

## It pays to be smart

Local's home grown brainiacs awash in cash after scholarship announcements



Megan Holderness daughter of Gary Holderness Albertsons 6591 winner of \$10,000 from UFCW Food Scholarship Program.

### Caps & Gowns

Union doles out thousands to college bound students.



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### Young & Restless

Fresh & Easy worker throws full support behind union efforts.



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### Rough & Tumble

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## Obama's appointments

The National Labor Relations Board (NLRB) is a quasi anonymous government regulatory body that most of the public, and I fear a large portion of our membership, have never heard of.

I've spent much of the past few years trying to dispel the perception that if it's important it will make the headlines and be covered at length by a media eager to inform.

Unfortunately, most of that argument has been made under hostile conditions.

But to say that the NLRB simply referees disputes between management and labor is like saying parents have "an influence" on the children they raise. The NLRB not only determines the direction of current and future workplace issues, its five voting members can establish what the arguments of the day will be in workplaces 15 years in the future.

If you use sports as an analogy, it would be like giving field referees the power to rule on today's close plays while at the same time determining in advance who will play in the Superbowl and where it will be played.

So when President Obama recently announced his choice to fill two vacancies on the board, he gave us an encouraging look into the future. To put it simply, the future is beginning to look a little bit brighter.

The President's two nomina-

## President's Report

### *National Labor Relations Board help shift board to labor's cause*

tions require Senate approval, but the current political environment portends an easy confirmation for both. When that happens the NLRB will have a pro-labor majority for the first time in almost a decade.

This comes at a time when America's anti-union right-wing lynch mobs are strategizing about how to preserve their legacy.

Obama's appointments to the board

limits its influence to the handful of pivotal cases pending before it, the result could be profound.

The case popularly referred to as Dana Corp. already serves as a poster child for anti-union activists because of the sweeping impact. In

that ruling, the NLRB rewrote the National Labor Relations Act of 1934 which allowed for employers and unions to secure a simple majority of union authorization cards from a bargaining unit to establish union representation.

Another gut wrenching example of anti-worker bias came when the

Board ruled that an employee can be fired for sending pro-union email to another employee.

There's no telling how our working lives will change as the result of a more enlightened outlook. But I guarantee you they will change, and for the better.

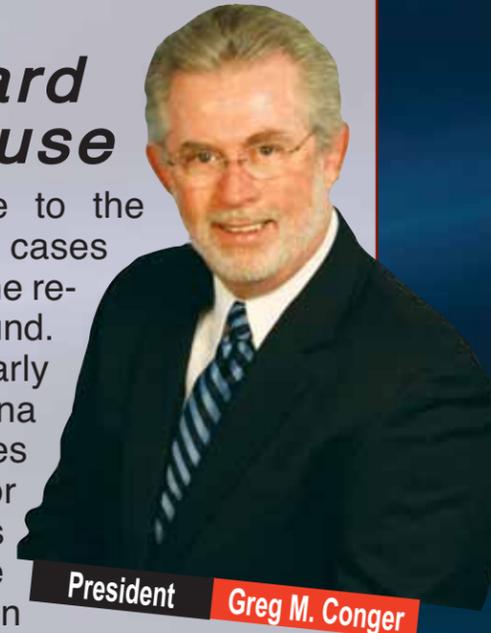


bring with them a wealth of understanding about the challenges working people face every day. That kind of empathy has been absent from the board for far too long.

The days when regulatory agencies devote their collective energy to protecting the perpetrators from their victims seems to be fading into history.

It is impossible to tell whether a new pro-labor majority will be aggressive in attempting to reverse some of the most outrageous decisions of its predecessors. We will be awash in new victories if they are.

But even if the new pro-labor majority



A handwritten signature in black ink that reads 'Greg'.

## Canadian Wal-Mart workers get UFCW Contract



April 8, 2009 marks a special occasion for nearly 180 workers at a Wal-Mart store in St-Hyacinthe, Québec. These workers have become the first group of main store employees to gain the protection of a UFCW contract after more than four years of legal maneuvering, negotiation and mediation.

The agreement includes seniority rights, wage increases as well as a wage scale that is free from favoritism. Also included is a legally binding grievance procedure.

The agreement comes just after an August arbitration that delivered a collective bargaining agreement to workers at Wal-Mart's Tire & Lube Express location.

Wal-Mart quickly closed the Tire & Lube Express arguing that the union contract would jeopardize its "business model".

Similarly, in 2005 Wal-Mart shut down its Jonquiére, Québec location immediately after the UFCW applied for binding arbitration.

In January the Canadian Supreme Court heard arguments that by closing the store in Jonquiére, Wal-Mart violated the Charter of Rights of the employees. A decision is expected by September.

UFCW Canada continues to press forward with negotiations for a main store and Tire & Lube Express location in Hull, Québec, as well as a location in Weyburn, Saskatchewan.

## Who pays? Putting

On Friday, April 17, the California Assembly Committee on Labor and Employment conducted an informational hearing in Los Angeles to gather evidence on the working conditions of retail pharmacists. Appearing before the Assembly Members were academics, community leaders, consumers, staff pharmacists and pharmacy students. The testimony included a broad perspective on the current state of the retail chain pharmacy industry and its impact on consumers.

The hearing was held at the request of the "Put Pharmacy First" campaign, a national coalition of retail pharmacists who have



joined together in an effort to reform the drug delivery industry and specifically to draw attention to the dangers of putting corporate profits ahead of patients' safety. The UFCW is working closely with "Put Pharmacy First" to expose some of the risks posed to the public by retail chain pharmacy efforts to require pharmacists to comply with unrealistic standards for rapid filling of prescriptions.

Listening to the testimony on April 17, it was interesting to hear the common themes which all stake holders expressed. These included the lack of adequate staffing in the pharmacies, the importance of counseling to avoid prescription errors and the many extra services that pharmacists provide, but often go unrecognized, in the health care delivery service.

Corporate policies in chain drug stores often exacerbate workload and safety problems. In partic-

## Secretary Treasurer's Report

### profits first leads to patient suffering



Secretary-Treasurer **Andrea Zinder**



**Left:** Francine Harris, Santa Ana Senior Center and Esmeralda Lopez, Coalition for Humane Immigrant Rights. **Center:** Assembly Member John Pérez, Assembly Member William Monning and Assembly Member Anthony Portantino hear testimony regarding lack of staffing in local pharmacies. **Right:** Secretary Treasurer Andrea Zinder and Delphine Pregnon, Rite Aid Pharmacist, give testimony.

ular, many chain drug stores pressure pharmacists to process prescriptions quickly, often by putting computerized measurements, speed incentives, and other corporate bench-marks in place. All of these issues together point towards the need for more oversight of corporate pharmacy practices.

One very compelling participant was a CVS staff pharmacist, who testified anonymously because he feared retaliation. Mentioning the lack of time to adequately counsel patients, the excessive prescription volume without proper staffing and the additional responsibilities CVS requires, this pharmacist stated the following "All of these issues are of grave concern to me because I think they degrade the pharmacy profession and put patients at risk".

I have just completed my tenth and final year of serving on the California Board of Pharmacy as a public member appointed by the Speaker of the Assembly. In this capacity I have learned a tremendous amount about the horrific risks which can result from a single dispensing error by an over-worked pharmacist. In addition, as I talk daily to our phar-

macy members I hear frequently of the unrelenting pressures on pharmacists and pharmacy personnel as chain retailers set unrealistic goals and focus too much on the bottom line.

Controlling prescription errors has been a top priority at the pharmacy board for all the years I have served. However, even with this serious focus the problem continues to surface as the number of prescriptions people depend upon increases and the chain drug stores become bigger and more powerful.

All academic and empirical evidence indicates that patient counseling is the best way to discover a mistake before harm is done. The "Put Pharmacy First" campaign has joined with academics and consumer groups to bring wide spread attention to this issue. All of our health and safety demands that mega chain pharmacies put patients ahead of profits.



# The Banning of Steinbeck's *The Grapes of Wrath*

—By Matthew Hart

On August 24, 1939, three men stood above a small metal trashcan with a copy of John Steinbeck's *The Grapes of Wrath* in hand. As a newspaper photographer snaps a shot, Clell Pruett, a local sharecropper, tosses the book into the trashcan, which was then followed by a match. Pruett, along with his boss, the cotton titan, Bill Camp, and Associated Farmers board member, L. E. Plymale, watched as the flames consumed the book.

Just three days prior, the Kern County Board of Supervisors voted to ban the novel claiming the book was vulgar and distorted facts about the treatment of migrant workers; others felt that it was the first honest piece about the plight of those fleeing from the Dust Bowl only to find themselves exploited in the fields of California. Less than a year after being published, the book would divide Kern County in half over whether people should have the right to read its controversial content.

Set during the Great Depression, *The Grapes of Wrath* tells the story of the Joad Family who, due to the severe drought of the Dust Bowl region and the loss of their home, were forced to leave. Enticed by a handbill promising high wages and an abundance of jobs, the family heads to California, only to be met with bigotry, low wages, union busting and the realization of a broken promise.

To Steinbeck, the Joad family represented the experiences of the refugee sharecropper coming to California to harvest the orchard and vineyards. The influx of destitute citizens created a strain on local resources and competition for jobs. The migrants were met with resentment from locals who were fearful and angry at the flood of newcomers, who they disdainfully labeled as "Okies." As an example of the resentment, in 1936, the Los Angeles Police established a "bum blockade" at the California border to keep out undesirables.

Steinbeck's novel attempted to reveal the hardships faced by this migrant population; in the process attacking many of those he felt were responsible, including the Associated Farmers. The Associated Farmers' mission was to organize local citizen committees to pass anti-picketing regulations to derail farm workers' strikes and union organizing. The organization also worked with vigilante groups to break strikes and attack union leaders. The group feared the migrants might form a union to demand better

wages and did what it could to undermine this effort.

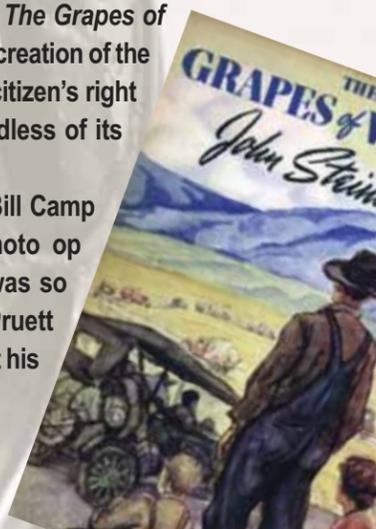
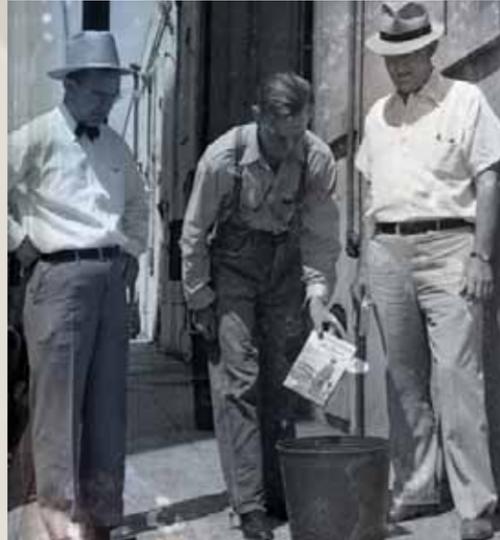
The Associated Farmers of Kern County argued that they paid their workers decent wages, despite the recent strike in the cotton fields and the history of union busting. The book, they argued, was a blatant lie and even went so far as to counter Steinbeck's novel with their own. Despite the attempt to argue that the ban was due to obscene language in the book, it was clear that the only offended party was the Associated Farmers and its allies. County officials felt that because the fictional Joad family landed in the county that it would have a negative impact on tourism. However, the migrant sharecroppers were, overall, appreciative of Steinbeck, who they saw as bringing their story to light.

Led by a determined librarian, Gretchen Knief, and the American Civil Liberties Union (ACLU), opposition against the ban began to mobilize. Also involved in the fight were several local unions – Oil Workers Union, Hod Carriers

Union, Butchers Union the Brotherhood of Engineers – and the Workers Alliance, an organization of relief recipients. Their arguments were centered on the infringement of constitutional rights and the hidden motivation of the county supervisors and the Associated Farmers.

For several years, there were many attempts to repeal the ban with little success, until January 24, 1941, when such a vote did succeed. The books were returned to library shelves. Ironically, the ban on the book actually inspired more people to read the novel, bringing attention to plight of the refugee sharecropper. The censorship of *The Grapes of Wrath* was a key event to the later creation of the Library Bill of Rights, ensuring a citizen's right to have access to material regardless of its views.

Nearly sixty-five years after Bill Camp recruited Clell Pruett for the photo op Pruett finally read the book he was so willing to burn. Still unyielding, Pruett had no regrets burning the book at his boss' request.



# Amuse Yourself...



\$6



\$6.50



\$6



Valid 01/03/08 thru 12/17/09  
 Adults (ages 10+) \$65  
 Children (ages 3-9) \$57



Expire 12/31/09  
 Adult \$26  
 Children (Under 48") \$15



Valid thru 12/17/09  
 Adults (ages 10+) \$70  
 Children (ages 3-9) \$62



Park Hopper  
 Expire 01/31/10  
 \$53



(one Ticket Price)  
 Expire 01/31/10  
 \$45



Adults (Over 48") \$24  
 Junior (Under 48") \$20



6 Hours at Boomers  
 or  
 All Day at Castle Park  
 or  
 4 Hours at Speed Zone  
 \$18



Adults (ages 10+) \$20  
 Junior (ages 3-9) \$15



Expire 2/28/10  
 Adults (ages 10+) \$51  
 Children (ages 3-9) \$45



Valid thru 01/31/10  
 (One Ticket Price)  
 \$54



Prices are subject to Change and Availability  
 NO RETURNS OR EXCHANGES  
 Tickets are for Southern California Local 324 Members Only

... at a discount price!

# Scholarship Awa



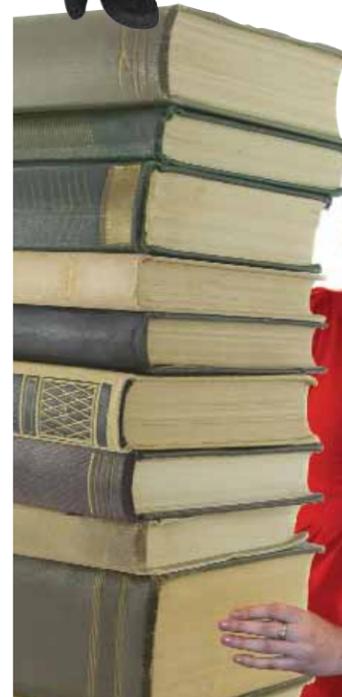
Sheila Alonso Real  
CVS #9753  
Winner of \$1,500



Michael Flores  
Kaiser Permanente  
Winner of \$1,000



The Food Employers  
Trust fund gave 63  
Scholarships to  
Local 324  
members this year  
ranging from \$2,500  
to \$10,000.  
**\$195,000** in total  
awarded to students for  
UFCW Local 324!



Carmen Cervantes  
daughter of Margie  
Mayersohn Disneyland  
Winner of \$1,500

Tien Nguyen  
Kaiser Permanente  
Winner of \$2,000



Oanh Trinh  
Kaiser Permanente  
Winner of \$2,000

Winner not Pictured  
Lisa Goins Daughter of  
Paula Goins Vons #2210  
winner of \$1000

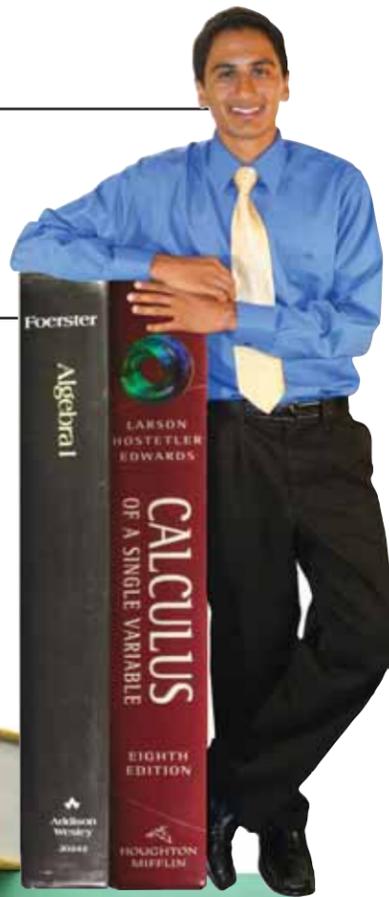
# rd Winners



Colby Seymore  
Son of Marti Seymore  
Albertsons 6504  
Winner of \$5,000 from the  
UFCW Food Scholarship  
Program



Alice Koopmans  
Kaiser Permanente  
Winner of \$2,000



Shalin Patel  
Son of Rita Patel  
Rite Aid 5768  
Winner of \$1,000



Lily Yip  
Kaiser Permanente  
Winner of \$2,000



Lloraley Anguiano  
Daughter of Maria Jael Anguiano  
Disney California Adventure Stores  
Winner of \$1,000



Quynhmai Bui  
Albertsons 6134  
Winner of \$1,500

# Mounting Problems at Fresh fuels growing



## Workplace Safety

Zaira Padilla is a native of Southern California, and a “Customer Assistant” at the Fresh & Easy in La Mi-

rada. She is happily married to a loader at the UPS hub in Cerritos who belongs to Teamsters Local 396. They were recently joined by their their first child, Alice.

Zaira understood the vital role unions play in the workplace – they pay no premiums for their Teamster-negotiated health insurance – but she was initially reluctant to see the necessity of forming a union at Fresh & Easy.

“Fresh & Easy management promised us the moon and the stars. Many of us felt that forming a union was completely unnecessary. One after the other, promises made became promises broken, and without a union we had no way of holding Fresh & Easy accountable.”

Rather than simply gripe about Fresh & Easy’s broken promises, Zaira made up her mind to do something about it. Over a series of meetings with Local 324 organizers,

## Local remains out in front on

As corporations expand across the world, the needs of workers sometimes get lost in the shuffle. UFCW Local 324 is playing a key role in an effort to make sure that this doesn’t happen at one of the world’s largest retailer’s – Tesco.

“We know that we live in a global economy,” said Greg M. Conger, Local 324’s President. “And what we do here in Southern California impacts workers around the globe, and that’s why we were one of the first locals to be involved with the Tesco campaign.”

Known in the US as Fresh & Easy, UK-based Tesco is the world’s third largest retailer, and has operations in 14 different countries on three continents. But here in the US, they are a newcomer, and only operate in three states – California, Arizona and Nevada, for now.

Knowing this huge company’s potential for giant growth, UFCW Local 324 was involved in efforts to persuade it to become a responsible employer from the early stages of their US expansion. Since then, Local 324 has consistently



**“Fresh & Easy management promised us the moon and the**

# & Easy campaign

Zaira became convinced that it was time for action.

**“I already knew that Fresh & Easy was part of a much larger British corporation, Tesco. What I didn’t know was how Tesco workers in other countries are sharing in the company’s success by forming unions. After getting the facts it became clear that we needed to form a union at Fresh & Easy.”**

**Since making her decision, Zaira has organized her co-workers to protest their manager’s decision to bring her relative in to cover a shift, rather than calling in an off-duty employee. Zaira has also been visiting other Fresh & Easy stores to make sure workers hear the real story about the UFCW and unions in general.**

**The road has not been easy. Despite promises from management that the decision to form a union will be left to Fresh &**



*Zaira Padilla confers with President Greg Conger during a Cinco de Mayo breakfast held in the union auditorium.*

**Easy workers, co-workers told Zaira that management instructed them not to talk to her. “Because our livelihood is literally in their hands, management can and does intimidate workers,” said Zaira.**

**Despite the challenges, Zaira remains undeterred. “The only protection workers have is to stick together. With the help of UFCW Local 324, we will make management live up to their promises and be real partners in our company’s success.”**



**Lying to employees**

## Fresh Easy issue

led the way with the most SPUR’s, most organizers, and most organizing events devoted to make this global corporation behave responsibly both in Southern California – and around the world.

“We have an unprecedented opportunity to stand up for grocery workers here in Southern California and around the world,” said Conger. “No one is better positioned than we are to be leaders in this effort – and by building a strong union for these workers – we will hold a company that has more than \$4 billion in sales annually accountable.”

Local 324’s historic efforts have crossed borders too. As part of an international effort involving community groups, foreign trade unions, shareholders, politicians and workers - Local 324 has sent organizers to three states, and has applied more pressure to Tesco than any other union local.

But one of the key focal points of the efforts has been here in La Mirada under the auspices of UFCW Local 324. This is the story of one worker who has been impacted by this critical work.



**indifference to employee concerns**

**Low wages**



**stars. . .” Former skeptic who now champions union cause**

# Activists decry bias at CVS Pharmacies

Two elderly women leave Local 324's Buena Park office at precisely 3 p.m. on a Friday. The first woman jumps on the 91 freeway and heads due east for approximately 18 miles.

The second woman also enters the 91 freeway and drives due west for the same distance. Add the fact that both are traveling 65 miles per hour and both are headed for a CVS pharmacy. Given the nearly identical characteristics of their journeys, which woman has a better experience at the CVS Pharmacy?

Despite what you learned in 10th grade, this mathematical problem involves little algebra and a keen sense of being able to read between the lines.

Although both women arrive at their destination on time, CVS pharmacy similarities end there.

According to one of the most comprehensive studies of a single company and its business practices, CVS stores located in affluent communities maintain their products and store appearance at a significantly higher level than its properties in poorer, more diverse communities.

"Time and again, we see CVS stores that are in disrepair in less-affluent communities while their counterparts in wealthier areas bare fresh paint, new flooring and spotless check stands," said Executive Vice-President Rick Eiden.

Campaign organizers of the "Cure CVS Now" campaign; concede that their effort to spread the word about despair treatment of communities of color by CVS has yet to produce a nationwide tailwind in its direction.

But they caution that the issues they are bringing to the



Long Beach City Councilwoman Tonia Reyes Uranga told an enthusiastic crowd that cities go to great lengths to attract businesses to the local community and CVS had failed to live up to its promises to be a 'good corporate citizen.'

surface often take prolonged periods of time before the general public feels sufficiently outraged that it makes demands on a company.

CVS critics cited a recent rally held outside a CVS in North Long Beach as an example of a "movement in the making." As passers by walked up to 3 by 5-foot charts, graphs and photos advertising the group's discontent, two or three of the messages seemed to resonate.

"People feel slighted when they find out that they are second-class citizens in the eyes of this corporation," said Organizer Jose Perez. The rally drew a smaller crowd than one held a month earlier in Santa Ana, but the level of interest from

pedestrians seemed to grow.



## Full-Time Status: What you need to know

—By Field Director Chuck Adinolfi

One of the most frequently asked questions that our Representatives answer is: How do I become a full time employee?

The answer varies from contract to contract, but the large majority of these inquiries come from our grocery stores covered by the Retail Food and Meat Agreement.

You may obtain your full time status in one of two ways: You can be hired as a full time employee (this is very rare) or you can earn your full time status. Earning the full time status is the most common way and is spelled out in your contract in Article 5A-1.

In order to earn full time status you must work at least 40 straight hours per week—five eight-hour days—in 16 consecutive weeks. With the exception of meat cutters, the accumulation of 16 consecutive weeks must be in a single store unless it is with the prior knowledge and approval of the home store manager or the district manager. Holidays not worked but paid or vacations taken in full week increments shall not interrupt the 16-week requirement.

Many members are disappointed and discouraged to find out that being *scheduled* 40 hours does not count toward the required 16 weeks. You must work each day and complete at least 8 hours of the shift

to count as a full day. A short day of seven hours and 56 minutes for example, will not be sufficient and could easily break the 16-week consecutive cycle.

We advise members who are trying to earn their full time status to keep a work journal documenting all hours worked and to keep all pay stubs for those weeks in question.

Even though many store managers may advise you that you have locked in your full time status; they are generally unable to provide you with any proof in writing. You should file a full time grievance with the Union as soon as you believe that you have the 16 weeks. Upon successful conclusion and settlement of your case, the union will provide you with documentation from the company confirming your full time status.

There are strict time limits in all of our contracts, so it is extremely important you file as soon as possible after obtaining 16 weeks.

Should you have any questions or you need advice about your specific circumstances, please do not hesitate to call your representative or the union office.



# Word on the street

Q

- What are your thoughts on the bailouts with the
- industrial and financial markets?

“

“We had to do it but I don't like it, they shouldn't have run the companies into the ground”

Richard Lasalta  
Stater Bros.166



“They had to do it, so that tens of thousands of people didn't lose their jobs. The outcome could've been much worse.”

Billy Martin  
Ralphs 296

“The financial markets were more of a necessity. We should have diverted more money to social issues instead of bailing out the auto industry.”

Diane Newmyer  
Vons 2328



“We should let the strong survive and let the others fail.”

Gary Cooper  
Vons 2328

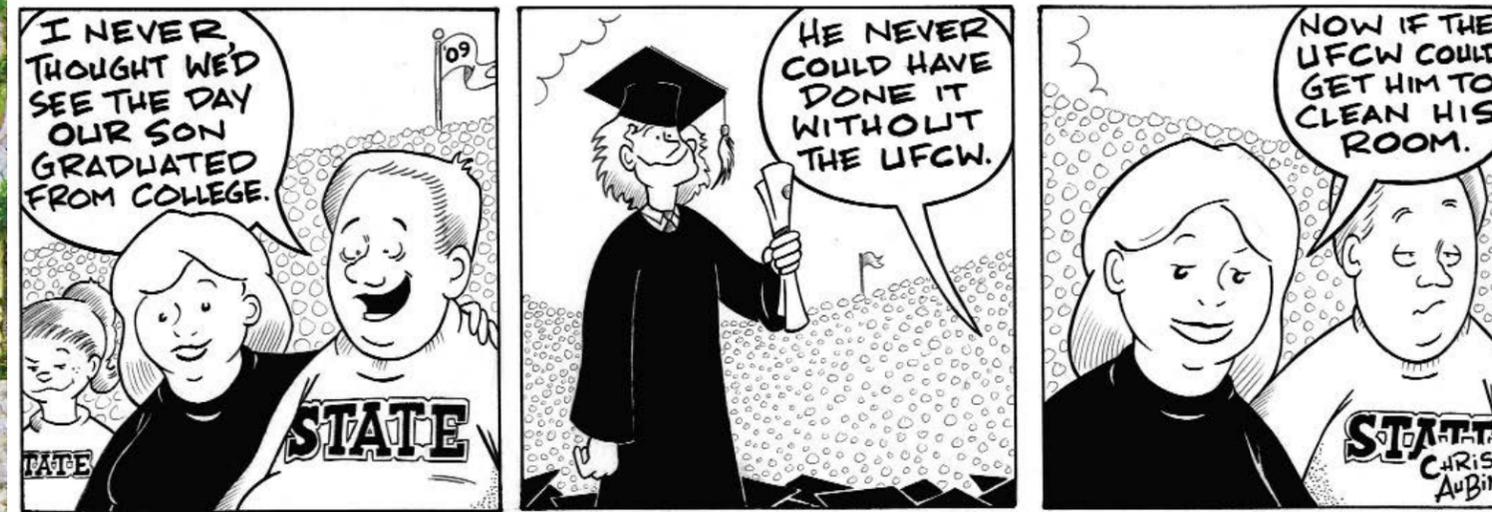


“The executive management should have taken care of these problems sooner. They were completely irresponsible.”

Christina Gill  
Ralphs 296

”

# Off the wall



Next General Membership Meeting is Wednesday, September 9<sup>th</sup> at 7 p.m. 8530 Stanton Ave. Buena Park

## In Honor

We are looking for pictures of Members or their families who are currently in the military or have served in the past. You may e-mail them to: [in-honor@ufcw324.org](mailto:in-honor@ufcw324.org) or send them to us in the mail with your current contact information so that pictures may be returned.

UMagazine hopes to publish photos received in an upcoming issue honoring those in the service of our country.

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Withdrawal Card Request  
 Change of Address Form

Member's name: \_\_\_\_\_

SSN: \_\_\_\_\_ DOB: \_\_\_\_\_

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!**

June-July 2009 15

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PERIODICAL  
POSTAGE  
PAID

# What have you done for me *Lately?*

STATS	
GRIEVANCES FILED	800
MEMBERS BACK TO WORK	109
BACKPAY COLLECTED: \$ 477,153.24	

**Boycott  
B of A**

**UFCW324.ORG**

**January-May  
2009**