

UFCW update...

United Food & Commercial Workers Union Local 367

Spring/Summer 2009

Special points of interest:

- Active Ballot Club Notice - Page 2
- Tellblast — What is that? - Page 3
- Find out what's going on at the next Quarterly Membership Meetings, second and third Tuesdays of July, 9:00 a.m. and 6:00 p.m. (Locations Page 3).

Inside this issue:

- President's Message 2
- Grievance Report 3
- Employee Free Choice Act 5
- Stewards Study Generational Conflicts. 6

Health Care for All!



Local 367 turned out in force to support the Health Care for All rally held in Seattle on Saturday, May 30. Under a blazing sun and blue skies, Union President Teresa Iverson led a team of Union Representatives to Pratt Park on Capitol Hill in Seattle, where thousands of people gathered with signs, banners and colorful t-shirts, all keyed to the idea that all Americans should have access to affordable health care.

At the park, Senator Patty Murray delivered a speech, telling the crowd that she would be working with Senator Ted Kennedy of Massachusetts starting the following Monday, June 1, to prepare a bill for Congressional action. President Obama has promised that action on health care will not wait, and that he wants to sign legislation this year.

From the park, the throngs of supporters marched into downtown Seattle and up Fourth Avenue to Westlake Mall, where bands and speakers, including Rep. Jim McDermott, met them. A small band of counter-demonstrators were confined by police barriers across the street, but they were far outnumbered by the pro-health care crowd.

Groups supporting the rally were many and diverse, including many labor organizations. Some were advocating for particular delivery systems, such as a single-payer program, but all were united by the belief that the current system, which leaves many people, including working families, totally uncovered for medical expenses is totally unacceptable. ■

Organizing New Frontiers

In our continuing efforts to organize non-union workers, Local 367 will soon be running a commercial on AM 1090, a progressive radio station that has coverage through most of our jurisdiction. Since it is

progressive programming, the audience is a prime one to hear our message.

We hope to have the commercials airing by the time you receive this edition of the newsletter, so tune in to

AM 1090 in the 6:00 a.m. to 9:00 a.m. hours for the Stephanie Miller show, and noon to 3:00 p.m. for the Ed Schultz show to hear our latest effort to build the Union. ■



Teresa Iverson
President
UFCW Local 367

“Local 367 is on a mission to build the Union’s strength for the oncoming set of contract negotiations.”

President’s Message

Building Union Strength

Local 367 is on a mission to build the Union’s strength for the oncoming set of contract negotiations.

Most members will be aware of the “Countdown Connection,” our newsletter designed to highlight the time frame of the next negotiations. If you have seen it, you should be aware that the large majority of Local 367’s major contracts expire in 2010. Between now and then, our challenge -- mine as an officer, our stewards’, and yours as a member -- is to build our Union into a cohesive family, all united with the same objective: Our fair share and a contract that reflects it!

How we go about achieving this objective is the challenge, and it starts with each of us. It starts with something as simple as telling each other, “You matter. You are important, and I will be there to help you.” Your workplace can be stressful, but we can use

the stress to bond together, across the generations and across departmental and even corporate lines. When the workforce is unified and happy, customers see it in the smiles on the workers’ faces, and they are open to hearing the workers’ unified voices calling for that “fair share” we want out of the next round of contract negotiations. It’s important to realize that we need those customers to support our cause in the coming struggle.

Customers aren’t the only ones who notice the morale of the workforce. Store managers are the eyes and ears of the company. They may not be directly involved with negotiations, but make no mistake, they do report up the chain of command about what you are saying in the stores. So, let’s make them our resource too! By talking to each other about how you can be ready, how you care

about your co-workers, and how important it is that we are successful in negotiations, we send the right message up the ladder! Let them know we will be firm in our resolve and that we are determined to achieve our goals.

Your stewards may have already approached you about getting your e-mail address. If you haven’t given it to them, please do so. This will be the fastest way for us to communicate with you as we get closer to negotiations. Soon, you will be able to go to our UFCW Local 367 website and opt in or out of receiving other things, like this newsletter, via e-mail. So, watch for the unveiling of the site. Our target date to be up and functioning is approximately September 1, 2009! ■

Annual Active Ballot Club Check-off Authorization

This is the annual notice to all UFCW Local 367 members that if they have chosen, or if they choose in the future, to provide authorization to their employer to have an amount of money they specify be deducted from their paycheck to be contributed to the Union’s Active Ballot Club for the support of political candidates, ballot issues or any other legal, political or legislative expenditure, they retain the right to revoke said authorization, in writing, at any time for any reason or for no reason at all.

No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for:

(i) The failure to contribute; (ii) The failure in any way to support or oppose; (iii) In any way supporting or opposing a candidate, ballot proposition, political party, or political committee.

For information detailing where to send a revocation of authorization notice for each employer that lists either the name and address of each employer’s contact person or the name and address of each person or entity responsible for disbursing members’ wages or salaries, contact UFCW Local 367, in person or via phone (253-589-0367 or 1-800-562-3645 outside Pierce County), and ask for your Union Rep. ■



**Hey!
Have you
heard???**

**UFCW Local
367 is
officially on
Myspace!**

Check it out at:

[www.myspace.com/
ufcw367](http://www.myspace.com/ufcw367)

**See our photos, upcoming
events, videos, and
more!**

Tellblast — What is that?

By Blaine Sherfinski
Secretary/Treasurer

By the time you receive this edition of the newsletter, some of you will have received recorded messages from your Union Representatives. These recorded messages, or Tellblasts, are to tell you when your Union Representative will be in the

store in advance of that date and time.

We are always trying to improve how we reach our members, and one suggestion we heard from members is that many would like to know in advance when their rep will be in the store.

We are implementing this on a trial basis to see how well it is received. So, if you get a recorded message from your Union Rep, please do not hang up — they actually have something to tell you that should be of interest! ■



Blaine Sherfinski
Secretary/Treasurer

“We are always trying to improve how we reach our members . . .”



Grievance Report — Back to the Grind

By Daniel Comeau
Grievance Department

There are lessons to be learned in life, and one of them is never to give up! Chad Higbee already knew that he wouldn't give up on his grievance, even in the face of consistent delays by management and their representative. Chad was terminated for allegedly extending code dates (shelf life) of a whole lot of meat product during re-wrapping. When it came time for the employer to prove its case at the hearing, the Union

was able to expose the majority of management's evidence. In the end, the arbitrator found for Chad and the Union, and he is going back to work!

This decision does two things. First, for all of you Safeway Meat cutters out there subject to Safeway's "Zero Tolerance" policy against extending code dates, this decision means that the just cause provision in your contracts prevails (someone who has been found to vio-

late the policy can receive a suspension instead of termination). In other words, you may not get one strike and you're out. Please note, however, that the Local urges you to follow Safeway meat handling policies, so don't think you can just slack off!!!

Second, this decision allows the Local to challenge that offensive 180-day back pay and benefits limitation (cap) in the (Continued on Page 4)



Members and employees of Local 367, and their families are eligible for membership. Convenient branch locations; online banking; auto, home, and equity loans; direct deposit; credit cards; checking accounts; and more! Call 1-800-477-8329, pick up an application at Local 367, or go to the website at www.ufcwnwfcu.org today!

UFCW Local 367 Quarterly Membership Meetings

These general membership meetings are open to all active members. Union Representatives are available at these meetings and are more than willing to answer any questions you may have. **Be informed, stay involved!**

Tacoma
UFCW Local 367
6403 Lakewood Drive, W.
9:00 a.m. and 6:00 p.m.
Tuesday, January 13
Tuesday, April 14
Tuesday, July 14
Tuesday, October 13

Olympia
Olympia Center
222 Columbia St. NW, Olympia
9:00 a.m. and 6:00 p.m.
Tuesday, January 20
Tuesday, April 21
Tuesday, July 21
Tuesday, October 20

Aberdeen
Carpenters Hall Local 317
316 East 1st St., Aberdeen
9:00 a.m. and 6:00 p.m.
Tuesday, January 20
Tuesday, April 21
Tuesday, July 21
Tuesday, October 20



On the Move?

Inform the Union of
Address Changes

To ensure our ability to reach members through important updates, letters, or telephone calls, Local 367 reminds all of its members to advise the Union office of a change of address and/or telephone number.


Call the Union today at: (253) 589-0367, or toll free at 1-800-562-3645 to update your records.

Grievance Report

(Continued from Page 3)

Contract. This “cap” means that an employer only pays you for six months of back pay and benefits if you are terminated — even if you are out two years!!! Safeway, in this case, unreasonably delayed at every step of the process — two months to respond to the grievance, six months and a threat to file an unfair labor practice charge in order to get into a labor relations meeting, and three months of maternity leave for Safeway’s attorney — all with the intent to stall the process. Fortunately, the arbitrator in this case has granted our request for further hearings, if necessary, in order to get the employer to award FULL back pay and benefits (and thereby remove the cap).


This case is a testament to Chad’s faith and perseverance in his grievance and his representatives for making it happen. While it may seem daunting, there is light at the end of the tunnel for those who have



Join us for our
4th Annual UFCW Member Picnic
 11:30 a.m. to 3:00 p.m., Friday, July 31, 2009
 Manitou Park, South 66th & Stevens Str., Tacoma
**Members who attend will be
 entered into a raffle for an X-Box!!**

been unjustly terminated. In addition, it may seem as if you’re never going to be made whole because of the length of time you’ve had to wait for arbitration or an arbitrator’s decision because management has dragged its feet. However, your Local intends to take back some of the rights and benefits management took away a few years ago (caps on back pay and benefits) with a good decision from the arbitrator, should we need a hearing.

For right now, Chad Higbee will be seeing some of you again at your local Safeway Meat Department. Drop in and say “hi” because, after all, he did beat the “wrap!” ■



**MARK YOUR
 CALENDAR!
 July 26, 2009**

**Solidarity Day
 XXIX
 Cheney Stadium
 Game Time:
 1:30 p.m.**

Free admission with coupons from Local 367. Face painting, balloons, promotional giveaways, and lots of Union family fun!

Employee Free Choice Act

The Need Hits Home for the Organizing of Departments at Fred Meyer

By Gary Lyle, Organizing Director

“The Employee Free Choice Act would obligate an employer to bargain a contract once the Union signed up a majority of the workers. . . .” and would save time for all parties, unlike the existing law which allows stalling techniques such as appeals which can take many months.



“We need to level the playing field for workers and the unions that represent their interests, because we know that you cannot have a strong middle class without a strong labor movement. We know that strong, vibrant, growing unions can exist side by side with strong vibrant businesses.”

President Obama
May 1, 2009

It's Gettysburg, it's Waterloo, it's the Battle of the Bulge, all rolled into one. In the halls of Congress, a gigantic fight is in the making over the Employee Free Choice Act proposed by labor advocates. The beginning skirmishes are seen in Pennsylvania Senator Arlen Specter's party switch, and in Sen. Norm Coleman's last-ditch court effort to keep his seat away from Al Franken in Minnesota. The Chamber of Commerce lobbyists have poured in all their resources on the counterattack.

What's the big deal? The Employee Free Choice Act would obligate an employer to bargain once the union signed up a majority of the workers. The employers would lose the opportunity to lie, bully and cheat in the interim period before an NLRB election under the current "law." I say "law," advisedly, because in reality there is no effective law to govern employers' actions in organizing campaigns. They can fire people; they can threaten people; they can lie to people, and get away with it in the sense of keeping the union out, even if it does cost them a modest amount. Even if the employer should happen to lose the election, the appeals available can keep the union out indefinitely.

The Employee Free Choice Act provides two ways to go for employees who want to organize. The first says if a majority of the workers want to form a union, they can request a majority sign-up. If 50% plus one of the workers sign authorization cards, then their company must recognize their union. However, if the

employees want to have a secret ballot, they can go the second route and proceed to an election.

At Local 367, we have our own recent illustrations of the inadequacy of the existing law. Approximately 17 months ago, employees in the Fred Meyer Nutrition Departments in Lacey and Tumwater filed a petition with the National Labor Relations Board to be represented by Local 367 in their department, which is currently non-union. A hearing was held in Seattle, and Fred Meyer hired a high-priced law firm out of Portland to fight the employees' effort to unionize. The NLRB ruled in favor of the Union, and set an election. Just before the vote was to be taken, however, Fred Meyer's law firm filed for review by the National Labor Relations Board in Washington D.C., from where, if they should happen to lose, they can always go to the federal courts.

The election went on, and members of the Nutrition Departments voted. However, because of Fred Meyer's appeal, the votes were impounded. There were 14 months between the election and the vote count: 14 months for a decision to be made to allow the election to stand; 14 months that the employees of Fred Meyer have had to put up with lesser benefits on their medical, dental, vision, and prescription drug; 14 months that they have been denied the protection of a union contract; 14 months that they have been denied the ability to have a guaranteed pension benefit; and 14 months to have their decision

to form a union denied.

On April 24, 2009, the votes were finally counted. The results were unanimous. Lacey, Tumwater, and also a Fred Meyer store in Spokane voted to be represented by UFCW Locals 367 and 1439, respectively, as part of the grocery department. CONGRATULATIONS... However, remember that Fred Meyer can still appeal the election results to the federal courts and delay the workers' choice to be represented that much longer.

The difference is that if the Employee Free Choice Act were law, the above-mentioned situation would have been resolved within one month, NOT 17.

In another example, the workers at Fred Meyer's Bridgeport location Playland Department have requested that their department be represented by UFCW Local 367. A hearing was held in Seattle, and it was ruled by the National Labor Relations Board that the Playland Department can vote to be part of the CCK Department. A vote has yet to be scheduled. The company can file an appeal and tie this up again.

Imagine if we had a Presidential election, but the losing party filed a petition for review, and the new president could not take office for 17 months. It would not be very fair, very democratic, or very American. Under the current law, companies like Fred Meyer can delay and deny democracy. Please, call your representatives now and encourage them to pass the Employee Free Choice Act.

■ ■ ■

**LOCAL 367
UPDATE**

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UFCW Local 367
6403 Lakewood Drive, W.
Tacoma, WA 98467-3331

Telephone: (253) 589-0367 or
1(800) 562-3645
E-mail: ufcw367@ufcw367.org
Web: www.ufcw367.org

Teresa Iverson, President
Blaine Sherfinski,
Secretary/Treasurer

Denise Fuchs-Jagiello, Executive
Vice President
Finley Young, Attorney
Daniel Comeau, Attorney
Debbie Ploeger, Admin.
Assistant/Office Mgr.
Gary Lyle, Organizing Dir.
Mallory Hagel, Organizer
Heather Kafton, Intern
Julie Whittall, Bookkeeper

Union Representatives

Tonya Burnett
Lisa Ferguson
Lindsay Garner
Benny Rowland
Cindy Williams

Office Support Staff

Tina Clark, Secretary/Mbrship.
Susan Hallstead, Secretary
Doreen Soine, Benefits Coord.
Gina Stanton, Receptionist/
Membership
Michelle Tribble, Billing Oper.

The Local 367 Update

Debbie Ploeger, Editor and
Production

Stewards Study Generational Conflicts
Effective Communication with Four Generations in the Workplace

Recently, Local 367 brought in a Federal Mediator - not to help settle a contract dispute - but to train our Union Stewards. Gary Hattal, of the Federal Mediation and Conciliation Service, came

to speak about “Generational Conflicts in the Workplace.” Stewards learned that

Building the Union’s strength through better communication between different generations.

for the first time in history, there are now four generations in the workplace: Traditionalists (born before 1946), Baby Boomers (born



between 1946 to 1964), Generation Xers (born between 1965-1981) and Millennials (born between

1982-2000). Hattal was there to teach the stewards how to effectively communicate with all four groups of members. ■



Keep Informed!

Would you like to receive information and updates via e-mail? Please contact Michelle in our office at 253-589-0367, or outside Pierce County at 1-800-562-3645, and we will add your e-mail to your membership record.

www.ufcw367.org
We're on the web!



6403 Lakewood Drive West
Tacoma, WA 98467-3331

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