

# **UFCW Local 1189/ARGA Settlement Terms**

## **(Grocery Unit)**

**Ratification Date 9/30/14**

### **Full Committee Recommendation**

1. Delete all references to 1116 and replace with 1189

2. Modify paragraph 2.1 (Recognition) to state:

"The Employer recognizes said Union as the sole representative of the Employees in the classifications set forth in this Agreement for the purpose of collective bargaining with respect to the hours of labor, rates of pay, and working conditions hereinafter specified, excluding the store manager, an assistant store manager hired after [date of ratification], the full-time bookkeeper, watchmen, guards and supervisors as defined in the National Labor Relations Act as amended. The Store Manager and assistant store manager may perform bargaining unit work. The full-time bookkeeper, if not in the bargaining unit, may only do bargaining unit work to cover unexpected peaks in work load, fill-in for absent employees until a replacement can be found, or when training an employee. Additionally, the Employers may employ management trainees in each of their stores on a one-year basis. There may be an additional extension for up to one year by mutual agreement."

3. Delete last sentence of paragraph 4A.11 (Sunday Operations) because sentence conflicts with Article 15 language stating that contributions are based on all compensated time:

~~"Sunday operations shall be outside the regular work week for purposes of Health and Welfare contributions."~~

4. Modify paragraph 7.1 (No Strike/No Lockout) to state:

"The Employer agrees not to engage in any lockout of Employees and the Union agrees that it will not engage in any strikes during the life term of this Agreement." (grammar correction)

5. Significantly improve vacation benefit by modifying paragraph 8.3 (Vacation) to state:

"Food Handling Employees hired after April 30<sup>th</sup>, 2005 shall be entitled to annual vacation of ~~two (2) paid vacation days~~ one week after one (1) year of employment ~~to be taken in the second year of employment, one (1) week after the second year,~~ two (2) weeks after the ~~fifth~~ second year, and three (3) weeks after the eighth year.

6. Delete as outdated and unused, the following sentence from paragraph 8.8 (Vacation):

~~"Vacation pay will be paid at the beginning of the vacation period, if requested."~~

7. Delete the following sentences from paragraph 9.1 (Holidays):

~~"Part-time Employees hired before May 1<sup>st</sup>, 2005 normally scheduled to work between 12 noon and 3:00 p.m. on Friday shall be entitled to two (2) hours off or two (2) hours additional pay for the Good Friday holiday. The time off shall be determined by mutual agreement between the Employer and the Employee affected."~~

8. Revise paragraph 9.1 (Holidays) to reflect agreement during the 2013 negotiations to move personal holidays (8 hours for full-time / 7 hours for part-time) to Article 8.

9. Modify the following sentence from paragraph 10.2 1. (Seniority) to state:

"Among the Employees within each seniority group category as provided for in Paragraph 10.6 within each store." (grammar correction)

10. Delete as outdated the following sentence from paragraph 10.5.A (Seniority):

~~"The Employees' schedules prior to the 1999-2002 contract that was affected as a result of combined seniority lists, shall continue."~~

11. Delete paragraph 19.3 (Leave of Absence) as outdated and covered by current state and federal law:

~~"Disability due to pregnancy shall be treated the same as other disabilities for leave purposes."~~

### **ACA-driven modifications to Health Coverage (Article 15)**

12. Significantly increase monthly family contribution from \$1090/month to:

- a. \$1,330/month effective first day of month following ratification (average cost increase \$1.38/hr)
- b. \$1,410/month effective July 1, 2015 (average cost increase 46¢/hr)

13. Significantly increase monthly single contribution from \$460/month to:

- a. \$485/month effective first day of month following ratification (average cost increase 24¢/hr)
- b. \$525/month effective July 1, 2015 (average cost increase 39¢/hr)

14. No changes to eligibility or "premium share" for:

- a. **FortyPlus Employees** (employees averaging 40 hours per week or more – generally department heads and traditional full-time employees)
- b. **ThirtyPlus Employees** (current employees averaging 30 to 39 hours per week)
- c. **Grandfathered PT Employees** (current employees averaging less than 30 hours per week with more than 3 years of completed service with the employer)

15. **Part-time Employees** (averaging less than 30 hours per week)

- a. **Transitional PT Employees** (current employees with more than 6 months but less than 3 years of completed service with the employer)
  - "Opt-in" health coverage election with a "premium share" equal to 1/3 of the health fund contribution coupled to an offsetting hourly wage increase above the "premium share" amount (health plan "stay or go" election)
- b. **New Part-time Employees** (less than 6 months of completed service with the employer, PPTs, utility promoted to part-time, and all new hires)
  - No employer provided health insurance coverage

### **Provisional Part Time Employee (PPT) migration to regular part-time employee status**

16. PPTs averaging under 30 hours per week:

- a. Move to nearest wage rate on the Post 5-1-05 wage scale
- b. Freeze rate for 1 year
- c. Employer pays pension contribution as set forth in paragraph 15.6 of the CBA, including rehabilitation plan surcharge (increases employer cost by 55¢/hour)
- d. "New hire" for purposes of contract administration with credit for hours and years of service

17. PPTs averaging 30 hours per week or more (full-time employee under federal ACA):
- a. Move to nearest wage rate on the Post 5-1-05 wage scale
  - b. Freeze rate for 1 year
  - c. Employer pays pension contribution as set forth in paragraph 15.6 of the CBA, including rehabilitation plan surcharge (increases employer cost by 55¢/hour)
  - d. Offer affordable employer provided single health insurance coverage with an employee “premium share” of:
    - Year 1 = \$20/week
    - Year 2 = \$25/week
  - e. “New hire” for purposes of contract administration with credit for hours and years of service

“New hires” meeting **ThirtyPlus Employee** definition (averaging 30 hours per week or more) and Non-food Handling employees averaging 30 hours per week or more will be offered affordable employer provided single health insurance coverage on the same basis as migrating PPTs (same weekly “premium share”)

18. Contract expires April 30, 2016

**Wages**

19. Wage adjustments and new wage scales:

Wage increases for “over the top scale” employees (employees who are at the top of or over their wage scale on date of ratification):

**FortyPlus Food Handling Department Managers  
including Bakery / Deli Managers**

**FortyPlus Food Handling Employees: Hired before and after  
5/1/05**

**FortyPlus Bakery Deli, includes FT Decorators**

	<u>DOR</u>	<u>7/26/15</u>
Over top scale	+30¢	+30¢

**Grandfathered** Part-Time and *ThirtyPlus* Food Handling  
 Employees: Hired on or before 11/30/87

**Grandfathered** Part Time and *ThirtyPlus* Food Handling  
 Employees: Hired after 11/30/87 and before 5/1/02

**Grandfathered** Part-Time and *ThirtyPlus* Food Handling  
 Employees: Hired after 4/30/02 and before 5/01/05

**Grandfathered** Part-time and *ThirtyPlus* donut Fryer, Fryer  
 Helper, Packer Wrapper, Clean up, Floral Department, &  
 General Bakery Deli help, pre 05/01/02

**Grandfathered** Part time and *ThirtyPlus* Dough Mixer, Bench  
 Hand, Baker, Oven Person, Baker's Helper, pre 05/01/02

	<u>DOR</u>	<u>7/26/15</u>
Over top scale	+25¢	+25¢

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**Part-time Decorators** [currently 3 PT decorators on this scale]

	05/02/10	<u>DOR</u>	<u>7/26/15</u>
Start	\$8.50	\$8.50	\$9.00
1040 hours	\$8.80	\$8.80	\$9.00
2080 hours	\$9.44	\$9.44	\$9.40
4160 hours	\$9.80	\$9.80	\$9.80
6240 hours	\$10.40	\$10.40	\$10.40
8320 Hours	\$11.00	\$11.00	\$11.00
9360 Hours	\$11.60	\$11.60	\$11.60
10400 Hours	\$12.45	\$12.45	\$12.45
Over top scale		+25¢	+25¢

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**Part-time employee adjusted wage progressions:**

**Grandfathered and New** Part Time and *ThirtyPlus* Food  
 Handling Employees Hired on or after 5/1/05

	05/02/10	<u>DOR</u>	<u>7/26/15</u>
Start	\$7.50	\$8.20	\$9.00
1040 Hours	\$7.75	\$8.20	\$9.00
2080 Hours	\$8.20	\$8.50	\$9.20
3120 Hours	\$8.50	\$8.60	\$9.20
4160 Hours	\$8.80	\$8.80	\$9.35
5200 Hours	\$9.44	\$9.44	\$9.50
6240 Hours	\$9.75	\$9.75	\$9.75
7800 Hours	\$10.05	\$10.05	\$10.05
9360 Hours	\$10.35	\$10.35	\$10.35
Over top scale		+20¢	+20¢

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New wage scale for "Transitional" Part-time Employees (more than 6 months but less than 3 years of service):

**New Scale: Transitional Part Time Food Handling Employees Hired on or after 5/1/05 (employees with election to continue or drop participation in the health plan)**

	<u>11/2/14</u>	<u>7/26/15</u>
1040 Hours	\$10.00	\$10.80
2080 Hours	\$10.30	\$11.00
3120 Hours	\$10.40	\$11.10
4160 Hours	\$10.60	\$11.15
5200 Hours		\$11.30
6240 Hours		\$11.55

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**Part Time Non Food Handling Employees**

	05/02/10	<u>DOR</u>	<u>7/26/15</u>
Start	\$7.40	\$8.10	\$9.00
1040 Hours	\$7.50	\$8.20	\$9.00
1560 Hours	\$7.60	\$8.30	\$9.00
2080 Hours	\$8.20	\$8.40	\$9.10
3120 Hours	\$8.35	\$8.50	\$9.10
4160 Hours	\$8.67	\$8.67	\$9.20
5200 Hours	\$9.00	\$9.00	\$9.50
Over top scale		+20¢	+20¢

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**(PPT): Provisional Part-Time Employee**  
[migrate to post 5-1-05 wage scale]

	05/02/10	<u>DOR</u>
Start	\$8.50	\$8.50
520 Hours	\$9.00	\$9.00
2080 Hours	\$9.25	\$9.25
3120 Hours	\$9.50	\$9.50
5200 Hours	\$9.75	\$9.75

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