

Viejas Members Prepare for a New Contract Fight



The Worker

The Newsletter of the UFCW Local 135
San Diego, CA

Birth Announcements

MacKenzie Flood, Rite Aid

Antonio Garcia, born September 8, 2017

Maria Gurrero & Francisco Hernandez,
Rite Aid

Victoria Angelique, born September 30, 2017

Notify us within 30 days of:

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

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Secretary-Treasurer: Richard Barrera

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The Worker

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For up-to-date union information
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President's Message



By Mickey Kasparian
President
International Vice President

It's amazing how fast this year has gone by. Again it's December and so much has happened this year.

I started off the year with a lump in the pit of my stomach because I believed that we eventually could be faced with National Right to Work.

At the local, we are prepared. We all have had training to combat Right to Work, which we call "Right to Work for Less." Right to work essentially cripples labor unions by prohibiting agreements between companies and unions. Under these laws, employees in unionized workplaces are not required to join a union, while receiving the same benefits as active union members.

If passed, Right to Work will accelerate a race to the bottom, a low-wage model, similar to Walmart or Target. In these stores, about 36 percent of California food retail workers use some form of public assistance and don't have health care. That number would rise dramatically.

Thanks to the dysfunction in Washington, we can take a breath that so far we have managed to dodge that bullet. But it will still be on our radar.

The situation we're facing with Right to Work, is exactly the reason we make candidate endorsements. We want people who create our laws to have the best interests of workers at heart. We must remain vigilant.

Keeping all this in mind, we may ask you to step up and fight, and we want you to be ready. We may ask you to call, or text your representatives. We may even ask you to write to them. This is an existential threat to the middle class and to our way of life.

In June, UFCW Local 135 joined forces with eight other unions to form the San Diego Working Families Council.

Our new council is an association of affiliated unions and organizations. We came together for the purpose of advancing the well-being of working

families in the San Diego and Imperial Counties region by advocating for worker friendly public policy, promoting unity and collaboration between unions and community-based organizations, and electing worker friendly candidates to office.

The San Diego Working Families Council is an avenue for local unions to come together as a unified group. Together we represent over 50,000 local working families. This is an opportunity to activate our rank and file members – so everyone can get involved in the unions.

This new affiliation will benefit you, our members, more than ever. To illustrate this, the SEIU Local 221 County bargaining team conducted negotiations at Laborers' Union Local 89 hall to tell the County of San Diego to invest in San Diego Families. And, in June, the Communications Workers of America went out on strike against AT&T and we were right there with them picketing.

Continued on next page.

2017 Has Been a Whirlwind





Together we can all get much more done for our members as we stand together on every action and support each other in any way we can.

This year we also negotiated contracts for our CVS members and for Food 4 Less members.

In August, CVS Pharmacy members overwhelmingly ratified their new contract. I'm proud to say that our members lost nothing and gained a lot after nearly four months of extremely complex negotiations which included locals from all over Southern California, the UFCW negotiating team reached a great agreement for our members.

Contract talks are never easy, especially with the continuous changes that go on between us and the company. CVS ended up taking on a lot of new costs – and we got some nice wage increases, and we protected your health care.

We fought for more than six months with the Kroger Corporation for a fair contract for

our Food 4 Less members. This was one of the strangest negotiations I have ever been through. We couldn't even agree on the term of the contract. For months, Kroger was adamant against giving any wage increases and put forth several proposals that would have meant our members would endure concessions.

So we took action by first leafleting, then escalating our fight to boycotting Food 4 Less and taking a strike vote. If it wasn't for the strength and solidarity of our members, the community, elected officials, our customers and even our staff, we would not have the contract we ended up with.

Our collective efforts made Kroger re-evaluate their bargaining position. They decided to exchange proposals just as we were about a week away from striking. In conjunction with our other UFCW Southern California Local leaders, we reached an 11th-hour tentative agreement as we prepared for

"Now we are tasked with laying out a roadmap to guide us as we prepare for negotiations with Viejas Casino, Spreckels Sugar and Rite Aid next year and our master food employers in 2019. It's going to be tough, but good things come to those who prepare."

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 laying out a road map to guide us as we prepare for negotiations with Viejas Casino, Spreckels Sugar and Rite Aid next year and our master food employers in 2019. It's going to be tough, but good things come to those who prepare.

Your trust and faith in us at the bargaining table is wonderful, but we will need your help during every contract negotiation we have in the future. We must stand strong together, with our friends from the San Diego Working Families Council too.

Thank you to all for helping to protect the rights of hard working people and families who have earned dignity, respect and fair wages. ■



Secretary-Treasurer's Report



By Richard Barrera
Secretary-Treasurer

Three years ago nearly 500 workers at the Viejas Casino voted to join UFCW Local 135. As a result of that decision, Viejas members were able to bargain for and win a great contract in 2015. That contract included guaranteed raises, affordable health care and the dignity and respect that comes with being a UFCW member.

The current Viejas contract expires in March of 2018, and our members have already started preparing for the next contract. At the local, we have held monthly Viejas membership meetings since the summer, where members have begun to discuss the key improvements they want to see in their workplace.

A few issues have so far risen to the top of the priority list. Workers want to continue with fair, guaranteed raises, but don't want to be left behind when the company provides end-of-the year holiday bonuses.

Viejas Members Prepare for a New Contract Fight

In fact, two years ago, Viejas chose to award non-union members with a \$1,000 holiday bonus, but to only provide a \$500 bonus for union members. Our Viejas members fought back against this unfair decision and UFCW won we brought the case to arbitration.

A federal arbitrator ordered Viejas management to pay union members the additional \$500, but Viejas has so far refused to comply with the Arbitrator's order. We will continue through the legal process to fight back against Viejas's cynical anti-union behavior. But in the meantime, we have many other issues

to ensure that the best shifts, including shifts in the mornings and on weekends, are scheduled by seniority and not by the arbitrary whims of management. Viejas members deserve more paid holidays and deserve predictable schedules that allow them to plan their lives.

UFCW Organizer Maribel McKinze, working in partnership with Union Representative Beatriz Nunez, has begun to visit Viejas members in their homes to have deeper conversations about what they want to see in their next contract.

While Viejas members are coming together and preparing to fight to

improve their workplace, we anticipate that Viejas management will continue to operate from an anti-union position. Viejas's corporate leaders have even gone so far as to testify before Congress, arguing that they should be exempt from the same labor laws and regulations that protect workers in all industries.

We know this will be a fight, but we also know our Viejas members will stand together to win a fair contract. Our Viejas members have been there on the front lines for all UFCW members in recent contract fights, including our most recent campaign with Food 4 Less. Next year we will be asking that all UFCW members stand in solidarity with our sisters and brothers at Viejas.

For more information on the Viejas campaign, go to: <https://www.facebook.com/UFCW135Viejas/>. ■



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that members want to fight for in the next contract.

Viejas members want to ensure that health care remains affordable. They want

Union News Briefs

Mass Firings at Tesla Raise Labor Questions



Tesla's recent firing spree raises more serious questions about the company's treatment of its workers. Today at the Tesla plant in Fremont, workers, elected officials, members of community groups

and many more rallied inside the showroom of the facility to ask the company to reinstate every worker who was fired without just cause in the recent round of terminations.

Among those rallying support for the workers were Alameda County Supervisor Richard Valle, Maria Noel Fernandez of Silicon Valley Rising, Eugenia Gutierrez and the Alameda Labor Council and others, all who called on Tesla to be a better community partner and treat their employees with respect.

"After working hard for this company for five years, I was fired without any explanation. I have my most recent performance review, and it says that I was 'consistently strong.' I have had no write-ups, no complaints against me. I do not believe I was fired for performance," said one worker.

The community called on Tesla, a major employer in Alameda County, to consider the impact that firing hundreds of people has on our community. These people are not numbers on a spreadsheet – they are our mothers and fathers and neighbors. They deserve to be treated with dignity that honors them as working Americans. We are concerned that workers who raised their voices are among those fired, and we believe they should be reinstated.

According to the Fair Future at Tesla campaign, while the company will not release a number on how many employees were terminated, estimates range from 700 to over 1,000. Media reports have suggested that firing people for 'performance,' as opposed to laying people off, allows the company to sidestep complying with state law, including the WARN Act.

The firings come on the heels of an NLRB complaint, alleging Tesla retaliated against its own workers who are seeking better treatment and a voice on the job.

Learn more about the fight for a fair future at www.FairFutureAtTesla.org.

Democrats add to "Better Deal" Platform with Pro-Labor Union Ideas



House and Senate Democrats are rolled out another plank in their "Better Deal" platform today, a series of pro-labor reforms aimed at "strengthening the collective voice and negotiating rights of workers."

Like the rest of the Democrats' policy proposals, the eight-part labor plank has no serious chance of passage in a Republican-controlled Congress. Like previous planks on the economy and banking, it reflects talks among those who want to see a more progressive party.

"Democrats are redoubling our commitment to working men and women with these proposals," Senate Democratic Leader Charles E. Schumer (N.Y.) said in a statement. "We're offering the middle class and those struggling to get there a better deal by taking on companies that undermine unions and underpay their workers, and beginning to unwind a rigged system that undermines every worker's freedom to negotiate with their employer."

Among them:

- A "federal law that provides public workers with the same rights and freedom to engage in collective bargaining as their private sector counterparts," designed to prevent the piecemeal right-to-work efforts that have taken off in Republican-run states since 2011.
- A ban on state "right-to-work" laws altogether, as "they have been found to reduce union membership by up to 10 percent and have resulted in lower wages and decreased access to employer-provided health care and pensions."
- Making it easier to strike with a "ban on the permanent replacement of striking workers."
- Limiting employers' ability to campaign against union drives. "When companies taint the election process by using captive audience meetings, the NLRB will set the corrupted election results aside and require the employer to bargain with the worker representative."



What is a Grievance?

We protect you from unfair disciplinary actions.

If you are unfairly disciplined, you have 15 days to file a grievance.



**Call your Union Representative
(619) 298-7772, ext. 126**

We offer job security



To get updates, go to your Facebook page at <https://www.facebook.com/UFCW135>



UFCW Local 135
Members At Work
On Union Representative
Rick Lloyd's Route





UFCW Local 135 10th Annual Charity Golf Classic for the Leukemia & Lymphoma Society

At the end of October, we held our 10th Annual Charity Golf Classic to benefit the Leukemia and Lymphoma Society. This year we raised more than \$85,000 and we had a great time doing it!





Viejas Workers



Viejas Contract negotiations are coming up. Let us know how we can make your work better. Stay informed by liking your page at: **ufcw135-viejas**, and join in the conversation!

**Know
Your
Rights!**

Ways to improve your contract:

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



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

Meet Steward of the Quarter: Armando Palomo

During contract negotiations and subsequent leafletting and then boycotting a few months ago, Armando Palomo spent his time as a steward keeping the workers in his store updated on all that was going on.

Armando has worked at the Escondido store for 12 years, but has worked for Food 4 Less for 22 and-a-half years.

He currently works the night shift and so it's hard for him to talk to all of his co-workers, but he talks to the workers who get there before 10 a.m., he said. Right now he's running the dairy department, on the night crew as a Warehouse clerk.

He has worked the night shift for the last five years. Before that he worked in receiving for 15 years. He wanted to change departments in the grocery store so he could go to school and get his bachelor's degree in accounting.

Armando is waiting for his last daughter to finish high school before he changes careers or retires from Food 4 Less.

"She's a junior so we have about a year-and-a-half."

Armando is married to Maria and has seven daughters in his blended family. His daughters are Bethanie, Diana, Arianna, Mireya, Alyssa, Audrie, and Felicia. His family lives in San Marcos, but he was born and raised in Escondido.

As a steward, he says, people go to him with their problems and helps to work with them to help. He tries to get new people involved in the union by educating them about the union.

It is important to Armando that the workers understand why the union is important. "They approach me and ask questions,



Armando Palomo, his wife Maria and their seven daughters

I try to answer their questions and I encourage them and I try to help them avoid getting disciplined."

"Why is the union important to me?" he said. "My dad was in the laborers union and that's how I knew it was important. My kids have all had great medical care."

"I had a good life growing up because of that and now my kids do too. I've had a great life being a union member."

Armando started his grocery career in March or April in 1989 when Advantage Markets opened up. There were three of them, then Lucky bought them out and then Albertson's bought them out. "I was with them from June of 1995, then later I started with Food 4 Less."

In his time off, Armando likes to watch a lot of sports and combines his love of travel with sports.

"I like to do a lot of traveling, London, Paris and Barcelona and our next trip in March of next year is Japan."

In October, he stayed at an Air B&B in Barcelona. "The hostess told us not to go into town because that's when they hold political rallies. Today I heard they agreed to be separated from Spain. We went to the Barcelona soccer club. Most of our girls played soccer except the two older ones."

"In London, we went to see the Miami Dolphin game against the Saints. It wasn't a good game. The Dolphins lost 20 to zero."

He mostly likes the Padres for Baseball. But with the World Series last month, he was rooting for the Houston Astros.

"I have a lot of cousins in LA so I go the opposite way – Houston." ■

How to become a UFCW Local 135 Activist

1. Mobilize for a brighter tomorrow.

Every day, from our local communities to our nation's capital, our union family is committed to creating better jobs for all working people. We fight to stop trade deals that will destroy good middle class jobs, like the Trans Pacific Partnership, and improve the lives of all workers by supporting a higher minimum wage, paid leave, smart scheduling, and protecting our rights.

2. Stick together and win.

For our members, we negotiate better lives for our union family and work with irresponsible employers to help make them more responsible employers. For nonmembers who want a better life, we're here to make a real difference in the lives of those workers who want to make their employers better and are tired of struggling alone.

3. Make a Positive Impact

Making a positive impact in the lives of others isn't easy, but we're committed to improving our communities, and the lives of our customers and co-workers. From helping feed the hungry to working together with employers to make positive change, we know the power we all have to make a difference in the lives of others.

Call us at (619) 298-7772 to find out how you can help.

UFCW Local 135 Nomination Meeting for Delegates to the UFCW International Convention

Wednesday, December 20 at 5:30 p.m.

UFCW Local 135 Meeting Hall

2001 Camino Del Rio South, San Diego

Election for Delegates will be held immediately following the nominations. To be eligible, a Delegate must be an active member in the UFCW continually since January 2016 and maintain continuous membership until the convention.

Grievance Highlights:

October 2017

- ★ A CVS member had a wage correction with back pay, \$7,247.
- ★ A Ralphs member got department head pay with back pay, \$647.
- ★ A Ralphs member got department head pay with back pay, \$1,066.
- ★ A Vons/Haggen member received corrected vacation pay, \$1,003.
- ★ A Food4Less member was reinstated with back pay, \$1,771.



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

Discount Tickets!

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



Knott's
BERRY FARM®
AMERICA'S 1ST THEME PARK

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



Ticket prices vary according to the day you plan to visit the park – see Membership Department.

Annual Pass
Adult & Children \$109.00



**Six
Flags®**
MAGIC
MOUNTAIN

Adult or Child:
\$54.00 each



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



SeaWorld

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

SAN DIEGO ZOO

SAN DIEGO ZOO

SAFARI PARK

Adult: \$45.00

Child (3-11): \$36.00

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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San Diego, CA 92108-3603

PERIODICALS



Have
a
Question?

Call
your
UNION!

(619)

298

7772

Your Union Fights For You!

Back Pay Awarded to Members

October 2017: \$12,144.01

YTD (2017): \$109,111.46

Members Reinstated as Result of Grievances

October 2017: 7

YTD (2017): 67

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