# a VOICE for working America The

OFFICIAL PUBLICATION OF UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 135

# WORKING

March 2017



Right-to-Work: A Threat to Unions
Working Together we Stand in Solidarity
Scheduling Changes: Know the Facts



### The Worker

The Newsletter of the UFCW Local 135 San Diego, CA

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

### March 2017



Report



President's



**Executive** Assistant's Report



Franklin D. Burns Retires after 49 years

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The Worker (USPS 018-630) is published monthly by UFCW Local 135, 2001 Camino Del Rio South, San Diego, California, 92108-3603. Periodical postage paid at San Diego, California. Postmaster: Send address changes to The Worker, 2001 Camino Del Rio South, San Diego, CA 92108-3603.

# President's Message



By Mickey Kasparian
President
International Vice President

I am not the union. Our staff is not the union. YOU are the union. We work for our members, the brothers and sisters of UFCW Local 135. We are here for you to file grievances, help with your benefits and to negotiate your contracts.

It is important for you to be aware of this because we have a direct threat coming our way that will affect your livelihood and the strength of the union if we are not vigilant.

We are going to need your help to protect your rights.

It's called National Right-to-Work, and what it will do is give you the right-to-work for less. Essentially, it weakens unions, so when it comes to negotiating your salaries, pensions and health care. we won't have much leverage.

U.S. House of Representatives Republicans Steve King (R-IA) and Joe Wilson (R-SC) introduced a bill in

# Right-to-Work – an Existential threat to the Middle Class

February that would institute right-to work policies nationally, if it becomes law – it will affect all unions incredibly negatively.

Right-to-work laws would give workers the option of not joining the union, while they still have full rights to representation.

Republicans want to remove the "expensive prevailing-wage mandates" on public projects and to take away collective bargaining in private business. In other words, they want CEOs and

shareholders to make even more money off your hard work, while being able to pay you less. workers in other states (\$44,401, compared with \$50,511).

- The median household income in states with these laws is \$8,174 (13.9%) less than in other states (\$50,712 vs. \$58,886). The number of low-wage occupations in these states is 29.6 percent, compared with 22.8 percent of jobs in states with strong unions.
- States with right-to-work laws have lower rates of health insurance coverage. And now that the

# We are going to need your help to protect your rights."

This would devastate the middle class.

This type of proposal is nothing new in Washington. Similar legislation has been introduced in the past. The difference this time is the political climate. We have republican majorities in the House of Representatives, the Senate and we have a President who will sign into law any bill the republicans give him.

Meanwhile, we have more and more states under GOP control that have passed and will continue to pass their own right-to-work laws. At the moment, we have 27 Right-To-Work states in the U.S.

According to research by the Economic Policy Institute:

 States with right-to-work laws have lower wages and incomes.
 On average, workers make \$6,109 a year (12.1%) less annually than republican majority is dismantling the Affordable Care Act, we will go back to the days of when people died or suffered and suffered money problems because they have no health care when the get sick.

- States with right-to-work laws have higher poverty and infant mortality rates. Poverty rates are higher (15.3% overall and 21.4% for children), compared with poverty rates of 12.8% overall and 18.0% for children in states without these laws. The infant mortality rate is 12.4% higher in these states.
- States with right-to-work laws invest less in education. They spend 32.5% less per pupil on elementary and secondary education than other states.

Continued on next page

States with right-to-work Laws
 Have Higher Workplace Fatality
 Rates. The rate of workplace deaths
 is 49% higher in these states,
 according to data from the Bureau
 of Labor Statistics.

Republicans and wealthy businesses will face a Democratic filibuster in the Senate, but they have all the momentum on this issue, and there's no reason to think that will change anytime soon.

Under U.S. labor law, a union must represent all the employees in a workplace it has unionized, even those who may not want to be in a union. Unions argue that it's only fair for all workers to join the union for collective bargaining and other services. After all, they are all represented.

But right-to-work laws make such arrangements illegal, allowing workers to opt out of the union although unions will have to represent them anyway — no matter what. Supporters of right-

to-work laws argue that no worker should be required to support a union, regardless of whether or not it bargains on their behalf.

Twenty-seven states are now right-to-work, and Missouri and New Hampshire could soon follow suit. Union-dense, Democratic-leaning states on the coasts are highly unlikely to pass their own right-to-work laws, but a federal statute could take care of that for us. The passage of national a right-to-work bill would make it the law of the land in all states, regardless of their own laws.

The history of right-to-work is rooted in racism and sexism and its goal has always been to rid the United States of unions and workers rights. Right-to-Work began in 1936 as prosegregationist and anti-communist in the South.

The history of anti-labor right-to-work laws started in Houston. In the 1930s Vance Muse, an oil industry lobbyist,

founded the Christian American Association with backing from Southern oil companies and industrialists from the Northeast.

They even used the term, "right-to-work," because they wanted to give blacks and children the right-to-work by opposing laws, including letting them have Sundays off and child labor laws.

During the 1930s, union membership exploded despite their efforts –workers wages and working conditions improved and unions became a political threat. Which brings us back to where we are now.

Keeping all this in mind, we will 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.

# February New Member Meeting Welcome to UFCW Local 135





# PROTECT your UNION MARKET SHARE by shopping in union grocery stores and drug stores only!

- Albertsons
- CVS
- Food4Less
- Gelsons
- Ralphs
- Rite Aid
- Stater Bros.
- Vons

By shopping in these stores, you SUPPORT YOUR OWN JOBS as well as THE JOBS OF YOUR UNION BROTHERS AND SISTERS!

# Executive Assistant's Report

By Richard Barrera Executive Assistant

require all of us to work together in solidarity.

The first involves our organizing campaign with ethnic markets that UFCW Local 135 President Mickey Kasparian discussed in last month's worker.

To reiterate what Mickey said, "ethnic markets are promoted as a family shopping experience where even the kids can have some fun. But there is a dark side to these stores.

"More and more ethnic grocery stores and chains are popping up – particularly in Hispanic and Asian communities. However, many of these employers are exploiting their workforce. Very few ethnic stores are union. And more likely than not, they don't offer benefits and wages are low. These workers actually live in poverty."

As we begin to identify workers in these stores that do not have the

# Working Together to Stand in Solidarity

benefit of being in a strong union, we will call on you to reach out and have conversations about the differences in working in a union versus and non-union environment.

Many of you have experience in both union and non-union environments and your voices in particular will be tremendously important to let workers in the ethnic grocery stores know that they can win their struggle and have the support of UFCW sisters and brothers.

Second, our Food4Less contract expires in June and we have already begun the process of bargaining for the new contract.

"Within UFCW Local 135, we have three major challenges for the 2017 year that will require all of us to work together in solidarity."

As we know in the past the Kroger Company has tried to make Food4Less employees agree to an inferior contract than what they negotiated for Ralphs employees. Just as we all stood last year with our sisters and brothers at Ralphs, Albertsons and Vons, we now need to come together to make sure our Food4Less members are not treated as second-class citizens.

After bargaining with them last year, we know that we're bargaining with the same Kroger Company whose top executives make millions of dollars a year, while our own Food4Less members struggle to make ends meet.

Just as we demonstrated to Kroger in last year's negotiations that we won't back down without a fair contract, we will again stand in solidarity to make sure our Food4Less members enjoy affordable health care for their families, fair wages and a decent pension.

Finally, we will be negotiating our first CVS contract since our amazing organizing campaign last year added over 50 stores and nearly 1,000 new members to our union. This is an opportunity for our newly organized CVS members to step up and show leadership so that we can fight for many of the issues that energized our members to join the union in 2016.

This is also the opportunity for all of us to welcome our new CVS members into our union by showing them that their fight is our fight. Together we can win a fair contract.

We discussed at the steward conference the importance of member activism. Strong engaged members are the key to the power of our union. In these three fights in 2017 for fair contracts at Food4Less and CVS and in organizing new members at ethnic markets, we have a great opportunity to demonstrate that power.

Over the coming months your union representatives and organizers will be reaching out to you to support you in getting active in these campaigns.

# From the Grievance Director



By Todd Walters
Grievance Director

There have been recent changes to scheduling language in some of our contracts, so I wanted to lay out the requirements for all UFCW Local 135 members.

If you work at Albertsons, Ralphs or Vons – your schedules are to be posted by noon every Monday in the breakroom. Schedules are not to be changed unless there is reasonable cause. Reasonable cause is not:

- Cutting hours
- Late schedule requests
- Posting a "dummy" schedule, then rewriting an accurate one

If your workplace needs to make changes after Monday at noon, then the manager must ask if you are willing to change your schedule. This includes:

- Going home early
- · Coming in on a day not scheduled

# Scheduling Changes: Know the Facts

- Taking a day off that was scheduled
- · Coming in early

Please remember that without any notice you can be asked to stay and work up to ten hours. The only exception to this is child care and medical excuses, otherwise refusal to stay could be considered insubordination.

If you work at Stater Bros. or Gelsons, the above applies to you except that the schedule does not have to be posted until 5 p.m.

Return to Work, Doctors Notes and Time-Off Requests for Albertsons, Ralphs, Vons, Stater Bros. and Gelsons. Because of the changes in schedule posting language you must now turn in a doctors' release or a time off request before the schedule is required to be posted on Monday. That means your doctor's note will have to be turned in at least eight days prior to your release.

Food4Less employees – this contract still requires that the schedule be posted Friday at noon, in the breakroom, however the same rules above apply for you.

Rite Aid and CVS employees – the schedule is to be posted by noon on Thursday, in the breakroom, and can be changed up to noon on Friday.

Any changes made after noon on Friday must be for a reasonable cause.

Reasonable cause is not:

- · Cutting hours
- Late schedule requests
- Posting a "dummy" schedule then rewriting it and posting an accurate one.

If there are changes that are needed after Monday, the manager must ask if you are willing to change your schedule, this includes:

- Going home early
- · Coming in on a day not scheduled
- · Taking a day of that was scheduled
- Coming in early

Please remember that without any notice you may be asked to stay and work up to ten hours. The only exception to this would be child care and medical excuses, otherwise refusal to stay could be considered insubordination.

Kaiser employees – your schedules should be posted no later than Wednesday at 2:30 p.m., four (4) weeks in advance. Schedules cannot be changed without reasonable cause.

Viejas/Spreckles employees – the facilities should have bidded schedules that don't change unless the employee agrees.

If your store or facility is not posting the schedule on time, or if they are changing the schedule after it's posted, call your union representative and let them know.



#### UFCW International President wins AFL-CIO 2017 Martin Luther King, Jr. Award

On Jan. 15, UFCW International President Marc Perrone was presented with an award at the AFL-CIO's 2017 Dr. Martin Luther King, Jr. Civil and Human Rights Awards Luncheon and Community Service Weekend.

The theme of the awards this year was "The Struggle Is Free, But the Dream Must Be Televised" to represent the constant battle for civil rights and justice that continues in our country.

At the ceremony, President Perrone was awarded the "At the River I Stand" Award from AFL-CIO President Richard Trumka for his work towards advancing civil and labor rights, saying "we will tear our borders down brick by ignorant brick."

The "At the River I Stand" award is the highest honor given by the AFL-CIO Civil and Human Rights Executive Council Committee. The name of the award comes from the historic words used to capture the spirit of the 1968 Memphis sanitation workers during their courageous struggle for workers' and civil rights.

Alongside his fellow award recipient, USW Vice President Fred Redmond, President Perrone has served as a fearless



leader of the Labor Commission on Racial and Economic Justice, taking action to serve the needs and concerns of their members, and shepherding the Labor Commission report to help union leaders have a better understanding of how racism and racial politics has impacted and continues to shape the labor movement.

Upon accepting his award, President Perrone addressed the attendees, emphasizing that "we must stand together stronger than ever" in our quest for justice.

#### As lawmakers target unions, lowans voice support for collective bargaining

Right-to-Work policies, which would sharply limit public employees' bargaining rights are working their way toward passage in the Iowa Legislature. Across the state, views on the matter are more favorabe to organized labor.

A sampling of Iowans from Sioux City to Clinton, across party lines and throughout industries, reveals a general support for unions' role in Iowa workplaces.

Out of 20 lowans only just two expressed genuine opposition to the notion of public employees bargaining on wages, benefits and working conditions. But roughly a dozen voiced support for unionized labor, even in occupations funded with taxpayer dollars.

The measures under consideration make far-reaching changes to the union organizing and collective bargaining laws governing 184,000 public sector workers, including teachers, prison guards, city and county workers, and others. In its most sweeping change, the legislation shrinks the number

of issues subject to collective bargaining from 18 to one — wages.

Public safety workers such as police and firefighters are exempted from

exempted from some of those changes.



Additionally, the legislation mandates changes in the ways unions collect dues and political donations and require them to hold recertification elections with every new contract — putting the union itself up for a vote among its members every two to three years.

The legislation was introduced early last week and has moved forward on a legislative fast track.

# Wembers At Work On Union Representative Tom Elbert's Route

































### Quest Diagnostics: Fighting for a Contract

ur Quest Diagnostics brothers and sisters have gone for more than a year without a contract. They won their election fair and square and it was certified by the National Labor Relations Board on December 24, 2015.

UFCW Local 135 now represents nine worksites in San Diego, La Mesa, El Cajon, National City and Chula Vista. We followed all the rules and the Quest workers deserve a fair contract. In bargaining with them, we have made some inroads.

The sticking points include health care and pay raises, plus staffing increases.

Chronic understaffing by Quest Diagnostics continues to create dangerous situations for patients.

Due to understaffing, our members are forced to work under pressure while tending to a very high volume of patients. Phlebotomists care for patients they see on a daily basis and it is difficult to provide the best patient care possible.

"Understaffing leads to patients being made to wait hours – after they have already fasted all night. Patients get cranky and impatient and put pressure on phlebotomists," said Michael Jackson, R.N. "This could cause health problems like fainting or seizures, and there are liability problems if someone is diabetic or gets dehydrated.

"When phlebotomists are put under pressure to work faster, tests can be mixed up, which has led to errors including cross-contamination, improper handling and tubing. If they're doing any toxicology testing, it has to be tested in a certain amount of time. They must make sure the blood is stored and tested within a certain amount of time. And misread tests can lead to the wrong tests being performed, which can lead to injury or death."

According to a news release Quest Diagnostics put out on January 26, 2017, their revenue for 2016, grew to \$1.86 billion – up 1.9 percent since 2015.

The phlebotomists at Quest Diagnostics are making plenty of money for Quest Diagnostics, which allows for their CEO to earn nearly \$10 million a year.

"We grew revenues, operating income, margins and operating cash flow in the fourth quarter, capping a strong year in which we achieved our commitments and created value for shareholders." said Steve Rusckowski, Chairman, CEO and President. "We are laser focused on our two point strategy to accelerate growth and continue to drive operational excellence. Revenue growth in the quarter came from expanding relationships with hospital health systems and strength in several of our advanced diagnostic offerings. Our guidance for full year 2017 reflects expectations for continued acceleration of top-line growth and is consistent with the earnings outlook we provided at our Investor Day in November."

That means they can afford to staff their laboratories better. And they can afford fair wage increases and improvements to health care for their workers.



### **Buy Union: Keep your Share Strong!**

Springtime is coming and it's time to go outside! Here is an updated list of union-made goods, from BCTGM-made candies and cakes, to clothes, games, sports equipment and more! These are made by proud members of UNITE HERE, Boilermakers (IBB), Machinists (IAM), United Steelworkers (USW), Teamsters (IBT), UAW, United Food and Commercial Workers (UFCW), the Retail, Wholesale and Department Store Union/ UFCW (RWDSU/UFCW) and United Farm Workers (UFW):

#### **Apparel and Accessories**

**Brooks Brothers (UNITE HERE)** Joseph Abboud (UNITE HERE) Majestic Athletic (UNITE HERE) Timex watches (IAM) Naturalizer shoes (UFCW) Nunn Bush shoes (UFCW) Red Wing Shoes (UFCW)

#### **Beauty Products**

Avon (UFCW) Caress skin care (UFCW) ChapStick (USW) Dove beauty products (UFCW) Revlon (UAW) Old Spice (UFCW)

#### **Sports Equipment**

American Athletic (Russell Brands) (UAW) Louisville Slugger (USW) MacGregor golf clubs (IBT) Standard Golf (IAM) Top-Flite golf balls (IBB)

#### Cars and Trucks

Jeep Ford Mustang Cadillac

Games (All made by RWDSU/ UFCW)

Barrel of Monkeys



**Battleship** Candy Land Chutes and Ladders Clue Connect 4 The Game of Life Hi Ho Cherry-O Monopoly Mouse Trap Operation **Pictionary** Risk Scrabble Sorry

Taboo

Twister

Tootsie Roll Pops (BCTGM)

#### Wine and Beer

Chateau Ste. Michelle (IBT) Columbia Crest (UFW) St. Supéry (UFW) Charles Krug (UFW) C.K. Mondavi (UFW) Gallo of Sonoma (UFW) Miller Beer (UAW and IBT) Miller High Life Miller Genuine Draft Miller Lite Milwaukee's Best Icehouse Red Dog Anheuser-Busch (IBT and IAM) **Budweiser** Budweiser American Ale **Bud Light** Michelob Shock Top Busch Rolling Rock O'Doul's

#### Other

Rayovac batteries (IBT and UAW) Bic lighters (USW) Ghirardelli chocolates (BCTGM) Jelly Belly (BCTGM) Laffy Taffy (BCTGM)

### Long-Time UFCW Local 135 Member Retires



**Franklin D. Burns** retired in December, after 49 years working as a meat cutter. It is remarkable that anyone

keeps their job for that long these days.

"I enjoyed my career tremendously," he said. "I made a lot of good friends that I still associate with."

Franklin started as a bagger at Cooks Market in Brawley. Two months into his career, there was a guy who took a liking to him brought him back to the meat department to clean up, and trained him as a meat cutter.

It was 1967 when Franklin joined the Meat Cutters Local 229. He had been married for five years to Linda. Journeyman pay was \$3.97 an hour and they had to "break beef" when it came in on the train. It came in as sides and he and seven to eight other meat cutters had to break it down into sections before they "put it on the saw," he said. Then they would give it to meat wrappers to wrap up.

Over his 49 years, he worked at Food Basket, went on to Lucky, was transferred a few times but always went back to the same store Lemon Grove in where he ended his career.

55 years later, Franklin (now 74) and Linda are still going strong. They live in Casa de Oro, they have four children, ages 30 to 53 and they have three grandchildren. They spend their time working in the yard, with the family.

### **UFCW: Putting Workplace Safety First**

Until 1989, repetitive stress injuries were a major issue for countless of workers in meat packing plants, and issues like ergonomics were seldom talked about.

Distressed by the high injury rate in the plants, the UFCW partnered with Tyson, one of the leading meat processing companies, to pioneer a groundbreaking program that within the first two years of its implementation resulted in a 73% drop in reported injuries and illnesses requiring a doctor and a 67% drop in

injuries and illnesses reported overall. This safety program, which continues today, raised the bar for safety standards industry-wide, and proved that safety must come first. It's what our members – and all workers – have earned and deserve.

"What this program shows is that when workers have input on working conditions, when they are part of the decision-making process, you come up with a better, safer environment—and that's good for everybody," said

UFCW Food Processing, Packing and Manufacturing Division Director Mark Lauritsen.

"The real key to the success of this program has been the workers who serve as safety and ergonomics monitors," said Jim Lochner, chief operating officer of Tyson Foods. "The input we've received from hourly production workers and the participation of our plant and corporate management teams, have been invaluable."

# 2017

## **General Membership Meetings:**

6 p.m. April 19 July 19 October 24

## **New Member Meetings:**

9 a.m. & 6 p.m. May 3 August 2 November I

All meetings will be held at **UFCW** Local 135 in Mission **Valley** 

2001 Camino Del Rio South, San Diego, CA 92108



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

### Grievance Highlights: January 2017

- A Vons General Merchandise member received back pay in the amount of \$1,085.84 for working in a higher class as a Food Clerk.
- A CVS member was given a pay raise with back pay in the amount of \$952.48.
- **A Vons General Merchandise member** received back pay in the amount of \$685 for working in a higher class as a Food Clerk.
- A CVS member received a wage correction with back pay in the amount of \$918.99.
- A Vons member received corrected vacation and sick pay in the amount of \$2,163.11.

### UFCW Local 135 welcomes these CVS stores to our Union. We enocourage everyone to shop in these stores.

# SUPPORT OUR NEWEST UNION MEMBERS!

#### **SOUTH SAN DIEGO**

645 Saturn Blvd., San Diego 92154 3350 Palm Ave., San Diego 92154 1376 3rd Ave., Chula Vista 91911 645 E. Palomar St., Chula Vista 91911 880 3rd Ave., Chula Vista 91911 380 E. H St., Chula Vista 91910 16 3rd Ave., Chula Vista 91910

444 E. San Ysidro Blvd., San Ysidro 92173

1730 Sweetwater Rd., National City 91950 1201 E. Plaza Blvd, National City 91950 1380 43rd St., San Diego 92113 71 Horton Plaza, San Diego 92101 510 C St., San Diego 92101

#### **CENTRAL SAN DIEGO**

3950 W. Point Loma Blvd., San Diego 92110 5644 Mission Center Rd., San Diego 92108 4404 El Cajon Blvd., San Diego 92115 313 Washington St., San Diego 92103 6265 El Cajon Blvd., San Diego 92115 7100 Broadway, Lemon Grove 91945 3332 Sandrock Rd., San Diego 92123 5685 Balboa Ave., San Diego 92111 4829 Clairemont Dr., San Diego 92117

#### **EAST COUNTY**

3749 Avocado Blvd.. La Mesa 91941 5500 Grossmont Center Bldg P., La Mesa 91942 426 E. Chase Ave., El Cajon 92019 1385 Tavern Rd., Alpine 91901 572 Fletcher Pkwy., El Cajon 92020 2760 Fletcher Pkwy., El Cajon 92020 790 Jamacha Rd., El Cajon 92019 9730 Mission Gorge Rd., Santee 92071

#### **NORTH COUNTY**

8260 Mira Mesa Blvd., San Diego 92126 10776 Westview Pkwy., San Diego 92126 10575 Scripps Poway Pkwy., San Diego 92131 9225 Twin Trails Dr., San Diego 92129 12358 Poway Rd., Poway 92064 16773 Bernardo Center Dr., San Diego 92128 10560 4s Common Dr., San Diego 92127 11655 Duenda Rd., San Diego 92127 1810 Main St., Ramona 92065 1560 W. Valley Pkwy., Escondido 92029 1655 S. Centre City Pkwy., Escondido 92025 1665 E. Valley Pkwy., Escondido 92027 2427 E. Valley Pkwy., Escondido 92027 320 S. Twin Oaks Valley Rd., San Marcos 92078 883 S. Santa Fe Ave., Vista 92803 635 S. Melrose Dr., Vista 92081 1631 S. Melrose Dr., Vista 92083 3925 North River Rd., Oceanside 92054 1970 College Blvd., Oceanside 92056 1706 Oceanside Blvd., Oceanside 92054 1441 N. Santa Fe Rd.. Vista 92084



http://ufcw135.com/discount-tickets
Available for Active members and Retirees only.

(ID required)









### Movie Theater Tickets

AMC Theaters: \$10.25
Reading Theaters: \$7.50
Edwards, Regal and United
Artists Theaters: \$8.50



Members must be present to purchase tickets. All ticket prices subject to change, tickets subject to availability, credit cards accepted. NO CHECKS. ALL SALES FINAL. NO REFUNDS.

All Disney and Universal Studios ticket sales are credit card only. Disney tickets are limited to 8 per person per month, 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. Purchases must be made in person.



Adult: \$45.00 Child (3-11): \$36.00



