other unions included in the coalition. The entire coalition bargains together as a whole for their contract.

UFCW members are part of the Coalition of Kaiser Permanente Unions, which consists of 100,000 members from 30 different unions. The coalition was formed in 1997 as a way to transform the relationship between workers and managers. The partnership involves workers, managers, and physicians in a joint decision-making and problem-solving process that is based on common interests from all parties.

Workers included in the partnership are registered nurses, pharmacists, pharmacy technicians, maintenance and service workers, psychologists, lab scientists, and many others.

The unions organized into a coalition 1996 in response to layoffs and other changes unacceptable to workers and their unions. This led to repeated strikes against KP in Northern and Southern California and Oregon that ultimately threatened to derail KP as an organization and disrupt the livelihood of union members.



L to r: Union Representative Grant Tom, and delegates, Joshua Montes, Cristanta Mackey and Sharyn Baldwin



Union Delegate Conference Key-Note speaker Marc Perrone, UFCW International President

Since the year 2000, the Coalition and KP have negotiated five national contracts using an interest-based approach instead of traditional, position-based bargaining.

This includes an Employment and Income Security Agreement, which protects union members' jobs and, if employees are displaced through restructuring or layoffs, it provides training and ensures priority redeployment to other positions within KP.

KP now has education trusts in which Union members receive career counseling services, and tuition and wage reimbursements for training and education through the Ben Hudnall Memorial Education and Training Trust and the SEIU UHW-West and Joint Employer Education Fund.

They have Unit-based teams now, to empower workers. More than 3,500 natural work groups—each co-led by a worker, a manager and sometimes a physician—that work together to solve problems and enhance quality

and service in hospitals, clinics and business offices throughout KP.

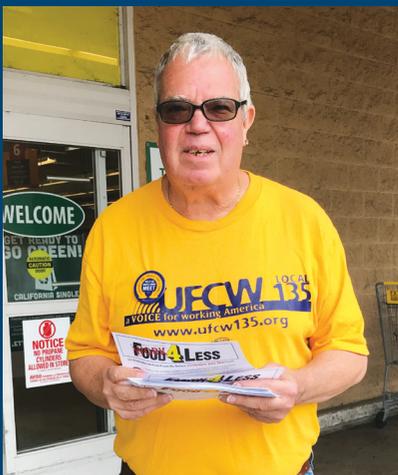
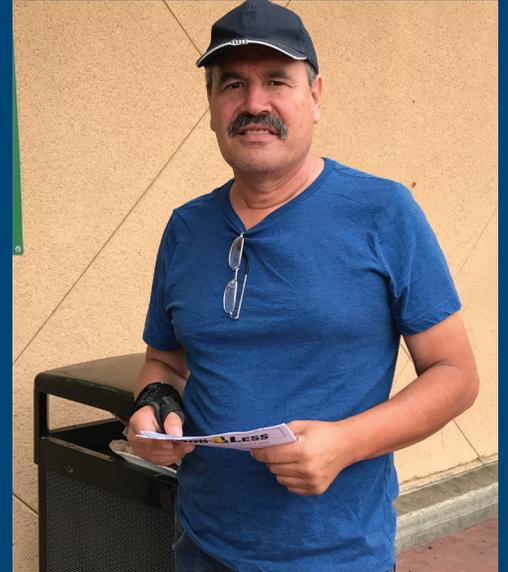
Coalition union members help ensure KP is an industry leader in quality and service by having a service and quality leader. They consistently earn Medicare's highest overall rating for quality and service (5 stars) and high HCAHPS (Hospital Consumer Assessment of Healthcare Providers and Systems) rankings.

Kaiser workers also have industry-leading wages and benefits, and their Total Health Incentive Plan is a collaborative approach to improving the health of KP workers based on core union principles.

KP workers have achieved significant results in a joint campaign to help grow KP membership and increase the number of union jobs with full benefits.



UFCW Local 135  
**Members At Work**  
 On Union Representative  
**Tom Elbert's Route**





## Continuing Education for nationally licensed Pharmacy Technicians Brought to you by UFCW Local 135

At UFCW Local 135, we remain committed to providing the best possible servicing and programs for our members in the field of Pharmacy. We continue to remain focused on our pharmacy members in a variety of ways, including using political lobbyists at both the State and Federal levels to make sure our members voices are heard with regard to legislation. In addition, the UFCW has had at least one seat on the Board of Pharmacy for many years.

Aside from our representation nationally, regionally and locally, we strive to make sure that our members in the Pharmacy remain up-to-date with regard to Pharmacy laws, regulations and practices. We do so by providing continuing education to our members. We have had an online/mail Continuing Education Program for our Pharmacists for decades.

And now, we are pleased to announce that we have expanded our online/mail Continuing Education Program to our Pharmacy Technicians that are licensed nationally that require continuing education. We would like to extend a personal invitation to you to sign up to be included in continuing education provided by UFCW Local 135.

Please contact our office at (619) 298-7772, ext. 167 if you would like to take part in this opportunity. This invitation is only for those that are nationally licensed Pharmacy Technicians who require continuing education courses to renew their licenses and is paid for by UFCW Local 135.



The Updates, Advice and CE That Pharmacists & Pharmacy Technicians Need

[www.rxconsultant.com](http://www.rxconsultant.com)

# Thank you to the Community and Food 4 Less Workers for your Solidarity!



# Know Your Rights!

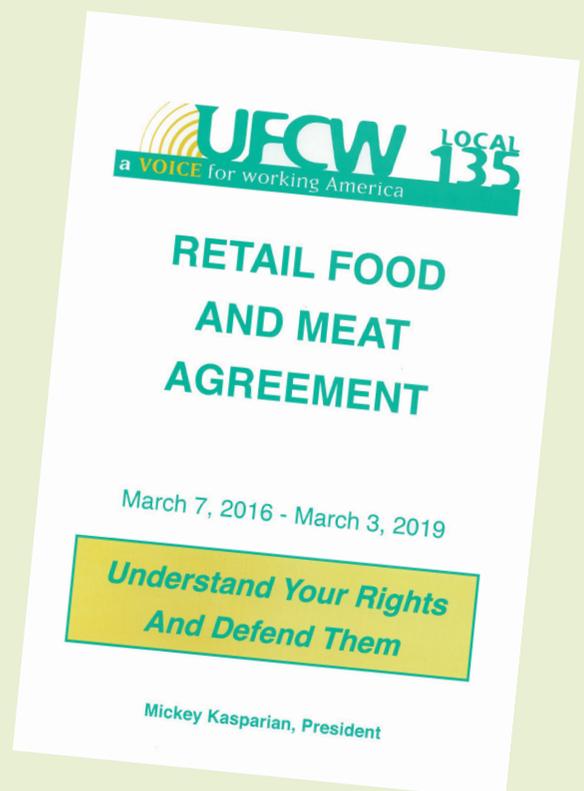
## **Weingarten Rights: You have the right to remain silent.**

If you are asked to join into a discussion, meeting or a telephone call related to being disciplined, terminated or affecting any of your working conditions, **you have the right to have your union representative with you** otherwise you may choose not to speak.

Weingarten rights are federal rights only for union workers.

**Protect yourself. Call for your union representative!**

**It's a good book. Your rights are in there.**



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Viejas Contract negotiations are coming up. Stay informed. Like your page at: [ufcw135-viejas](https://www.facebook.com/ufcw135-viejas), and join in the conversation!

**Ways to improve your contract:**

- ➔ Get involved
- ➔ Come to meetings
- ➔ Check the bulletin board for important information, dates & times!

*Viejas Workers*



<https://www.facebook.com/UFCW135Viejas/>

## Grievance Highlights: August/September 2017

- ★ A CVS member received corrected vacation/sick pay in the amount of \$518.
- ★ A Vons member received corrected vacation/sick pay in the amount of \$1,828.
- ★ A Vons/Haggen member received corrected pay rate with back pay in the amount of \$500.
- ★ A Vons member received department head back pay in the amount of \$2,690.
- ★ Vons 2093 6-J received back pay in the amount of \$944.
- ★ A Vons member received corrected vacation pay of \$581.
- ★ A CVS member received full time status, a wage correction and back pay in the amount of \$15,588.
- ★ A Vons store paid \$944 in back pay for courtesy clerk combo violations.



**If you have moved or will move soon, please change your address with us. Call in your new address to the membership department at (619) 298-7772, ext. 6**

# Criminal Justice Reform: It's a Labor Issue

In United States, mass incarceration has had a devastating impact on our members, their families, and our communities. The targeted criminalization of Americans has deeply exacerbated income inequality while limiting access to opportunity for those struggling to find employment with a criminal record.

We know that our policing and justice systems are not color blind. One-third



We oppose mandatory sentences for nonviolent crimes, and we want to end the unnecessary and indiscriminate privatization of correctional facilities.

We support restorative justice – job-training, education, probation and parole programs – that help people reintegrate into our communities.

We support fully restoring all the rights of American citizenship for those who have served their time. Of course, that includes the right to vote and the right to



of African American men will serve time in federal prison during their lifetimes. This is an incarceration rate five times greater than that for white men, even though studies show both commit crimes at about the same rates.

UFCW believes in a criminal justice reform movement focused on the restoration of rights to formerly incarcerated individuals. We firmly believe the criminal justice system needs to offer people another chance to contribute to our society. We've partnered with AFL-CIO and #FreeAmerica campaign to raise awareness of the need to end mass incarceration.

serve on a jury but also public aid for education, housing, and employment assistance.

Our criminal justice system will never be fair when there is money to be made in locking up people. Together we are working toward achieving a reformed criminal justice system that offers formerly imprisoned people an economic path forward and restores voting rights. In San Francisco and across California, UFCW hosts events to educate and help people change a felony conviction to a misdemeanor—a key to restorative rights made possible by Prop 47 passed by California voters in 2014.

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*[Signature]* MANAGING EDITOR Date: **10-11-17**

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PS Form 3826, July 2014 (Page 3 of 4) PRIVACY NOTICE: See our privacy policy at www.usps.com

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<http://ufcw135.com/discount-tickets>



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Adult: \$42.00  
Child: \$39.00  
(3-11 years old)



**Six Flags**®  
MAGIC MOUNTAIN  
Adult or Child:  
\$54.00 each



**LEGO**  
CALIFORNIA RESORT  
Buy 1 day, get the 2nd day FREE  
Adult:..... \$77.00  
Child: (ages 3 - 12).... \$71.00  
Hopper, buy 1 day, get the 2nd day FREE  
Adult:..... 82.00  
Child: (ages 3 - 12).... \$77.00



Ticket prices vary according to the day you plan to visit the park – see Membership Department.  
Annual Pass  
Adult & Children \$109.00



**SAN DIEGO ZOO**  
SAN DIEGO ZOO  
SAFARI PARK  
Adult: \$45.00  
Child (3-11): \$36.00



**SeaWorld**  
Adult or Child: \$66.00  
Fun Cards: \$86.00

## Movie Theater Tickets

AMC Theaters: \$10.25  
Reading Theaters: \$7.50  
Regal Theaters: \$8.50



All tickets are subject to availability and are available to Local 135 active members and retirees only (ID is required). Prices are subject to change and supplies are limited. Purchases must be made in person by the member/retiree at UFCW Local 135. We accept cash or credit/debit card. NO CHECKS.

Universal Studios ticket sales are CREDIT CARD ONLY. Magic Mountain tickets are limited to 10 per person per month and all other theme park tickets are limited to 12 per person, per month. All movie theater tickets are limited to 20 per person, per month.

Please call the Membership Department to verify availability and to confirm pricing. ALL SALES ARE FINAL, NO REFUNDS.



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PERIODICALS



**Have  
a  
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7772**

**Your Union Fights For You!**

**Back Pay Awarded to Members**

<b>September 2017:</b>	<b>.....</b>	<b>\$17,591.12</b>
<b>YTD (2017):</b>	<b>.....</b>	<b>\$96,967.45</b>

**Members Reinstated as Result of Grievances**

<b>September 2017:</b>	<b>.....</b>	<b>4</b>
<b>YTD (2017):</b>	<b>.....</b>	<b>60</b>

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