

# Stewards praised for their leadership roles



## Life & Death

*Member's CPR skills and quick thinking save a baby's life.*



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## Signed & Sealed

*Gov. Jerry Brown signs bill banning alcohol sales from self check-outs.*



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## Will & Won't

*Coverage of the Steward's conference that due to negotiations almost didn't happen.*



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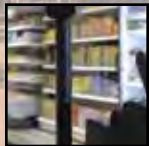
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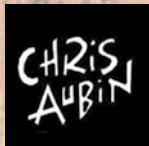
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Withdrawal Card Request

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!**

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Asst. Editor: Mercedes Clarke



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Monday-Friday

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# President's Report

## 2011—the year of the roller coaster for Organized Labor

For the better part of the last two decades, enemies of Organized Labor have been content with a long-term strategy to eliminate us. Piece meal victories have satisfied our adversaries' need for blood. In 2011 that changed.

Infused with a fresh dose of arrogance born from election wins the Fall before, Republican state legislatures and governors launched coordinated assaults on unions across the country.

Wisconsin grew into a symbolic ground zero for pro-union activists committed to defending working men and women. But despite its role as the poster child of Labor's re-birth, the anti-union laws passed by that state's legislature and signed by its governor were actually mild compared to laws introduced in several other states.

Some of those battles are continuing a full year after the first shot was fired. At press time, for example, voters in the state of Ohio are poised to overturn the Republican overreach in a statewide referendum.

But sadly, the comprehensive right wing public relations campaign demonizing public employees that preceded the multi-state anti-union assault, succeeded in tarnishing the public's perception of all unions enough to assure passage of the bills.

On the national level, President Obama disappointed many of us in Labor for his tepid defense of unions. In particular, his failure to push the Employee Free Choice Act was profoundly disappointing. However, his two appointments to the National Labor Relations Board have already shifted the direction of the board dramatically in favor of workers over corporations.

States where Labor had victories were few and far between. Fortunately, California was one of those states. With a pro-worker legislature and governor in office, California bucked national trends to pass legislation that puts the interests of workers ahead of corporations—a far cry from what is happening all around us.

It is fair to say that you can legitimately claim credit for some of this. Your increased participation in the last election and your willingness to support the Active Ballot Club contributed to pro-worker candidates beating back high profile, well-financed candidates from the

other side. Your willingness to staff phone banks and walk door-to-door for candidates drove home your point.

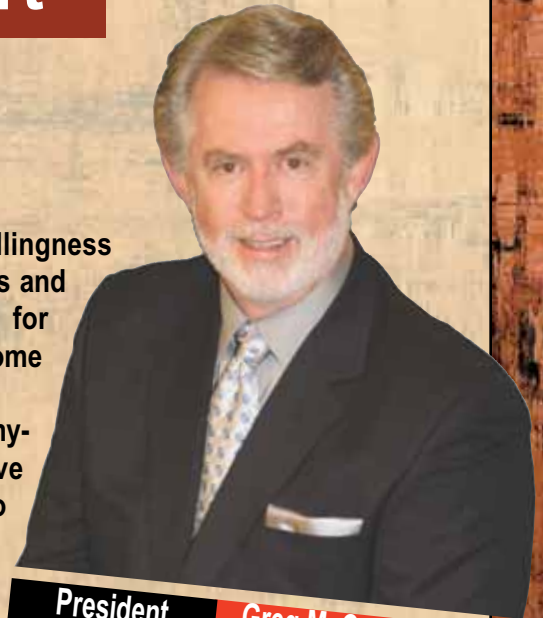
But more than anything else, you gave Labor something to be proud of as we concluded contract negotiations in mid-October—a mere seven months past expiration of the previous contract.

Grocery chains used Southern California as a petri dish of sorts, trying a series of tactics to break you down. Your strength resulted in a fine Collective Bargaining Agreement that has set the standard for contracts nationwide. I personally suspect that the boldness of Albertsons, Ralphs and Vons would not have happened if the national atmosphere did not feel ripe for corporations itching for a fight with their union workforces. Compare it to a pack of wolves in the wild that rarely try to take down large animals. However if the beast is old, frail, injured or sick it becomes an attractive target for the predators.

But by fighting back and winning, your individual and collective contribution to the Labor Movement is far-reaching and viable to measure. Will it mark the end to the open season on workers that began over a year ago? I doubt it, but it will be seen as one of several events that helped turn the tide, and helped stop the bloodletting.

2011 was a year to remember for many reasons. I remain intensely proud to serve as your President and honored to be playing an active role in helping to shape the future of our Union.

I wish all of you a Merry Christmas and Happy New Year. Together let's make 2012 and beyond growth years for Local 324 and the entire UFCW.



President

Greg M. Conger

# HOMETOWN HERO

## Ralphs clerk moves in a flash to save baby's life

To hear her tell the story is to hear very little. Everything that happened on the afternoon of August 10 never registered in 35-year-old Lauri Shubin's memory.

Nevertheless, Shubin lights up like a beacon when asked to recap that fateful afternoon. The details of the dramatic tale, however, have been passed to her by friends and colleagues who witnessed her heroic actions that afternoon—a description shared by everyone who saw it.

As Shubin recalls it, she was staffing the front end of Ralphs when a panic stricken woman in her early to mid 30 's pushed her way through a line of customers, emerging at the front of a check stand with an infant in her arms. The child was not breathing and the woman's efforts to revive him exposed her lack of knowledge about what to do.

Shubin barely glimpsed the commotion from the corner of her eye, when instinct seemed to take over, she said. In fact, she has no memory of grabbing the child and turning him over on his stomach as she began administering CPR.

Within moments of taking the child, the contents of his throat dislodged and his much anticipated cry carried through the store's front end like an assembled choir of angels, recalled a co-worker. Shubin had not noticed that the nearly three dozen onlookers became fixated on the turn of events, riding the ups and downs of the infant's fate and celebrating with words of encouragement more akin to the final seconds of a football game. "Good work . . . way to go . . . thank God" came the anonymous accolades as people shook their heads in disbelief. "It was a pretty incredible feeling," Shubin recalls as her eyes reveal a modest pride.

The next thing Shubin recalls was answering questions from a police officer who was tasked with making a report on the incident.

He presented Shubin with a gold-plated medallion meant as a keepsake for citizens who perform extraordinary feats and issued in the name of the chief of police.

The story ends with a plot twist that sounds like it was copied from the pages of a dime store novel. As Shubin and colleagues looked around a few minutes into their interviews, they noticed the woman and the baby were absent. There would be no return visit by the elusive woman to say thank you. She never even took the time to return to the store with an update on the infant's condition. Shubin said: "She simply vanished and nobody knows where she went."



Lauri Schubin, left, confers with co-worker Cindy Chateau about the day she saved a baby from choking to death. The adrenalin rush clouded her memory of the incident, leaving her to rely on witnesses for an account of what happened.



## Secretary-Treasurer's Report

# *Vital protections can be found in obscure, anonymous part of the contract*

During our most recent retail food negotiations with Albertsons, Ralphs, and Vons, both your union and these employers made proposals to modify language in the existing contract. When we refer to "contract language," we mean all the clauses in the contract that specify your working conditions and compensation beyond your hourly wage rate.

The employer's contract language proposals are usually attempts to eliminate a benefit or protection you already enjoy, and your union's proposals generally seek to add benefits or enhance protections. Occasionally, both sides are just trying to update contract language that is old and no longer relevant, but still remains in the contract from many years prior.

In our most recent retail food negotiations, Albertsons, Ralphs, and Vons made some proposals that were totally unacceptable. Following an overwhelming strike vote in April, the Big Three realized they had overstepped, and proposals, such as increasing the twenty-four mile travel limit to forty miles, were defeated. These employers also sought to vastly expand the work of lower classifications, effectively limiting promotional opportunities within the stores, and to reduce the hours of journeyman meat cutters.

In these same negotiations, your union proposed many improvements to the contract. We were successful in several areas, including expanding funeral leave for Clerk's Helpers, strengthening split shift language to require ten hours between all shifts, providing an avenue for department heads to step down, and limiting the use of old disciplinary actions.

All UFCW contracts have important language in them, the results of many years of bargaining and when called for, militancy by our members. This language protects your jobs, guarantees you are compensated for the hours you work and

the specific work you do, rewards your seniority, and provides you with paid and unpaid time off as well as many other benefits and protections. If your management fails to comply with the terms of your contract, each and every one contains a grievance and arbitration clause.

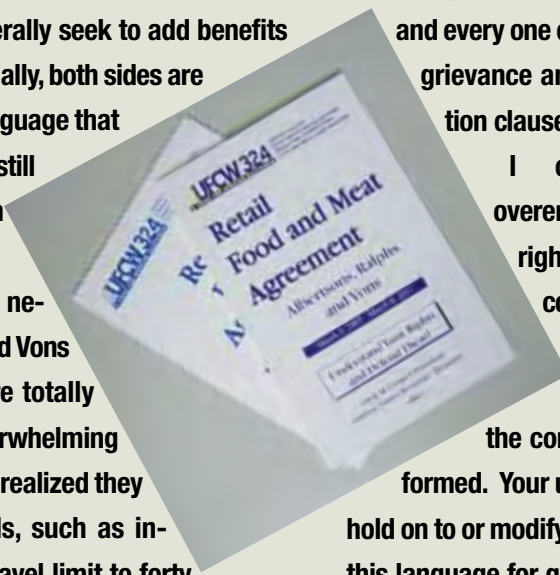
I cannot overemphasize the importance of knowing your rights and taking the necessary steps if your contract benefits or protections are violated. Management will often try to get away with doing things their way regardless of the contract. You must be vigilant and stay informed. Your union and co-workers have fought hard to hold on to or modify our contracts' language. We cannot take this language for granted and must continuously make sure it is honored. Its very use protects its existence.

Contract language is sometimes difficult to understand. Our union stewards and representatives are always available to help you. Problems are rarely isolated. By speaking up, you may be alerting us to a contract violation that is widespread. We need your help to make certain that our contracts remain top notch and that you are benefitting from what you are entitled to.

Just as we prevailed in our recent negotiations, together with unity and solidarity, we will prevail in maintaining the high standards we have all worked so hard for.



Secretary-Treasurer **Andrea Zinder**



A handwritten signature in black ink that reads "Andrea".



## The Elaine Massacre: An American Tragedy

—By Matthew Hart

On Sept. 30, 1919, a group of nearly 100 black sharecroppers was holding a union meeting in a small church in Hoop Spur, a tiny hamlet near Elaine, Arkansas. The group, members of the Progressive Household Union of America, was determined to secure a fair settlement from the planters for the yearly cotton crop. The events that followed are disputed; however, what is known is that within a few short minutes, a shootout ensued between participants of the meeting and deputies. One officer, W.H. Adkins, was killed, while another was critically injured. What followed was one of the largest and most vicious race riots in American history, leaving hundreds of people maimed, beaten and murdered. The event would become known as the Elaine Massacre.

Shortly after the First World War, many black servicemen returned home determined to exercise their rights and demand greater freedoms. Despite this resolve, they returned only to find a nation still segregated by race, a Red Scare and labor strife. Many found little opportunity for employment beyond low wage, back breaking work, such as sharecropping. Attempts made in the past to organize sharecroppers often led to violent confrontations, since it was often viewed as a direct challenge to the system of Jim Crow servitude in southern plantations.

Local planters became alarmed when they heard of the union and began circulating rumors that the union intended to murder whites and take their land. After the shooting, this rumor was woven into the report that would become the official storyline. Newspapers reported that two deputies and a black trustee were traveling together when their vehicle broke down outside of a meeting of sharecroppers who were plotting to kill white planters and take their land. Two sentries outside of the meeting shot at them and they returned fire. The sharecroppers contended that whites fired into the church to disrupt the meeting and that blacks returned fire only in self-defense.

The story of the incident spread throughout the region and when a posse was dispatched to arrest those involved, armed whites throughout the neighboring counties and states soon arrived to join in the growing mob. It is estimated that the mob grew anywhere from 600 to 1000 in number.

The white population went on a rampage against the black

citizens, most of whom played no part in the union organizing. Men, women and children were attacked, beaten, killed and lynched. Ears and toes of dead African-Americans were severed for souvenirs, while their bodies were dragged through the streets. For three days, blacks lived in fear of their white counterparts, staying hidden in the nearby sugarcane groves, except for those with military service who defended themselves against the roving mobs.

On Oct. 2, the Governor brought in federal troops to disarm those involved and restore order. However, rather than squashing the massacre, some of the troops actually participated in the mass slaughter of unarmed blacks. Other troops did assist many blacks in fleeing from the violence.



At the end, the estimated death toll among blacks ranged from the official total of 26 to several reports of roughly 856. In fact, it is likely that as many as 200 African-Americans lost their lives. Five whites were killed. In addition, 285 black men were arrested, along with only one white person (the union attorney's son.)

Days later, city officials issued a report stating that no riot or mob violence occurred. In fact, the report stated an insurrection (of blacks) was put down within the boundaries of the law. Less than a month later, a grand jury indicted 122 African-Americans with second-degree murder and night riding (a law often used against the Ku Klux Klan.) The only white man threatened with possible prosecution was the union attorney's son, who was also working for the union. In total 65 of those arrested were sentenced, with 12 of them sentenced to death. Later it was reported that many of those arrested were tortured into confessing various crimes. It took six years and a series of retrials and appeals before those convicted to die were finally released.

To this day, the complete story surrounding the events known as the Elaine Massacre is still unclear. But as blurred as the facts may be, it is transparent that much of the conflict was guided by racial intolerance. It was fueled by the fear that those who are viewed as "inferior" might demand to be counted and respected for the work they do. While some may view this incident as a page in the chapter of the black experience, it is just as much a collective history for all Americans – a history, albeit tragic, that we all need to recognize.



## **Bill banning alcohol sales at self checkout lanes signed by Gov. Brown**

By the time AB 183 made it to Governor Jerry Brown's desk in October, its fate had been written... and re-written... and re-written again. In fact, all the way up to the afternoon that he signed the bill, its most ardent supporters were not aware of his intentions.

The legislation already boasts a history. Last year, it sailed through both houses of the legislature easily, but languished on Gov. Schwarzenegger's desk before dying at the hands of his veto pen.

At the time, Gov. Schwarzenegger argued that the issue the bill sought to address was not a problem that required government intervention. Mothers Against Drunk Drivers as well as several prominent police organizations, however, felt strongly enough about the issue to formally endorse and even campaign for its passage.

When the measure came back to life under the new legislature, observers were confident that it would pass because of the pro-labor majorities in both houses of the legislature.

But heavy lobbying from the business community, which included the National Grocers Association, succeeded in softening the governor's

expressed support for such a bill.

For his part, Brown played his cards close to the vest, refusing to commit to a veto or a signature. Inside sources also say that Brown is sensitive to criticism that he is too pro-labor at the expense of business and could be considering vetoing AB 183 to prove otherwise.

Some of the bill's most ardent supporters scrambled at the last minute when rumors that Brown intended to veto the legislation made their way through the political grapevine.

According to UFCW lobbyists in Sacramento, strong support from Speaker of the Assembly John Pérez helped convince Brown that the bill had merit and would not hamper business expansion in the state.

UFCW Local 324 Executive Vice President Rick Eiden called the bill's signing, "a historic step forward in the battle to protect our kids."

London-based grocery chain Fresh & Easy, which operates all of its 100+ stores with self-checkout lanes had little comment on Brown's decision to make the bill law, saying simply they were "disappointed" with the turn of events.

# Celebrating



## The conference that almost wasn't

It was supposed to happen in August, it got rescheduled for September, then October and then cancelled. But following the ratification of a new contract President Greg Conger felt compelled to revisit the issue.

"We just finished the most arduous negotiations we have ever had —It just didn't seem right to let the occasion pass without seeing our stewards face to face all in the same room," Conger said.

And so the 2011 annual Stewards Conference was once again back on.

Hundreds of invitations were in the mail within hours of the declaration and organizers of the event scrambled to reconstruct details.

Understanding that the newly ratified Master Food Agreement would be the focal point of attention, Joe Sweeney stood as the Local's sole guest speaker.

Sweeney leads the team of financial actuaries tasked with predicting how the union's vast membership in Southern California will change over the next several years.

Sweeney's predictions become the numbers the union uses when it calculates the level of contribution employers would have to make to maintain benefits as they currently exist.

No sooner was his name announced than stewards began stockpiling questions about the new contract.

In the end, the 2011 Stewards Conference was a low-key affair compared with the lazer-beam studded extravaganzas of recent years.

But that didn't stop stewards from breaking yet another attendance record with slightly more than 400 stewards present.

Joe Sweeney





# g Solidarity



## Steward of the Year Kelly Pierce



***For yet another year, Kelly Pierce managed to earn a spot on the short list for the coveted honor of Steward of the Year. The difference this year is that she won. The announcement from President Greg Conger referenced the fact that Pierce's tireless activism during the recent contract campaign made her one of the more sought after members by television and print journalists. Some said she had become "the face of the union on the issue of healthcare."***

# Scaled-down Conference



## Members urged to fight

Sporting a look that one member described as relief that “it’s all finally behind us” President Greg Conger greeted 400 plus stewards like a soldier returning from the front lines.

If Conger’s point was to convey to stewards the high regard he held for them, he appeared to have succeeded. He wasted no opportunity to praise the stewards and asserted that it was their relationships with fellow union members that secured success in recent contract talks.

The primary focus of his speech, however, centered on shrinking union market share and its pervasive impact on the grocery industry. He said the diminishing union market share can be blamed for a litany of problems such as recently concluded contract negotiations that the Big Three



# draws largest crowd ever



## for their rights amidst attacks

dragged out seven months past the previous agreement's expiration.

Secretary-Treasurer Andrea Zinder followed Conger with an equally impassioned call for stewards to take their success at the bargaining table to streets, town halls, city council chambers and anywhere else union brothers and sisters find themselves under siege.

Zinder said that the outcome of contract talks has made her prouder than ever of the members of Local 324. "I am proud to be a member of a union that covers at nothing and refuses to run away...and I am proud to be among such leaders of Local 324."

Some of the loudest applause of the day came when Zinder tied the efforts of local activists to the successful ratification of a new contract.

"Together, we ratified a contract that we can all be proud of," she said.

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# Hot Topics

Words of wisdom to help you keep your job

## Liquor and Tobacco Sales: Check for I.D.

—By Field Director Chuck Adinolfi

During the weeks and months preceding the holidays, it is common for law enforcement agencies to conduct sting operations in retail stores that sell liquor and tobacco products. These stings are generally done by using an underage decoy, with their own legal form of identification that is closely monitored by a law enforcement agent that acts as a witness to the sale. Many times there is a third witness that will film the entire transaction from several feet away. Their job is to trick you, by using an underage decoy, that appears to look over the legal age (18 for tobacco and 21 for liquor), into selling them cigarettes or booze.

The penalty can be very serious for both selling tobacco and/or liquor to a minor. First, you are faced with a citation that can cost several hundreds of dollars that **you** are responsible to pay. Second, you may either face a long suspension or more likely a termination of your employment. Third, you may be required to go to court and your employer may have their liquor license suspended or revoked. Remember, **you** are responsible for the cost of the citation whether or not you lose your job.

Most of the companies have put safeguards into place to remind the cashier to ask for I.D. Either the register will lock up, or a beep will

prompt you to ask or look at the customer to determine if you need to ask for I.D. Some companies have computer programs that allow you to scan the license or enter in the birthdates in order to proceed. But even with these safeguards, we still see our members in trouble for selling to a minor. One reason is because we are in such a hurry to check out customers that we use shortcuts such as simply hitting the clear key to override the system.

Most companies also have policies that require the cashier to ask for I.D. when a customer appears to look under 30 or 35 years of age. This is a great tool to assist you in knowing when to question the customer for I.D., but instead we take a quick glance and hit the clear key again.

Use all of the safeguards that your company has put into place and be extremely careful this holiday season. Do not try and guess at someone's age; if they look under 35, don't be embarrassed to ask for I.D. If you are presented with I.D. that is questionable or appears to be tampered with in any way, call for a manager and refuse to sell. You have a right to protect your job and refuse to sell if the I.D. that is presented appears to be altered.

Please don't let this happen to you! Don't take shortcuts; your job depends on it.



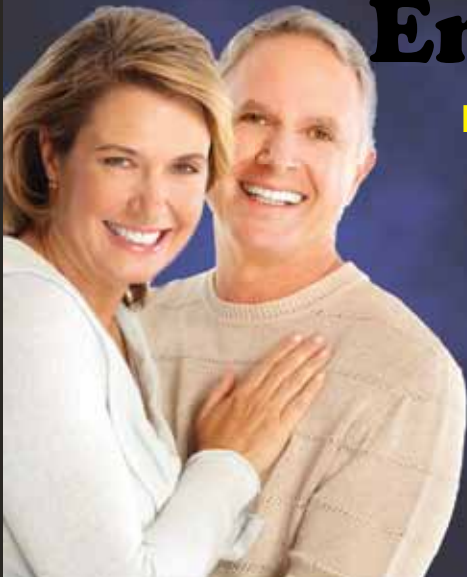
## Enjoy Your Retirement!

For fun and friendship join the UFCW Retirees' Club!

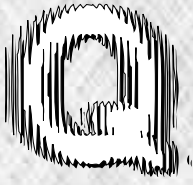
- \*Monthly Luncheons
- \*Semi-Annual Pancake Breakfasts
- \*Annual Fashion Show
- \*Annual Indoor Picnic
- \*Regular Bingo
- \*Party Bingo
- \*Bowling
- \*Reduced Travel Trips

As a member of Local 324 you are welcome to participate in many of our activities. For information please call: Barbara Hamilton (562) 431-7545, Diana Eastman (714) 528-6720, or Marion Jones (714) 536-7315

November-December 2011 13



# Word on the street



□ **How do nearby non-union stores affect your company's business?**



We lost some business but not a whole lot. Customers are pretty loyal.

**Dan Flynn**  
Albertsons 6105



Extremely, sales are down about 20% at my store since the Target down the street started selling groceries. People are looking at other stores for additional hours.

**Dawn Hamelin**  
Ralphs 296



It's hard when you see your neighbors unloading groceries in Target bags because they 'are cheaper'. Places like that deal in volume not service and it shows.

**Vikki Taylor**  
Albertsons 6105

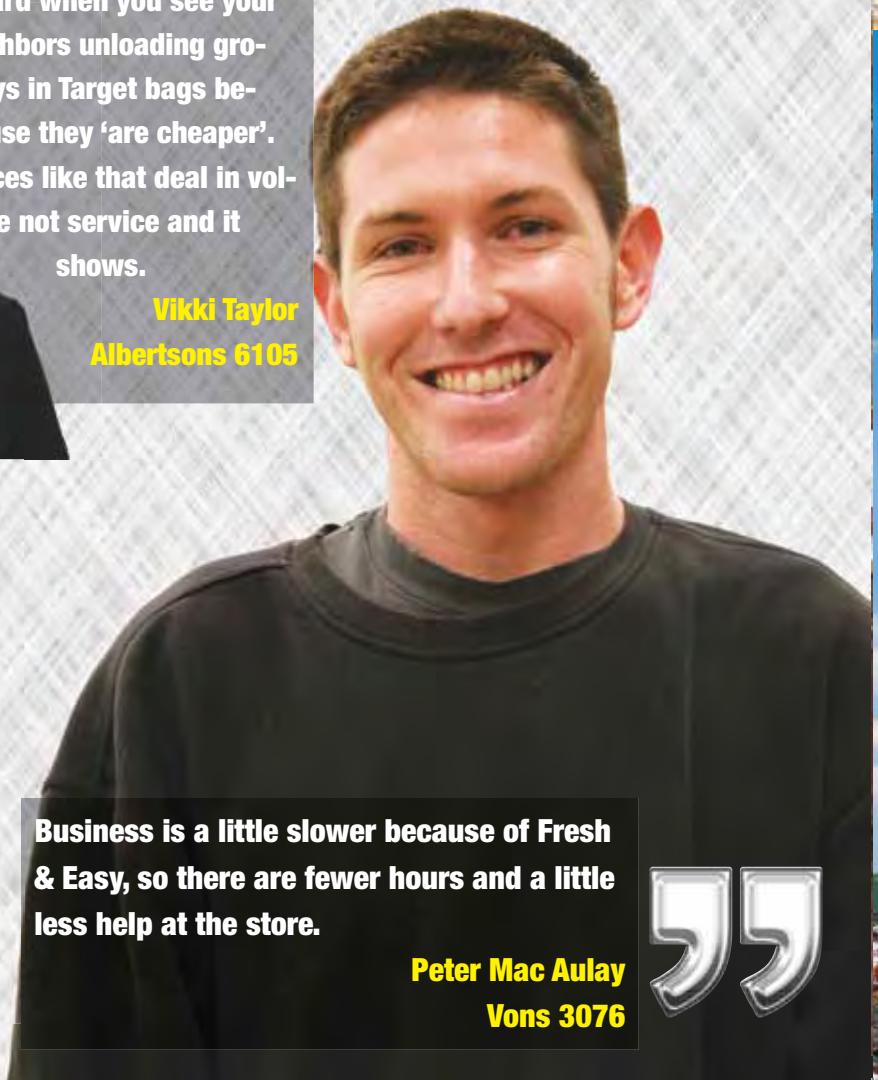
Now that people have another option they don't necessarily have to shop here.

**Michelle Montez**  
Ralphs 299



Business is a little slower because of Fresh & Easy, so there are fewer hours and a little less help at the store.

**Peter Mac Aulay**  
Vons 3076



# Off the wall



What have you done for me **Lately?**

A large digital billboard for UFCW 324. The billboard is green and black. It features the following text:

- STATS**
- January-October 2011**
- GRIEVANCES FILED ..... 1390
- MEMBERS BACK TO WORK ..... 240
- BACKPAY COLLECTED:  
\$ 138,766.12
- UFCW324.ORG**
- LIVE BETTER WORK UNION**
- UFCW logo with text: "SERVING CUSTOMERS", "UFCW", "SERVING THE COMMUNITY"

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The background of the lower half of the page is a festive winter scene. It features a white, snow-like background with scattered green pine branches and small, white, snowflake-like ornaments. The overall aesthetic is clean and celebratory.

*Happy Holidays!*

*From the Staff and Executive Board of  
UFCW Local 324*