



Capital Hill Heats Up

Congress debates changing life as we know it

Fire & Brimstone

Santa Ana's loudest voices condemn CVS for negligent business practices.



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Mice & Men

Local serves large chunk of Disney Resort's Oscar-caliber 'cast'.



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Voices & Choices

What do rank-and-file members say about the mother of all Labor bills?



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Sometimes it's hard

Newspapers, magazines, television, radio and increasingly the internet are dispensing more news to more people than at any time in history. Why then does it feel as if the public is being so ill served by a media that appears to be indifferent to the cause of Labor Unions?

The resources Americans tap for their news traditionally have been filtered through a prism of agendas before reaching the public, and today, the media seems less openly hostile to our goals than in years past. So why so much misinformation and distortion of the facts?

As the country settles in for a protracted national debate about the Employee Free Choice Act, the media's influence and impact on public opinion have returned front and center on this piece of legislation.

As a result, many of us will discover that the friends, neighbors, and family members who turn to us for insight on the matter already have formed negative opinions about the bill due to this bias.

Some of these opinions will be voiced by people who steadfastly believe that if something is published or broadcast then it simply must be true. It is here that many members may want to remind others that the American news media boasts a long history of covering union issues with suspicion at best and outright hostility at worst.

In fact, much of today's bent is below the surface and perhaps not even noticed by the journalists themselves.

Reporters are, after all, products of our society. And as the drumbeat of globalization grows ever louder, society is conditioned

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President's Report

to tell the real facts without a scorecard

more and more to see the world through the eyes of big business. This condition is the inevitable result of the current dynamic between reporters and the subjects they cover.

Reporters eventually become promoters of various companies they write about. The dynamic occurs when news reporters follow the ups and downs of publicly listed companies. So when big business decries the burden of labor costs, reporters tend to not only adopt the company's outlook, but also its vocabulary. Providing health care coverage or boosting wages mutates from a social and national imperative into an obstacle to "long-term financial viability"

Ironically, reporters who are usually bored by stories of improving benefits and rising wages are the very ones drawn to this new debate because of the emotion and passion it promises to produce.

Over these next many months much will be written and discussed about the Employee Free Choice Act (EFCA). In fact big business (Chamber of Commerce) began its campaign of distortions prior to last year's election. National syndicated columnists like George Will, Thomas Sowell and Karl Rove have continued to attack organized labor on a regular basis, on the premise that if you tell the same lie long enough, it becomes fact. (These three only refer to Employee Free Choice as "Card-Check.")

Both sides of the issue are gearing up for the biggest fight for workers in this country since the 1930's. Nothing short of complete defeat of EFCA will satisfy Big Business.

Here are a few FACTS to remember about the Employee Free Choice Act. Fact:

1. Employee Free Choice Act will not eliminate the Secret Ballot.
2. Majority sign-up is not new or un-tested, (it has been legal since the National Labor Relations Act was enacted in 1935, and millions of workers have formed

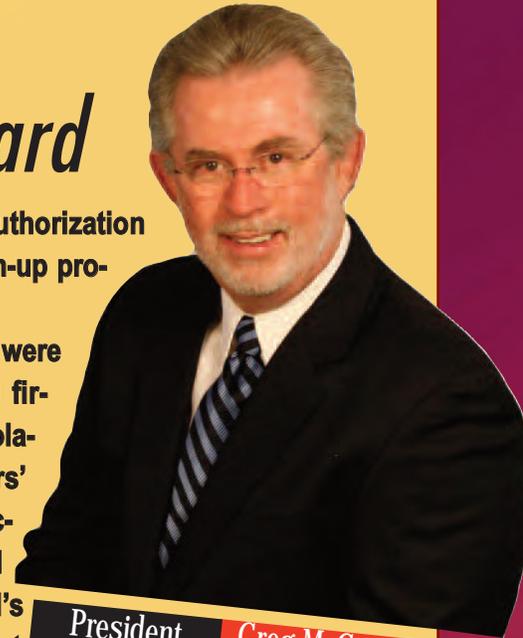
unions by signing union authorization cards under a majority sign-up procedure)

3. In 2007 alone, there were 29,559 instances of illegal firings and other employer violations against workers' federally protected rights, according to the National Labor Relations Board's (NLRB) annual reports. That number was 26,824 in 2006; in 2005 it was 31,358; in 2004 it was 30,784 and in 2003 it was 23,144. All during organizing campaigns that are slanted in favor of employers.

4. From October 1, 1999 to April 30, 2006, 37,108 complaints were issued against employers. In that same period, 2,893 complaints were issued against unions – a ratio of 12.83 to 1.

5. There is no evidence that the Employee Free Choice Act will generate any union coercion, while there is ample evidence that companies routinely inflict endemic coercion on workers in the NLRB representation process.

Understanding media bias and a command of all the facts can help put an argument in perspective. Be prepared to challenge the dishonest and misleading *facts* being perpetrated by those who would continue to keep working men and women in this country from having the union representation that they deserve and desire.



President Greg M. Conger

A handwritten signature in blue ink, appearing to read "Greg", with a large, stylized flourish at the end.

Local activists demand that CVS change the way it operates



Former Santa Ana City Councilman and community activist Mike Garcia waits on hold with the public relations department of CVS Drug Stores. He made the call during an emotional speech he delivered at a rally protesting what union officials called “a history of putting the community last on its list of priorities.”

Close to 100 community activists and food safety advocates joined local area clergy to demand that CVS Drug Stores comply with federal and state regulations and cease its sale of expired products such as baby formula for infants.

The group held signs and chanted slogans as they lined Main Street outside of the CVS store in Santa Ana that was cited by regulators for engaging in the illegal practice.

Speaker after speaker took the podium to condemn “corporate greed” and “corporate indifference,” adding that CVS was a prime example of the excess making headlines and leading broadcasts across the country in recent months.

“This has got to stop because if we don’t stop it here in our backyard, we won’t be able to stop it anywhere,” shouted one woman from within the crowd that that included infants to elderly men and women who joined the cause for a litany of different reasons.

An elderly woman who lived just across the street from CVS said she was so concerned about the company’s practices that she swore she would never allow the store to fill another prescription for anyone in her family.

The vocal event culminated in a marched procession to the front doors of the store where protestors presented a petition to management.

Worker

As most of you are aware, several years ago Governor Schwarzenegger persuaded the California legislature to pass Senate Bill 899 –new provisions for California’s workers’ compensation system. These changes were backed by employers and the insurance industry and drastically reduced benefits to injured workers.

SB 899 reduced the amount of money an injured worker is entitled to receive for a permanent disability, limited the time an individual could receive temporary disability payments (money in lieu of wages while off work recovering from injuries), as well as imposed limitations on an employee’s ability to select a physician.

Temporary disability payments are generally limited to 2 years now, even if you are still temporarily disabled, off work and receiving medical care. The doctor you now choose to treat you must be in an employer approved doctor network. Before SB 899, there was no time limit on temporary disability and you could choose any doctor you wanted.

Since SB 899, California’s worker friendly legislature has passed numerous bills in an attempt to bring fairness back into the workers’ comp system. Of course, the governor has vetoed these bills and will continue to do so. Prospects for a legislative change are not good as long as the governor continues to

's Comp changes lay in store for millions of California workers

use his veto power to prevent pro worker reforms. So, until the governor leaves office in 2010, our outlook for change from Sacramento is not optimistic.

Nonetheless some interesting bills are gathering momentum as we speak. Right now for example, Senate Bill 145 has been approved by the Labor and Industrial Relations Committee. SB 145 would bar the consideration of race, national origin, gender, sex, genetic predisposition, and other factors in the issuance of workers' comp benefits and the determination of an apportionment of the causes of an industrial disability.

In other words, let's say you have a back injury at work. Today, some of your disability money might be taken away or "apportioned" because you're a woman and you also have osteoporosis! This bill is now on its way to the Senate Judiciary Committee for consideration.

Another bill which is being considered is SB 186. Right now, you still have the right to pre-designate a doctor before an injury occurs. That way you do not have to go to the industrial clinic after your injury. You can treat with your own doctor. This right to pre-designate ends 12/31/09 unless SB 186 passes which will allow workers to continue to pre-designate.

Hope is on the horizon with a strong group of democratic candidates who are throwing their hats into the ring for the governor's race in 2010. As far as workers' compensation goes, any of those candidates are certain to improve our severely injured system.

In the meantime, we have the courts to lend us a hand. I am happy to report 3 new cases issued by the

Workers' Comp Board in San Francisco which are extremely significant. They go by the names of Almaraz, Guzman and Oglivie.

These 3 cases radically and drastically changed the method by which doctors evaluate and offer disability ratings (and hence money) for permanent disability. Before, under SB 899, doctors were handcuffed under strict confines of the American Medical Association Guides. These cases now give doctors the right to be more liberal and subjective in their evaluations and conclusions, thus offering injured workers a better chance at a more reasonable rating and more money for their injuries. The defendants (employers and insurance companies) of course appealed these rulings which now go to the California Appellate Court. In the meantime, these cases are the law of the land.

Keep writing to and calling your representatives in government. Educate them with personal stories regarding our unfair and unreasonable workers' compensation system. Your voice has power.



Secretary-Treasurer **Andrea Zinder**



Frank Little: A Murder in Butte

—By Matthew Hart

In the early hours of a hot August morning in 1917, the body of a young union organizer hanged off a railroad trestle near Butte, Montana. The body, beaten and bloody, was that of Frank Little, a member of the Industrial Workers of the World (IWW). Pinned to the body was a note that cautioned, “Others take Notice! First and Last Warning! 3-7-77 L-D-C-S-S-W-T.” The numbers were said to represent the measurements of a grave; the letters represented the initials of several union organizers. The “L”, which represented Little, was circled. The message was clear: union organizers leave town or succumb to the same fate.

In his earlier years, Frank Little had worked in the mines and had been active in the Western Federation of Miners (WFM). When the WFM and the IWW split ways, Little stayed with the IWW, traveling throughout the western states to where ever workers were waging a battle with their employers. It was this determination to be in the middle of the fight that led him to Butte, Montana.

Butte had been a battleground for unionism for nearly four decades prior to Little rolling into town. In 1917, the high number of deaths and injuries in the mines began building tension in the city. This stress was exacerbated by the low wages paid to workers and the increased production due to the U.S. entry into World War I.

On June 8, 1917 the powder keg exploded when a fire rushed through the Spectacular Mine, killing 168 miners. The fire triggered a walkout by the mine workers, who swiftly formed a new union, Metal Mine Workers' Union (MMWU). Other trades joined in the strike, but on behest of a federal mediator were convinced to go back to work. The employers then proceeded to establish a “home guard” to patrol the streets and assault the striking workers. Local newspapers, owned by the mining company, were used to undermine public support for the striking workers.

Frank Little arrived in town on July 18 and immediately set out to aid the striking mine workers in the struggle. He urged the use of picket lines, not yet implemented around the mines. Women, with Little's encouragement, formed a committee where

they too joined the pickets. The other unions, who had previously gone back to work, heeded his criticisms and walked off their jobs once again. Within two weeks of his arrival, Little's experience in labor strife had successfully turned around the strike for the miners.

The Anaconda Copper Mining Company and law enforcement took notice of Frank Little's presence. They opened investigations to see if his speeches could be used to prosecute him for sedition, but the investigation came up empty. Since Little could not be dealt with through legal means, some parties decided to take matters into their own hands.



Frank Little

In the early morning of August 1, six men arrived at the boarding house where Frank Little stayed. The men entered the house identifying themselves as officers, gagged a struggling Little and carried him to the awaiting vehicle. It has been reported that after traveling a short distance, the car stopped and Little was tied to the bumper where he was then dragged several blocks. Upon arriving at their destination, just outside the county line, the men carried the young organizer to the side of the bridge where they proceeded to throw him off. His hanging body was discovered early the next morning.

The news of Little's death spread far and wide. IWW members, militants and unionists flooded into Butte to pay respect to their fallen brother. Ten thousand people crammed the streets of the town to watch the funeral procession that included an additional three thousand five hundred friends and supporters.

The six men who killed Frank Little were never arrested for his death. However, those on both sides of the conflict, including law enforcement, knew their names. Some of those believed to be involved had actually been members of the police force; others were company detectives and hired guns. Today, the patch worn by members of the Montana Highway Patrol has the numbers “3-7-77”, the same numbers written on the note pinned to Frank Little at the time of his death. The numbers were added to the patch in 1956 to revere the history of vigilantism in the state.

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Marion Jones (714) 536-7315

... You'd ALMOST THINK THIS WAY

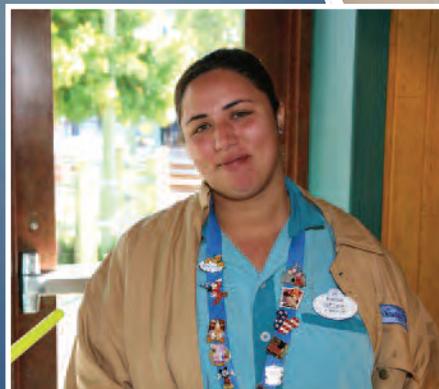


Disneyland has gone to great extremes to promote its image as a family friendly environment. So few associate the perennial American icon with being a hotbed of unionism. But alas, the sprawling Disneyland, California Adventure, Downtown Disney resort and Hotel Stores employ workers in about 27 different unions.

UFCW Local 324 proudly claims a little more than 2,000 of those workers. They work throughout the resort selling park merchandise to guests who haven't a clue that their Mickey Mouse ears and previous night's groceries had so much in common.



AS THE HAPPIEST PLACE ON EARTH



A bill pending in Congress promises

Opponents launch highly polished campaigns to discredit unions as Congress prepares to debate durable legislation

Hearing the major participants in the debate over the Employee Free Choice Act talk, one could mistakenly conclude that the future of the republic is at stake.

"It's not an overstatement to point out that every statistic that measures the size and scope of the middle class in this country shows that it is shrinking," President Greg Conger said. "If passed, this bill will increase the size of our middle class. So if you subscribe to the idea that the success of any economy is dependent on a sizeable middle class then linking the future of the country to this bill isn't an exaggeration at all."

Others have used more colorful language to describe the ongoing discussion. A top spokesman for the U.S. Chamber of Commerce said a debate on the subject would "resemble a firestorm bordering on armageddon."

"This is the demise of the civilization" said Home Depot founder Bernie Marcus.

(Continued on Page 12)



Majority receptive to proposed law -- but most Americans not closely following news about the new Congress

by Lydia Saad

A new Gallup Poll finds just over half of Americans, 53%, favoring a new law that would make it easier for labor unions to organize workers; 39% oppose it.

This is a key issue at stake with the Employee Free Choice Act now being considered in Congress.

The poll reveals sharply differing reactions to the issue within the general public according to political orientation.

Most Democrats (70%) say they would favor a law that facilitates union organizing, while a majority of Republicans (60%) say they would oppose it. Independents lean in favor of such a law, 52% vs. 41%.

As originally proposed, the 2009 Employee Free Choice Act (in its House and Senate ver-

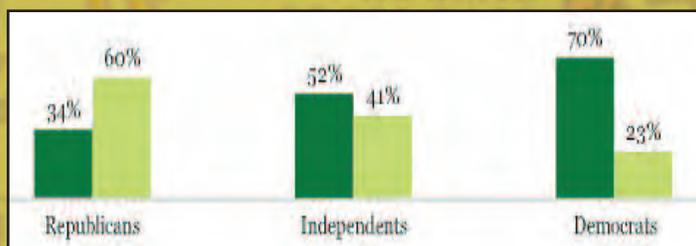
sions) strengthens the "majority signature" or "card check" basis for union organizing by automatically unionizing any workplace in which a majority of workers have signed a union authorization card.

The act would eliminate employers' ability

to call for secret-ballot elections (although employees can still call for one), and would make changes to enforcement of labor protec-

tions and contract-settlement procedures.

Thus far, the proposal has not been a prominent item in the mainstream national news; however, it has sparked fierce union-versus-business debate in Washington and appears headed toward a close vote in the U.S. Senate.



ises sweeping Labor law change

Feinstein wavers in support of labor bill

Many feel betrayed by lawmaker's flip-flop

A contingent of six, representing UFCW Local 324, traveled to Washington, D.C. in March for an intense two days of instruction, brainstorming and strategy sessions designed to demonstrate the widespread support that exists for the Employee Free Choice Act.

For half the group consisting of Sylvia Baruch, Faye Gibson and former Fresh & Easy employee turned union activist James Satler, the trip was a once-in-a lifetime opportunity to meet the nation's legislative elite and see first-hand where and how public policy is made.

For the other half of the Local's delegation, consisting of Secretary-Treasurer Andrea Zinder, Executive Vice President Rick Eiden and Field Director Chuck Adinolfi, the lobbying was nothing new. But all three agreed that debate over this legislation has reached a level of intensity and sharpness that they have never seen before.

The message was as simple as adding two and two—or in this case adding 58 and two—the magic number needed for passage in the

U.S. Senate for the Employee Free Choice Act.

The three rank-and-file members got the opportunity to carry their message to several lawmakers representing Los Angeles and Orange County Congressional Districts. But ultimately the occasion was as newsworthy for what it did not include – a personal visit with Senator Dianne Feinstein who refused to meet with the delegation and chose instead to assign her assistant to the lobbyists.

Feinstein's rebuke of the UFCW's rank-and-file citizen lobbyists took on an even greater significance given the precarious status of the Employee Free Choice Act. "We're so close," said Executive Vice President Rick Eiden. Who is also responsible for political and legislative affairs for the Local "We are talking a matter of maybe one or two votes."

(Continued on Page 12)



EMPLOYEE FREE CHOICE ACT Now

Language Over Labor

(Continued from Page 10)

Peter Kirsanow, a high-profile attorney for management said a discussion of the matter would be nothing less than “nuclear war.”

The doomsday predictions have already made it to the airwaves. One commercial that is earning a lot of attention is a skit starring a cast of second graders. The scenario depicts the shady practices of a group of classroom thugs who use intimidation tactics to scare their classmates into supporting their choice for classroom president.

It is earning just as much condemnation from Labor advocates who say that the truth is an unfortunate casualty in the anti-union media campaign so far.

“Although this commercial has all of the elements of a family sitcom, it has very little truth in

Bill Gets ‘Nasty’

it,” said President Greg Conger. “But the truth is the one thing the other side doesn’t want you exposed to so why not make you laugh at a children’s skit instead.”

Secretary-Treasurer Andrea Zinder has faith that touch tactics won’t be successful with UFCW members.

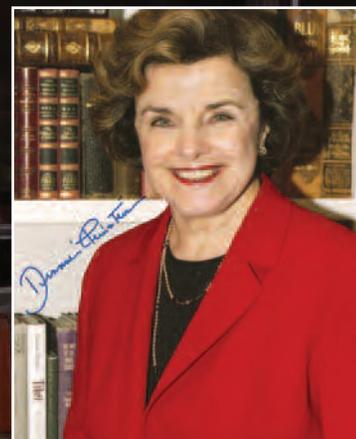
“I know that our members know the value of union membership and won’t let smoke screens divert them from sharing that with people who have questions about the bill after seeing those ads. Sources of information designed to counter anti-union messages can be found at UFCW.org.

Meeting With Senator Feinstein Never Materializes

(Continued from Page 11)

At no time in the history of this country’s Labor Movement has the wind been blowing so forcefully in Labor’s direction. With a pro-union President of the United States and pro-union majorities in both houses of Congress, the political conditions are ripe for positive change to outdated laws that dramatically favor business, according to experts.

We were really excited to tell Senator Feinstein about what the union has done for us and how this bill could extend that to so many people,” said Faye Gibson, a 30-year industry veteran who now works in the Local’s Health Benefits Department. “I was really anxious to hear what she would have to say.”



Hot Topics

Words of wisdom to help you keep your job

Leaves of absence require following procedure

—By Field Director Chuck Adinolfi

Failing to fill out the proper company paperwork prior to taking a leave of absence has actually resulted in the firing of several members in recent months.

Although Local 324 has taken one of those cases all the way to arbitration, the decision is not expected to come for several months.

In the meantime, it would be wise for members to exercise hyper-caution when requesting a formal leave of absence.

Your rights are spelled out in the collective bargaining agreement and you should read and familiarize yourself with them. Food division members: articles 9 and 10. Drug division CVS: Articles 10, 11, 12 and 13. Rite-aid articles 10 and 11.

State and federal laws also have many protections and additional rights that may protect you as well. Some of these reasons include: injury, sickness, death in the family and many others.

It is important that you follow the proper procedures when going out on a leave of absence. A doctor's note may not be sufficient to satisfy your company's requirements, especially if the leave exceeds one or two weeks.

Request the proper paperwork from your store director or call the human resource de-

partment to request the forms and procedures. Make sure to provide all doctors' notes or other written verification to your employer in a timely manner.

Keep a file that includes copies of all correspondence and read all letters that you receive from the company carefully.

It is also important to contact the General Office regarding a withdrawal card before taking a leave. This will help you avoid any additional fees when you return to work.

When taking a leave your medical benefits may be impacted. Please contact the Benefits Department regarding any possible changes your leave may have on your coverage.

Should you have any questions regarding your rights to take a leave, please do not hesitate to call your union representative or the representative on duty at the Local.



Word on the street

What does the Employee Free Choice Act mean to you?

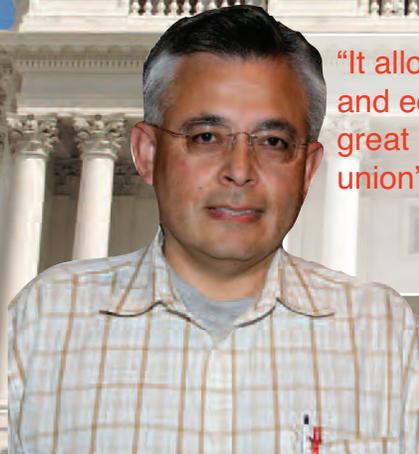


"It means the opportunity to better educate employees about the benefits of a union."

Marty Woods
Ralphs 738

"...Organizing non-union companies with fewer restrictions will finally make the process fair for both sides regardless of resources."

Vilma Franqui
Stater Bros. 164



"It allows us to try to help others and educate them of all of the great benefits of belonging to a union"

Cid Diaz
Albertsons 6124



"It means rebuilding the middle class, increasing our marketshare and getting things back to normal. It means a stronger union and better workforce."

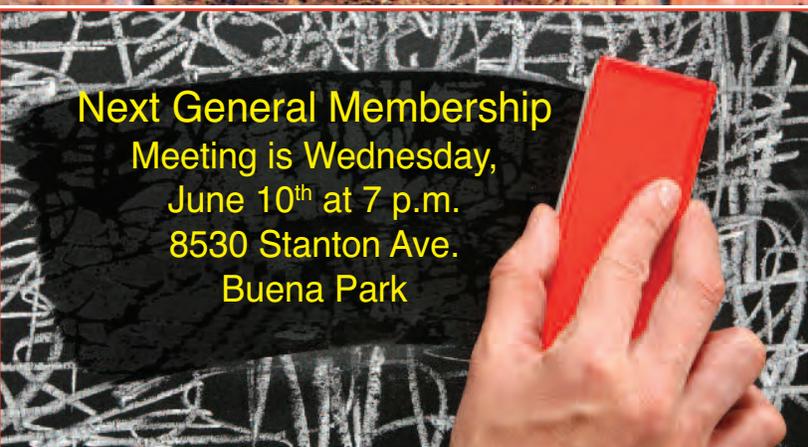
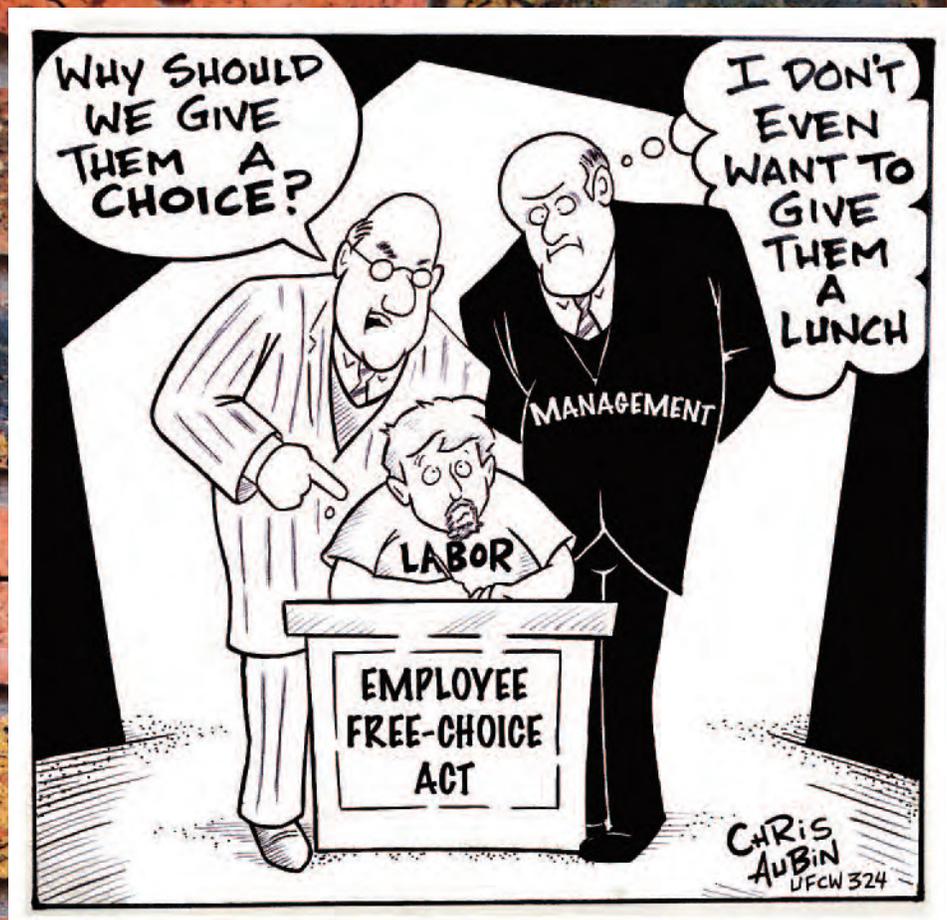
Dan Flynn
Albertsons 6105



"It means that workers everywhere in the country will have a chance to make their voices heard on issues that directly impact their quality of life."

Javier Ybarra
Albertsons 6163

Off
the
wall



Next General Membership Meeting is Wednesday, June 10th at 7 p.m. 8530 Stanton Ave. Buena Park

Knowledge is Power!

Labor History Classes are currently being held Thursday's at the Buena Park office for Union Stewards and activists. If you are interested in attending or would like more information, please contact:

Matt Hart
714/ 995-4601 x 267

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 Change of Address Form

Member's name: _____

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Address _____

City _____ zip _____

Phone # _____

email _____

If requesting withdrawal, what was your last day worked? _____

If we don't know where you live or how to reach you, there's no telling what you might miss out on in the future.

U have to tell us!

What have you done for me *Lately?*

STATS

January
March

2009

GRIEVANCES FILED	516
MEMBERS BACK TO WORK	52

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\$91,833.24

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