

## EL SUPER FACT SHEET

### **UFCW Contract and Negotiations**

The majority of El Super's 46 stores in California, Arizona and Nevada are non-union. Seven of the company's California stores are represented by the UFCW – Locals 770, 324, 1167 and 1438 – as a result of El Super's 2008 asset purchase of seven Gigante stores. In acquiring these stores, El Super re-hired all former Gigante employees and enabled the UFCW to continue to represent them, respecting their prior decision to organize. At that time, El Super entered into a five-year contract with the UFCW, which expired on September 27, 2013.

El Super has been negotiating in good faith with the UFCW since the contract expiration, putting forth multiple proposals addressing a variety of issues, culminating in a best and final offer on April 7, 2014. The union did not generate a wage proposal until the last day the parties met on March 28, 2014, a full six months after the contract expired. The union only made a wage proposal after a federal mediator urged it to do so.

### **Management's Best and Final Offer**

El Super's best and final offer included the following, among other benefits:

#### ***Wage increases for all employees over the next five years***

- Upon contract ratification, immediate hourly wage increases ranging from \$0.26 to \$0.80 for all employees
- Within 12 months of ratification, additional percentage wage increases for more than half of current employees
  - . 37 percent of current employees will receive at least a 10 percent increase over current wages
  - . 9 percent will receive at least a 22 percent increase
  - . 5 percent will receive more than a 30 percent increase
- Split-shift gap pay at 1.5 times regular pay for employees who begin a new shift less than 10 hours after their previous shift ends

#### ***Up to four days of additional paid time off***

- Two (2) paid sick days for all employees working for El Super for one year or more
- One (1) paid personal day for all employees working for El Super for three years or more
- One (1) additional personal day for all employees working for El Super for five years or more
- Flexibility to use personal days as additional sick days

#### ***Guaranteed number of weekends off for tenured employees, among other benefits***

- Four (4) weekends off for employees working for El Super for two years or more
- Six (6) weekends off for employees working for El Super for four years or more

### **NLRB Filings**

On May 5, El Super employees filed unfair labor practice charges with the National Labor Relations Board (NLRB) alleging that the union “coerced and intimidated employees by threatening and insulting them both physically and verbally” prior to the contract ratification vote.

On April 18, 2014, El Super employees filed a petition to decertify the UFCW with the NLRB, which requires written support from more than 30 percent of union-represented employees to permit filing.

On April 22, 2014, El Super management filed unfair labor practice charges against the UFCW for the union's failure to provide information that is directly relevant to ongoing bargaining, namely the results of an alleged investigation into food handling practices by the UFCW, a UFCW-backed worker center (the Coalition for a Better El Super), and other union-affiliated organizations.

**Food Safety Background:**

El Super is committed to providing its customers with safe and quality products, as demonstrated by a consistent "A" rating by County Health Department inspectors. The company utilizes industry protocol "First-In First-Out" to ensure the integrity of perishable food products on El Super shelves. Additionally, on a daily basis, El Super monitors for, and rotates or replaces, any product that is nearing its expiration, destroying expired or damaged product in the process.

El Super has a demonstrated track record of compliance with the food safety standards and regulations that govern its business, and takes its responsibility to provide customers with fresh, safe and quality products seriously. The company continually performs food safety and quality audits, oversees established quality assurance, employee training and certification programs in all areas of food safety, and employs a full-time Safety and Quality Assurance Manager to ensure compliance among its stores.

El Super's leadership in food safety and quality most recently has been recognized by the County of Riverside's Department of Environmental Health, which through their Award of Recognition program distinguished the company as consistently maintaining "exceptionally high sanitary, operational and structural standards assuring the maximum protection of the public's health and safety."

**About El Super**

Bodega Latina Corporation, dba El Super, operates 46 stores throughout California, Arizona and Nevada, providing high quality food products and low prices to the communities we serve.

###