

LaborFamilyNEWS

www.working-families.org

WINTER 2013

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- **Food Chain Workers Alliance educates consumers**
- **Walmart employees protest unpredictable schedules**

UNIONS WIN IT!

February 5 marks the 20th anniversary of the day that President Clinton signed the Family and Medical Leave Act (FMLA) into law. Its passage was a victory for working people, and unions played a key role in making that happen. Today, unions help enforce it, union members are more likely to know about their FMLA rights, and they work harder to bargain for terms that give its benefits to the greatest number of people. It's documented in "Family Friendly Workplaces: Do Unions Make a Difference?" (<http://laborcenter.berkeley.edu/jobquality/familyfriendly09.pdf>).

Family-friendly provisions in union contracts are still being won, including expanding who gets FMLA coverage and how. Contract terms now include paid leave instead of time off without pay, and a broader definition of "family" that covers the family of today and broadens eligibility for FMLA leave.

For example, Service Employees International Union Local 1021 (formerly Local 535) negotiated 12 weeks of paid family leave for eligible employees as defined by the FMLA. Office and Professional

MORE ON 2

ON SCHEDULE FOR CHANGE

Retail Workers Push for Steady Hours

BY JENYA CASSIDY

In the continuing economic downturn, retail is one of the few areas where we are likely to see job growth now and into the future. According to the Bureau of Labor Statistics, the number of retail jobs is projected to increase another 16.6 percent by the year 2020. And the largest US company — Walmart — sets the standard for the retail sector. Workers organizing to change Walmart say this won't be good news for those trying to raise families unless there is a major shift in the way the company treats its employees. Retail workers struggle with low pay and insufficient benefits, but it is the erratic scheduling that makes life difficult for those with family responsibilities.

"One of the hardest things about working at Walmart, is that our schedules change all the time," said Victoria Noguera, who has worked at its store in Fremont, California, for four years. "One week you may work from 7 am to 2 pm, and the next week they will put you on from 3 pm to 11 pm. There is no way to plan your life. Unstable schedules make this a very hard job for workers with families." This is typical of the retail field according to a recent report, "Discounted Jobs: How Retailers Sell Workers Short," by the New York-based Retail Action Project (RAP). Only 17 percent of retail workers surveyed have a set schedule, with the majority facing unpredictable hours, on-call shifts, call-in pay violations, penalties for scheduling requests, and benefits avoidance through "legal misclassification."

As Noguera points out, many who work in retail seek to improve their economic situations by going to school or working a second job. But the erratic schedules make this impossible. "It is hard when you don't know what your schedule is going to be. You don't have the opportunity to work another job, take care of your family or personal life, make any commitments to anyone else, take a class, or grow as a person," she said.

RAP is organizing a campaign in New York City focused on the issue of erratic scheduling for retail workers.

The campaign, "Just Hours New York," has already raised awareness nationwide through online petitions and a social media campaign. According to Noguera, erratic scheduling inspired her and coworkers to join OUR Walmart, a national worker-led organization focused on improving Walmart jobs. "This is partly why we got together to organize. People want stable schedules. We would feel more respected if these needs were being met," she said.

Organizing around the issue of schedules can be successful. In 2012, workers at Macy's and Bloomingdales in New York, members of Retail Wholesale and Department Store Union (RWDSU) Local 1-5 and Local 3, won the right to have more control over scheduling by seniority in their contract. Workers will be able to choose one weekend off a month and their late-night shifts. This is rare in retail where only about 5% of the workforce is unionized.

Noguera hopes that continued organizing of Walmart workers and other retail workers will make a difference for them as well. "We are pushing for change — we want to speak out about our schedules and other issues without retaliation. We don't hate our employer — we want to make Walmart better so we can do better."

For more information about these campaigns, visit the websites of OUR Walmart, <http://forrespect.org/>, and the Retail Action Project (RAP), <http://retailactionproject.org/>.



OUR Walmart member Semetra Lee and family joined coworkers and community members at a Black Friday Walmart action in Richmond, California. This Thanksgiving and Black Friday, Walmart Associates held strikes and actions in protest of the company's unfair treatment of workers.

Photo: Courtesy of OUR Walmart.

UNIONS WIN IT!

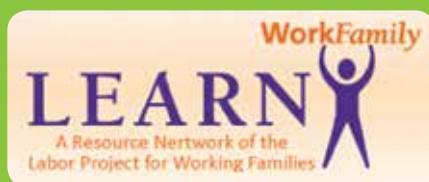
FROM PAGE 1

Employees International Union Local 3 successfully negotiated to include domestic partners within the FMLA definition.

Amalgamated Transit Union Local 192 won contract language with AC Transit that reduces FMLA eligibility requirements by half so union members now qualify for leave after six months of service and a minimum of 625 hours.

The American Federation of Government Employees and the Social Security Administration now can use the FMLA for more reasons — great for working parents who need to take short increments of time to attend to needs such as school activities or family medical appointments, usually accomplished with vacation or sick time.

So, the FMLA is still giving and growing. The contract terms mentioned above and others are in the LPWF database online, www.working-families.org/network (then click on Bargaining Resources).



For our bargaining resources, visit www.learnworkfamily.org

PUBLISHED BY THE

LABOR Project
for
WORKING FAMILIES

Stefanie Kalmin, Editor

Netsy Firestein, Executive Director
Carol Joyner, National Policy Director
Jenya Cassidy, California Policy Director
Ferheen Abbasi, Administrative Assistant

Printed by Lithograph Reproductions, Inc
Designed by Mikko Design
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INSIDE STORY

ALLIANCE OFFERS FOOD FOR THOUGHT

Food Chain Workers Need To Be Nourished

BY STEFANIE KALMIN

The luxury of going out to dinner... no shopping, no cooking, no clean up. Just good food brought to the table, no dishes to wash. Diners should enjoy their meals. But if the Food Chain Workers Alliance has its way, patrons will go home and ponder that their food comes courtesy of many people who can't afford to feed their own families, take sick days, or pay for childcare. "Soup to nuts," this includes many workers along the food chain — those who plant, harvest, process, pack, transport, prepare, serve, and sell food. They are some of the most exploited and poorest employees in the world.

The Alliance, a coalition of worker-based organizations, strives to improve wages and working conditions for the more than 20 million people who work in the food system in the US alone. Its website (<http://foodchainworkers.org>) defines a group that "works together to build a more sustainable food system that respects workers' rights, based on the principles of social, environmental and racial justice, in which everyone has access to healthy and affordable food."

In 2009, the Alliance formally coalesced thanks to the growing national interest in food and food systems, topics made popular by writers such as Michael Pollan (*Omnivore's Dilemma*) and Eric Schlosser (*Fast Food Nation*). The movement jelled when The Restaurant Opportunities Centers United (ROC United) convened a meeting at the

2008 Labor Notes Conference to share ideas. Participating organizations recognized that combining their campaign experience, membership, and places on the food chain could lead to more dramatic changes for workers. Those diverse early groups included the Center for New Community, the Coalition of Immokalee Workers, el Comité de Apoyo a los Trabajadores Agrícolas, the International Rights Forum, and the Northwest Arkansas Workers' Justice Center, soon to be joined by Just Harvest USA, the Restaurant Opportunities Center of New York, and the United Food and Commercial Workers Local 1500.

Today, the Alliance has 17 member organizations and a presence across the country and on Capitol Hill. One direction it has chosen to pursue, by partnering with Family Values@Work and the National Partnership for Women and Families, is better paid family leave and sick days, according to Alliance Director Joann Lo. "A food handler coming to work sick has consequences for workers and consumers alike," says Lo. "Yet, many employees are afraid to take any sick day, to care for themselves or a sick family member, for fear of losing their job. We found that four of five workers don't have paid sick days — or don't know if they have them, so the problem is educational as well."

The Alliance is taking every opportunity to encourage a letter writing campaign to congressional representatives, asking

The Hands That Feed Us, Part I

The Food Chain Workers Alliance has created a video featuring workers throughout the food system talking about health and safety conditions and the lack of paid sick days. It is available bilingually in English/Spanish and also with Chinese subtitles.

http://foodchainworkers.org/?page_id=127

them to support the Healthy Families Act, sponsored by Congress Member Rosa DeLauro (D-Ct) and Senator Tom Harkin (D-Ia). The Act, which would set a national sick days standard, is badly needed by food workers, almost 90 percent of whom don't have a single paid sick day to recover from common, short-term illnesses, and two-thirds of whom report cooking, preparing, and serving food while sick, according to ROC United. Not having sick days puts the greatest strain on those with the least amount of resources. According to the Bureau of Labor Statistics, the food system has 7 of the 10 worst-paying jobs in the US.

In October, the Alliance held a congressional briefing in Washington, DC, sponsored by Congress Member DeLauro. Its content was based on the Alliance study, "The Hands That Feed Us: Challenges and Opportunities for Workers along the Food Chain." With the assistance of ROC United and the DataCenter, among others, the study examined "wages and working conditions across the food system, advancement opportunities for workers, and potential opportunities for consumers



Photo by Forest Woodward.



Alliance Campaign and Event Coordinator Diana Robinson at a rally for paid sick days in New York City.

“In the US, more people are employed in the food industry than in any other. What happens to the food workers has an impact on the quality and safety of everyone’s food.”

— Joann Lo, Director, Food Chain Workers Alliance

and employers to improve prospects for food workers.” Survey responders included nearly 700 workers and 47 employers, across the nation and the food chain. Predictably, 37.6 percent of workers reported poverty wages, 40 percent worked more than 40 hours a week, 53 percent have worked while sick, and 83 percent did not receive health care coverage from their employer.

“Broadly speaking, our policy work came into focus due to the research and putting the report together,” says Lo. “At a retreat, the DataCenter helped us look at what the numbers mean and what we’d like to accomplish with regard to policy. Paid sick days came to the top. We recognized that we have a strategic role to play.”

Another way the Alliance hopes to improve work and family conditions for individuals is by explaining the broader impact these conditions have on the American people and the economy as a whole. The food production, processing, distribution, retail, and service industries collectively sell over 1.8 trillion dollars in goods and services annually, accounting for over 13 percent of the United States Gross Domestic Product. “The numbers are huge,” says Lo. “People don’t realize what is involved in our food system. In the US, more people are employed in this industry than in any other. What happens to the food workers has an impact on the quality and safety of everyone’s food.”

NEWSTUDY

■ **MOTHERS WHO WERE OVERLY STRESSED DURING PREGNANCY** are more likely to have kids who will be bullied at school shows new research from the University of Warwick, England, reported in the *Journal of Child Psychology and Psychiatry*. According to Professor Dieter Wolke, “When we are exposed to stress, large quantities of neurohormones are released into the blood stream and in a pregnant woman this can change the developing fetus’ own stress response system.” The more a child reacts when teased, the greater the likelihood of being bullied. Prenatal stress factors named as family problems include financial difficulty, alcohol/drug abuse, and maternal mental health. <http://www.medicalnewstoday.com/releases/252840.php>

GOOD NEWS

■ **PAID SICK LEAVE IS A SMART INVESTMENT**, according to the Institute for Women’s Policy Research. In San Francisco, where employers have been required to offer paid leave since 2007, surveys show workers’ lives improved, businesses succeeded, and two-thirds of employers support the city’s sick-days ordinance. Fears that the law would impede job growth were never realized. In fact, during the last five years, employment in SF grew twice as fast as in neighboring counties that had no sick leave policy. <http://www.epi.org/publication/paid-sick-leave-wise-investment/>.

FASCINATINGFACTS

■ **THERE HAS BEEN LITTLE RESEARCH DONE ON THE MACRO-ECONOMIC EFFECT** of the surge in the number women who have entered the workforce in the past 40 years, reports *The Economist*, but one researcher figures that America’s Gross Domestic Product (GDP) is now about 25 percent higher than it would have been without them. <http://www.economist.com/node/21539928>.

Collaborating to Achieve a 2013 Work and Family Agenda

The Labor Project is a leading organization in Family Values @ Work, which held its annual conference with the Ford Foundation in December. The morning plenary brought together Patrick Gaspard, Executive Director, DNC; Raul Grijalvo, Arizona CD-3; Maya Wiley, Executive Director, Center for Social Inclusion; and Ed Ott, Distinguished Lecturer in Labor Studies at the CUNY. The panel was moderated by Heather Boushey, Senior Economist, Center for American Progress. Their combined experience enlightened the 250 participants and provided a political roadmap for the work and family agenda in 2013.



Photo by Hallie Easley, Ford Foundation.

In memory of Catherine Trafton (1974 – 2012)

Catherine passed away unexpectedly in December. The Labor Project came to know Catherine when she worked as Associate General Counsel with the UAW. She was a fierce advocate for workers and their families. Especially interested in work and family issues such as child care and family leave, she negotiated them into contracts whenever she could. Said NLRB member Sharon Block: “Catherine was a warm person and a gifted lawyer, whose head and heart were fully engaged in her work. She had a remarkable ability to help put things right for working people.” Our thoughts are with her family and friends.



In this Issue:

The truth about our food and workers' rights

SAVE THE DATE

20TH ANNIVERSARY CELEBRATION & SYMPOSIUM

Friday, July 26, 2013

4:30 - 6:00 pm - Symposium • 6:00 - 8:30 pm - Dinner, Friends & Program

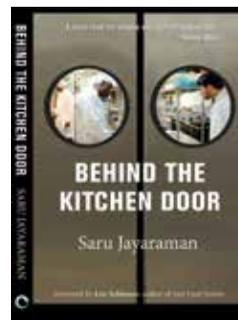
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For information on Sponsorships, Tribute Ads, Tickets, please contact laurie@earpevents.com or 510-839-3100.

Behind the Kitchen Door

What Every Diner Should Know About the People Who Feed Us

In her new book, Saru Jayaraman, co-director, Restaurant Opportunities Centers United and director of the UC Berkeley Food Labor Research Center, explores the political, economic, and moral implications of eating out. Dining out affects not only our own health but the lives of the 10 million restaurant workers — the second-largest private sector workforce — who still need better wages, paid sick days, and a chance for advancement. <http://behindthekitchendoor.org>



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CWA Local 9410
Engineers & Scientists of California Local 20, IFPTE
Five Counties CLC
IBEW Local 6

IBEW Local 234
IBEW Local 302
IBEW Local 1245
IFPTE Local 21
OPEIU Local 3
OPEIU Local 29
Professional and Technical Employees Local 17
Professional Staff Congress/CUNY
Sacramento Central Labor Council
San Bernardino-Riverside Counties CLC
San Mateo County Central Labor Council
Teamsters Joint Council No. 7
Teamsters Local 70
Teamsters Local 287
Teamsters Local 315
Teamsters Local 350
Teamsters Local 853
UA Local 159
UFCW Local 1428
UNITE HERE Local 2
United Educators of San Francisco, AFT Local 61
United Labor Bank
USW Local 9445
Weinberg, Roger & Rosenfeld

Here's my new motto: wait another day. After the devastating storm in New York, Occupy Sandy surprised everyone by being amazingly organized, harnessing thousands of volunteers, and feeding FEMA workers. We were worried about the election, and then it went well. We out-organized the other side, and voters came out in force, angry that their vote might be suppressed. Washington State, Maine, and Maryland passed same sex marriage measures. And, California passed a much needed tax increase and beat back a horrific anti-union proposal funded by billionaires. The Democrats even got a supermajority in the state legislature. Then, the US Supreme Court agreed to hear two cases dealing with marriage equality. So we're sitting pretty.



But the next thing we know, the Michigan state legislature does a stealth move and passes a "right to work" (RTW) law. First, can we come up with our own name, please? The law does not give one the right to work. Rather, it gives employers the right to lower wages and gut the power of unions. Says Sylvia Allegretto, a UC Berkeley economist: "There is no evidence that a state that adopts RTW laws has a boost in employment — which is always promised by RTW backers. There is, however, strong evidence that RTW lowers union density and is associated with lower wages for workers and declines in job quality as measured by having health care and/or retirement benefits. At a time of stagnant wages and extreme inequality, we need policies that will help level the economic playing field which has favored business and corporate interests over workers. We need stronger unions and higher union density — not RTW legislation that will further weaken rights, protections, and job quality." Read her report at www.irl.berkeley.edu.

So, no time to sit back and congratulate ourselves. Time to organize!

Netty Luntzer