

Telephone Town Hall – November 16, 2023 @ 7 p.m.

1. **Meeting called to order** at 7:03 pm by Dan Goodman.
2. **Roll Call of officers:**
Dan Goodman, **President**; Charles Pratt, **Secretary-Treasurer**; Brian Taylor, **Recorder**; Margaret Robins, **VP 1**; Susan Espin, **VP #3**; Sandra Peters, **VP #4**; Sandra Geldart, **VP #7**; Kirste Hawgood, **VP #10**; Doug Insley, **VP #11**; Dawn Stevenson, **VP #12**; Cathy Shannon, **VP #14**;
3. **Adoption of Agenda**
m / s / c to adopt the agenda
4. **Adoption of August 29, 2023 Minutes** as posted on UFCW 247 website
m / s / c to adopt the minutes
5. **President's Report**
 - A motion was passed at last week's Executive Board meeting to appoint Peter Parmar to fill the Vice-President #8 position which is designated for the Okanagan/North Region. Peter will be officially sworn-in at the first quarter 2024 meeting.
 - Earlier today we were certified by the BC Labour Board to represent employees at a Browns Craffhouse in downtown Vancouver.
 - On Safeway, we previously reported we were in the process of finalizing strike votes at both our Local and Local 1518. Both Locals members subsequently voted overwhelmingly in support of strike action with our group providing their negotiating committee with a 99% strike mandate. This was an important message not just to the company but also to let the committee know the members had their back. Local 1518 had bargaining dates before us and were able to reach a recommended settlement.
We want to thank the 1518 committee and leadership for the cooperation throughout this process. Once they had a settlement, they agreed to hold off on releasing the details and voting until we could hold our talks. This allowed us to meet without distraction and leverage their deal to put us in a better bargaining position. It was clear once our talks began that the company wanted to get something done, but we had many items specific to our membership to resolve and your committee did a great job. Ultimately, we reached an agreement and lined our ratification process up with the 1518 so both memberships heard the settlement details and voted on it at the same time. Our staff and negotiating committee members were out in the stores talking to members, answering questions and making sure people were registered to listen to the town halls and then vote. I want to personally say congratulations to the committee and a big thank you and great job to Cathy as well as Elisca Long and Dave Baillie who assisted her throughout the process.

Here more info from Cathy Shannon, who chaired our bargaining:

I want to thank the bargaining committee for their hard work, their commitment in bargaining to reaching an agreement that overall captured something for everyone they represent. The agreement has access to 90 new full-time grid B jobs with a guarantee of one per store, so 50 positions to be posted three months after ratification and the remaining to be posted throughout the term of the agreement. It has an improved grid B scale with a faster or shorter progression to the top with no one frozen at minimum wage.

It has top rate wage increases of 12% over the term of the agreement. Increased premiums for relief work for all the departments. There is vacation bridging and an ability for members to break up two weeks of their vacation time into single paid days off for more scheduling flexibility, especially for those members wanting to do that. There is a voluntary severance for grid A employees with some exclusions once in the agreement. At this time, there is no date that the employer has given to the union as to when that severance will be offered. There is five years of stability for our members with increases and opportunities in all of them.

The next steps are to make sure that the changes that we have agreed to are implemented. We sent out an email to our registered members with email addresses, with the date of those changes, so please call the union office or your union representative if you have any questions on the agreement or refer to the website for the news update for those implementation dates. We are currently working backstage to get the agreement changes made so that we can get contract books made for members and so that we can have it posted on the website as soon as possible.

- Dates for BC Tree Fruit bargaining were scheduled for August 28th to August 31st and September 26th and 27th. However, the wildfires in and around Kelowna impacted many communities in the Okanagan and therefore the August Dates were canceled. The smoke and fruit availability forced BC Tree Fruit to rotate shifts at the receiving slabs and shipping departments, which greatly impacted two of our three bargaining committee members being able to attend the meetings. We were also unable to book hotel rooms as they were needed for evacuees. Both parties were able to add September 28th and 29th to the dates already scheduled in September and negotiations began in Kelowna for the four days with Tony Glavin as our lead negotiator assisted by Elisca Long.

Progress was slow and it became apparent the deal would not be reached in the dates we had. The suggestion was made to involve a mediator to assist the parties and we scheduled dates with Mark Atkinson for October 16th and 17th. The union has utilized Mark on numerous occasions involving BC tree fruit issues and he is familiar with their operation and the collective agreement even with his participation; however, the discussions were sluggish, and the company just seemed to be delaying versus making true efforts to get a deal. Mark impressed upon both groups that time was becoming short and in the late afternoon on the 17th, the company finally made some movement, and we were able to agree on our last two outstanding issues. We don't think we would've gotten this far without Mediator Atkinson, and we want to thank him for his help.

Going in, the membership proposals focused on benefits, wages, and a short-term agreement and we strongly feel we were successful in addressing those issues. The three-year agreement has significant wage improvements, increases to members' health spending account and vacation weeks, the elimination of minimum qualifying hours for vacation and sick leave entitlement, the addition of wellness days securing seniority rights with scheduling and other improvements such as tool allowance, meal allowance, and more. Some of the concessionary items the company was seeking that we managed to keep out of this agreement for rotating schedules, decreasing the percentage payout to sick leave, bypassing seniority rights for scheduling and the ability to contract out. Ratification votes were held November 6th and 7th and Kelowna and Oliver, and members overwhelmingly voted in favor of the settlement.

- We had a grievance and arbitration on sick leave at FG Deli. We had received the decision on our sick leave grievance in August. At that time, we noted that the arbitrator had agreed that the employer violated the collective agreement by unilaterally changing the rate by which our members accumulated health and welfare time or HWT In Article 19. The company felt that by front loading 40 hours of HWT at the start of the year and reducing the accumulation rate set out in Article 19, it could meet the requirements of the Employment Standards Act (ESA), which requires that each employee, after 90 consecutive days of employment, receiving five days of injury illness leave as of January of each calendar year. The FG Deli collective agreement contemplates an accumulation system, so it is not the same as employment standards and that you have to earn your sick days as you go.

Whereas ESA requires employees to have the five days front loaded for use each year. Our analysis of the decision was that we had won on this important point, and we reported back to our members, who have been asking about this grievance on a near daily basis since September, 2022. We then sought to arrange to meet with the employer to discuss Remedy as set out in the arbitrator's award. When we met with the employer, we were informed that the employer's perspective was that the award was actually in their favor, not ours. They emphasize one passage where it is clear that the sick leave provisions are not intended to create a windfall for employees. The employer decided that the system of front loading 40 hours of HWT in January, a system they had proposed and implemented was not something they were going to do going forward. They had not much to say on several other passages in the award, where it was clear to us that the arbitrator intended the employer to continue its practice of front loading 40 hours each January and continuing with the accumulation rate.

We negotiated fair and square in bargaining with such disagreement over the meeting of the arbitrator's decision, both parties agreed we should instruct our counsel to go back to the arbitrator for him to clarify his intent and issue instructions on remedy. The employer has stated that they will not be front loading any HWT or sick leave for members starting this January and we can file a grievance if we disagree. Starting what has been a year and a half process all over again, we have completed submissions on this, and we expect a response from the arbitrator any day now. Frankly, we are unsure where this will land. While we have relied on strong legal opinions from the beginning on this issue, we also know this will be the first decision in British Columbia involving employment standard sick leave applied to an accumulation-based system in a collective agreement. The issue speaks to the uncertainty of the law in this area.

- We also had an outstanding issue regarding an ammonia leak at the FG Deli facility. We are currently preparing for a hearing on how the employer carried out the recall process after the ammonia leak on February 10th, 2022. Instead of recalling members by plant seniority and ability to perform the work, the employer recalled members based on seniority within the department after months of refusing to provide information about who was called back, when, and on what basis. And after arguing in the grievance procedure that would happen was not even a layoff but a temporary shutdown. We referred our grievance to arbitration three weeks ago. We received disclosure from the employer that was over a thousand pages of information. We went through the document and created spreadsheets to finally see what happened in the recall process. Unfortunately, in the thousand pages, the employer has still not provided information about what it considers employee's abilities on working in other areas of the facility to be. It is clear what happened is what worked best for the employer but not what the parties had agreed to in bargaining. We launched a survey held over two weeks to gather information about abilities and recall directly from members. We had about 15% response rate which demonstrates the impact of delay on members' engagement. We have agreed to written submissions on these cases to arbitrator Mark Brown and we have two days of hearing scheduled for January 23rd and 24th, 2024. We are now working on our initial submissions having analyzed, disclosed evidence and found some further evidence of our own through the survey. I want to thank Mike for the updates and the hard work on these issues.
- one of our longtime shop stewards and negotiating committee members at FG Deli, Amber Nichol took an excluded position and so we say goodbye to her and wish for luck in her new role.
- we continue to work on our transition to the UnionWare operating and reporting system at the office. We are still at the Analyze U stage. We've gone through all of the modules and are now doing a deeper dive into them. We are working on the core, which is the membership database module and the most crucial one is taking quite a bit of time to go through as we get into all the details of the codes and processes of our month end reporting to Washington. This will impact how we report our members to Washington once we switch over. Once the core module is done, we will be 90% finished analyzing and just need to go over the other modules to finalize them,

which we anticipate should not take too long. This shouldn't impact members in any way, but we wanted to make sure you were all aware of the process.

- We are also replacing our server to allow greater compatibility with the UnionWare system and provide greater security for member information.
- We are looking to renovate a vacant storage unit to allow more meetings and bargaining to take place at the office, saving us money and avoiding hotel meeting room charges which have increased dramatically since Covid.
- We are also getting closer to the launch of our violence in the workplace initiative. We know there has been an increase in the number of incidents happening in stores and we are only made aware of a fraction of what actually takes place. Most of the information from the module has been finalized and we now need to check with our legal to ensure that what we want to say and how we are saying it does not create added liability to the member involved or the union. We are also hoping to make a presentation at the upcoming UFCW National Council meetings, which involve all the locals from across Canada to get their feedback, but in the meantime, it is important that if you were involved in or witness a violent workplace incident to please reach out to us so we can provide assistance and support.

m / s / c to adopt the President's report as read.

6. Secretary-Treasurer Report

- At the completion of Loblaw's grocery overnight 4-day workweek pilot, the employer was asked to provide a written assessment of their findings. Loblaw has provided the following observations and comments. Target stores were Real Canadian Superstore 1556, Guildford and Real Canadian Superstore 1558, Abbotsford. There were 14 full-time colleagues asked to join the pilot program. Seven full-time colleagues agreed to participate in the pilot for a 50% participation rate. On May 29th, 2023, colleagues signed to confirm that participation. The duration of the trial was period seven, week 25, which is the week ending June 24th, 2023, to period 10, week 40, week ending October 7th, 2023. Biweekly calls were conducted throughout the pilot and under letter of understanding #14, the pilot period was to be four months.

Shift length was 4 X 9.25 hours paid, with 9.75 hours total inclusive of 30-minute unpaid meals per week. The start time of shifts were varied depending on operational requirements in each store. Night shift premium rules remained the same during the trial. Overtime was double time after 10 hours as per the collective bargaining agreement. This did not occur for the duration of the pilot. Breaks continued to function normally as per CBA, two 15-minute paid and a 30 minutes unpaid. Some renovation support occurred during the pilot; however, the 4-day work week was maintained. The feedback received was that it was challenging to initially coordinate the required systems changes with payroll in the first weeks of the pilot, but there were no issues following that. Now it was from the HR/LR. In general, most full-time colleagues participating in the pilot enjoyed the adjustment to their schedules and appreciated the opportunity.

Colleagues starting earlier and working later was helpful in terms of giving the night crew a head start and finishing off odds and ends at the end of the shift in the morning. That came from both colleagues and management. There were some challenges with scheduling and workers completing aisles with longer shifts into the store closing/opening hours and having to avoid customers. Colleagues did not adjust their circadian rhythm or sleep patterns to working the compressed graveyard shifts. Given three days off in a row, these colleagues reverted to fully living by day and sleeping at night during that time off. Rather than being refreshed after having three nights off in a row, they were for the most part, tired, sleepy, sluggish, on the first night back. The following night, it was slightly better. However, on the third and fourth nights there was a noted loss of productivity (this from management).

There was not a discernible productivity gain while going to the 4-day work week. In fact, they saw poorer conditions, particularly on the last day and that was management's observation. There was a pattern of complaints from part-time, night colleagues or non-participating full-time

night colleagues that were burdened with picking up the slack created by the participating members of the pilot being off for an extra day during the week. That was from both colleagues and management. Operations Managers found that scheduling in alignment with bistro arrivals was challenging to predict. The union reached out to participating members through their assigned servicing representatives looking for feedback on how the pilot went from their perspective.

Overall, while some members were quite positive about the program and enjoyed the three days off, a significant number also struggled with the longer shifts required by the trial. Loblaw was of the opinion that the increased productivity they hoped for was not seen during the trial and that they had filled their obligation under a letter of understanding #14, due to interest from some of our members, we'll be meeting with Loblaw officials to see if there are changes that could potentially be made to the program to address mutual concerns and potentially carry on with the pilot in some fashion on a go forward basis.

- Also, on the Loblaw front, we have recently become aware of a new security gate system put in place in the front end of several superstores. It involves locking gates, which must be unlocked remotely by staff and utilizes a very loud buzzer system that may produce an excessive and potentially damaging level of sound when activated. This is distressing to both staff and shoppers as it goes off hundreds of times during the day. We'll be meeting with Loblaw to find ways to mitigate or eliminate these concerns.

m / s /c to adopt the Secretary-Treasurer's report as read.

7. **Bargaining Report**

- We thought we had a tentative deal at Kootenay Markets on June 13. When we sent the memorandum to the owner for approval, the owner started making changes that were not agreed to. When we showed him what was agreed to, he wouldn't sign off on it. Showing him the evidence of the agreed to items, he still wouldn't agree. We said that we could charge him with bargaining in bad faith. We agreed to go back and go through the package. We ended up getting everything that was in the first MOA. We will have a ratification vote in the next 2 weeks.
- We started bargaining with Stong's and the Company had a proposal to merge two collective agreements into one. The Dunbar has language that protects all the terms and benefits of pre-2013 members. The Northwood's one covers those employees except for members who were hired pre-2013 and had transferred there when it opened. We said that we would be interested in one collective agreement as long as it covers any future locations that open as well.

The Northwood CBA expires this December, so we're getting a committee together from that location to join in. The committee has put in long hours of merging the CBAs, as we will not let any member lose any current benefit or condition that they currently enjoy. It turns out to be good timing as we understand the company is looking at opening another location sometime in 2024. Waiting to hear back from the company on the next date and for the committee from Northwood to be included in the negotiations.

- KUTE recycling plant in Kitimat ratified.
- Prince Rupert Cleaners also ratified this quarter and we've just received signatures on the document from the company and the new CBA is being printed now and will be sent out soon.

8. **Engagement & Education Report**

- The application process for scholarships closed on September 30th. 14 Iorio scholarships worth \$1,500 each were awarded to our members and their dependents. One member was also randomly awarded a \$750 Eddie Education grant. All the winners have been contacted and their names are listed on our website on their local news. The application process will start again in July of 2024. Additional members from the Victoria and Metrotown Superstore won UFCW

Canada's \$1,000 scholarships. They have been contacted and their names will be announced shortly.

- At the end of October, we held an introduction to stewardship course for a large group of 19 members. Most of the participants had over 20 years of seniority and the rest were in their five-year bracket. A common theme was that none of them fully understood what a steward was or what the word even meant, which is why they had not considered getting involved.

Many felt intimidated by the idea of attending the course, but in the end, they were happy they did. Based on this, we'll now be working on finding better ways to showcase the important work that our stewards do with the hope of getting more members interested in becoming activist in the workplace.

- Our education focus for the new year will be health and safety, specifically focusing on effective health and safety committees in the workplace. Stewards and Health and safety committee members are asked to keep an eye on their email for an education invitation coming up early in 2024.
- Our Annual Children's Christmas party at the Burnaby Village Museum will take place on Monday, December 4th starting at 4:30. In addition, we are once again booking children's Christmas movie events across the province. So far, theaters have been confirmed in Courtenay, Prince George, Victoria, Kamloops, and Abbotsford, which is a new location this year. We are awaiting confirmation for the Kelowna location. The children's movie this year will be Trolls Band Together. All movie events will take place on Monday, December 4th at 4:30 PM and registration will be required. Please check our website, social media accounts, and your union bulletin board at work next week for information on how to register and for any of these events.

After the holiday season, we are planning to roll out two exciting new initiatives. The first one is a distribution of our new Welcome to Your Union booklet. It'll cover the basics of being a union member and the importance of being involved in our union.

- The second one will be a new initiative to establish an engagement committee within our union. Our goal is to mostly foster a more vibrant and connected community, one where every voice is heard. We believe that together we can create a more inclusive and empowered environment for our members. With our members' input at the forefront, members will be invited to apply to be part of this engagement committee. The ideal candidate will be passionate about fostering strong relationships within our union, bringing forward new engagement ideas, and encouraging volunteer participation in various community events and activities. Please keep an eye on your bulletin boards, our website, and your email for these special announcements coming in January.

9. **New Business**

- No new business.

Q&A PERIOD - 3 question in the queue; 1 answered and 2 answered individually.

10. **Adjournment**

The meeting adjourned at 7:37 pm.

Member Draw - was conducted electronically. 3 winners were picked; each receiving a \$100 gift card.