

Fighting Back on Right-to-Work

During 2011, UFCW locals and members all across the country will face a flurry of anti-worker legislative and ballot initiative fights including efforts to turn a number of strong union-dense areas into right-to-work states.

Our best winning message for lobbying legislators to vote against these initiatives is one that draws on UFCW values of good jobs, improving communities, and an economy that works for everyone.

On Thursday, UFCW Locals 75, 227, 700, and 881 will be lobbying legislators in the Indiana statehouse who are considering moving forward with the legislation. Republican lawmakers, who just gained control of the House, have already filed two bills that would ban companies from making union dues or membership a requirement of employment.

Though this fight begins in Indiana, the following talking points for lobbying your state legislators are applicable in each state.

TALKING POINTS FOR LOBBY VISITS:

Right-to-work legislation hurts workers, families, and the economy. It is harmful legislation designed to let companies get away with lowering pay, benefits, and standards for everyone across our state.

Some states like Mississippi and Arkansas already have right-to-work laws. Workers in right-to-work states earn \$5,538 less than in union shop states. Family income is \$6,184 less than in union shop states.

The Right-to-Work Ripple Effect: When we lower on-the-job standards, there's a negative ripple effect.

- **Families** are harmed because right-to-work laws result in the lower wages, benefits, and median income of working people.
- **Communities** are harmed because workers' reduced

buying power means less money spent in our communities.

- **Our state** will suffer because when workers earn less, there is less tax revenue. That means less money for education, infrastructure, children's health insurance and other things our families and communities depend on. Americans need jobs—but we won't be better off with just any old jobs. We need innovative legislation that focuses on creating good, middle class jobs that we can raise our families on, not jobs that lower our living and working standards.



Members of Local 700 are getting ready to lobby their state legislators. Juan Ruffin, left, says, "We can't let Indiana turn into a "right-to-work" state or else companies and big business win and working families lose. America needs more good-paying jobs if we are going to come out of this recession."

The Good Jobs Ripple Effect: When people have good jobs with middle-class benefits, there's a positive ripple effect.

- **Families** are better off because they earn more. Kids stay healthy because their parents can afford health care. Workers can put money aside for retirement or a rainy day.
- **Workplaces** are better off because workers have a say when it comes to issues like workplace safety, ergonomics, and appropriate staffing.
- **Communities** are better off because fewer people have to turn to the state for basics like health care or food stamps. Higher wages and median incomes increase both buying power and tax revenue. That means more money spent in the community and a strong tax base that allows our state to improve education and infrastructure. **OP**



NLRB Attempts To More Effectively Protect Worker Rights

The National Labor Relations Board (NLRB) directed all of the board's regional offices to ask administrative law judges for orders designed to lessen the coercive impact of unfair labor practices companies commit during organizing campaigns. The orders include requiring companies to provide unions with employee lists, access to bulletin boards and to read NLRB notices. The Board acknowledged that unlawful discharges and other violations coerce workers out of choosing workplace representation and recognized that it must do more to counteract the impact of unlawful conduct.

Board regional offices should therefore seek orders directing companies to provide unions with employee lists whenever the company's unlawful conduct "interferes with communications among workers or between workers and the union." Requiring companies to provide employee lists is appropriate not only when companies unlawfully apply their no-solicitations policies, but whenever the company's conduct causes workers to fear talking to each other or to organizers. So, companies should also be ordered to provide lists when companies unlawfully interrogate, surveil, solicit grievances, promise or grant benefits to workers because these ulps have the effect of intimidating workers out of discussing workplace representation. For the same reasons, the Board directed regional offices to also request union access to workplace bulletin boards.

Finally, the Board instructed regional offices to seek orders requiring companies to publicly read NLRB notices aloud to assembled workers. When workers hear high ranking managers who committed violations say out loud that they will not again violate worker rights or see the manager present when this message is read, this can go a long way to dispel the atmosphere of intimidation the manager created.

Memorandum GC 11-01 (Dec. 20, 2010).

How This General Counsel Memorandum Can Help You:

When filing ulp charges, locals should pressure

NLRB regional offices to include in their complaints a request for orders directing companies to provide the union with employee lists, access to bulletin boards and to read notices. Getting these remedies could be particularly helpful in long-term campaigns or where locals may conduct future campaigns at the same facility. **OP**

Merger of UFCW Locals 5 and 101 Will Increase Bargaining Leverage with Safeway and Lucky

Members of UFCW Locals 5 and 101 have voted to approve a merger to consolidate their unions effective January 1, 2011. Members of both locals overwhelmingly approved bringing the unions together to form one 33,000 worker union, under the UFCW Local 5 banner.

The newly merged local is gearing up for major contract negotiations in the fall with employers like Safeway and Lucky.

UFCW Local 5 President Ron Lind noted, "The members of both locals work for many of the same employers. This merger will make all of us stronger in terms of bargaining, organizing, politics and in our ability to provide better service and benefits to our members." **OP**

Marsh Supermarkets Named Scrooge of the Year

Central Indiana Jobs with Justice named Marsh Supermarkets and its owner Sun Capital, 2010's "Scrooge of the Year" for violating workers rights and failing to live up to Hoosier values.

In December, the NLRB charged Marsh Supermarkets, Inc with violating federal law by threatening, intimidating, interrogating, and coercing its workers to try to discourage them from forming a union; and with illegally firing an employee for supporting the union. **OP**



Grocery Workers, Shoppers Ask Big Y for Commitment to Their Community during Holiday Season



Just a few days before Christmas, former A&P workers, United Food and UFCW Local 371 staff, shoppers, and supporters from the community gathered at noon at a West Hartford Big Y store to ask Big Y to make a commitment to community this holiday season.

Most A&P employees were not hired back after their stores were bought by the Big Y chain and re-opened as Big Y stores—despite workers' many years of experience, skill, and dedication to their jobs. Entire families who had worked at A&P for generations were not re-hired at Big Y, and now find themselves out of work at the worst time—during an economic downturn and over the holidays.

As Big Y opens six stores in Connecticut, these A&P workers, their customers and their supporters are asking Big Y to make a real commitment to our communities this holiday season. During tough economic times, the single most important thing that will help our communities prosper is jobs. Those at the rally asked Big Y to re-hire the A&P workers that are now out of work, and to commit to providing good jobs in our communities—jobs with full-time hours if workers want them—jobs that pay a living wage and come with good benefits.

“Big Y should hire us back,” said former A&P worker Rich Johnson, who worked at A&P for 31 years. “A lot of our customers came in because of us. They’re friends, they’re family, and they come here for us. Why not keep us? It just makes good sense, for us, for our customers, and it seems like good business, too.”

Senator-elect Richard Blumenthal also stopped by after the event to wish the workers well and to encourage them to keep up their fight. **OP**

Members of UFCW Local 540 Ratify Contract with JBS in Cactus, Tex.

Members of UFCW Local 540 who work at the JBS Beef plant in Cactus, Tex. have ratified a new contract which covers 3,000 workers at that plant. The contract maintains affordable health care and retirement security and increases wages by \$1.60 per hour over five years. That’s the biggest five-year increase UFCW members have negotiated with JBS. The new contract also upgrades nearly 25 percent of the jobs in the plant, bringing approximately \$780,000 in new money in job upgrades alone. Some pay grades, including chuck boners and clod droppers will earn an additional \$3.00 to \$4.00 over base.

“This is one of the richest contracts we’ve seen, and it was ratified by over 90 percent of those who voted,” said Local 540’s Executive Vice President Casey Williams. “We were committed to fighting for the \$1.60 increase because the two Cargill plants nearby in Friona and Plainview got that increase and we wanted to maintain that standard,” Williams said.

The new contract also has a new compromise regarding Saturday pay and breaks. JBS wanted the flexibility to work employees for up to 12 minutes past eight hours without giving a third break. The local negotiated a compromise: if the company triggers the 12 minutes past eight without a break, workers will earn time and a half on Saturday of that week regardless of how many hours they work that week. Under their old contract, workers had to work six consecutive days in order to earn time and a half on Saturdays. **OP**