

MEMBER HANDBOOK

United Food & Commercial Workers Local 342



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WE SURVIVE TOGETHER, OR NOT AT ALL!

Dear Local 342 member,

We are pleased to be able to provide you with a handbook that will help you get the most out of your membership in Local 342. Although we have approximately 9,000 members overall, every individual member is important to our collective success. Our philosophy echoes that of the entire labor movement: “In Unity There Is Strength.” As well as, “We Survive Together, Or Not At All”. It takes the participation of every one of our 9,000 members in order for us to live by this motto and achieve our goals. You are invited to review this handbook carefully, become involved, and enjoy the many benefits and privileges of Union membership.

We strive to provide you with skilled and professional representation, the finest benefits and services, and an unmatched level of personal attention. As a member of Local 342, you can expect your Union to work hard to negotiate contracts with your employer that aim to improve your standard of living, to represent and protect your rights at your worksite, to keep you informed about the activities and progress of Local 342, to lobby for legislation favorable to all working people (especially Union members), and to continuously search for practical and innovative ways to make membership in Local 342 even more valuable for you. We are here to serve you in any way possible.

This handbook has been designed to help you take advantage of everything Local 342 has to offer. It is intended to provide general information only, and does not provide specific benefits or legal rights. All members should check their own Collective Bargaining Agreement, the Summary Plan Description of any benefit plan that they are covered by, and Local 342’s Constitution and By-Laws for any specific legal rights and benefits that they may be entitled to receive.

Thank You,

UFCW Local 342

WHAT WE DO/OUR PHILOSOPHY

UFCW Local 342 has been negotiating Collective Bargaining Agreements and comprehensive benefit programs for working people in New York and New Jersey for over 100 years. Over the course of this time period, we have gradually developed a powerful combination of experience and expertise that has allowed us to formulate Union concepts that are now a driving force throughout our entire industry.

In our opinion, the most important function of any Union, Local 342 included, is negotiating and administering legally-binding contracts on behalf of actively participating members. These carefully constructed contracts, which are meant to set forth fair wages, benefits, hours and working conditions, are crucial to all Union members. As far as Local 342 is concerned, since employees belonging to our Union negotiate collectively through us, they are guaranteed to receive higher wages and better benefits than non-union workers performing similar jobs.

Our record of accomplishment and steady membership enrollment proves that we are not alone in our strong belief in the collective bargaining process. Today, more than 9,000 members who work in a variety of industries and professions are protected by a contract negotiated by Local 342.

However, even more important than our size, is our commitment to excellence, and our determination to provide Local 342 members with the finest benefits and representation possible. We are a service-oriented organization. It is not only our job, but it is our sincere pleasure to work toward achieving goals that secure fair wages and working conditions.

WHO WE ARE

While the majority of our membership is employed in the retail/wholesale food industry, a growing segment of our membership works in a number of other industries including, health care/child care, delivery/distribution and manufacturing.

HISTORY

Local 342 was founded in 1904 as a Union of butchers who worked in small, specialized meat shops. As time passed and “Supermarkets” began to develop by merging produce, meat, and dairy businesses under a singular entity, the dynamics

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of Local 342 changed and expanded. In the early 1950's, Local 342 went through a period of enormous growth when they successfully organized A&P chain employees in the New York area. It was during this time that Local 342 was able to gain the right to represent all employees of the New York area A&P chain as opposed to just their meat department employees, which had previously been the case. By the time the early 1980's arrived, Local 342 represented almost every meat and seafood department on Long island, Staten Island, Brooklyn, and Queens. Additionally, as a result of diligent organizing and several mergers, Local 342 began to represent fresh/smoked fish workers, manufacturers, and distributors in these locations as well.

In 1987, Local 342 merged with Local 50, which itself had previously merged with a retail kosher local and a provision drivers and salesman local, to form Local 342-50. Several years later, the Union organized Mount Loretto—Mission of the Immaculate Virgin (MIV), and also merged with an independent Union representing the employees at Ozanam Hall Nursing Home. Then, in 1992, Local 342-50 merged with Local 1 of the Leather goods and Novelty Workers Union, creating an even more diverse organization. Finally, on January 1st, 2002 Local 342-50, through trusteeship, merged with Local 174 and became even stronger because it obtained a good majority of the New York City retail supermarkets as well as the Hunts Point and Brooklyn Meat Markets. This merger not only expanded our membership, but it also resulted in us changing our name back to Local 342, which we continue to be known as today.

THE UNITED FOOD AND COMMERCIAL WORKERS UNION

Local 342 is a part of a larger organization, the United Food and Commercial Workers International Union (UFCW). Currently, the UFCW, which was created in 1979 at a convention that merged the Retail Clerks International Union and the Amalgamated Meat Cutters and Butcher Workmen, represents over 1.4 million people in the United States, Canada and Puerto Rico. UFCW members work in supermarkets, hardware stores, warehouses, department stores, packing houses, manufacturing and processing plants, health care institutions, nursing homes, banks, and other service and retail areas. In all, members of the UFCW work in over 100 different industries through thousands of separate Union contracts.

BENEFITS OF BEING A UNION MEMBER

As a member in good standing, we hope that you will become active and involved with Local 342. Strong and informed members are essential to Local 342's strength at the bargaining table, and in the communities where our members reside. In the long run, your participation will benefit you and your co-workers by helping Local 342 gain improved benefits and working conditions. We hope you will choose to become an active member and strengthen Local 342's ability to represent you and your co-workers.

The progress we have experienced since the founding of Local 342 has not been by chance or by luck. It has been achieved through hard work and a determination to succeed as displayed by our leadership and rank-and-file membership. By unselfishly working together as a team, we have earned a reputation as a respected labor organization.

THE UNION CONTRACT

When you work without the protection and security of a Union contract, the law allows an employer to fire you without cause. The law also allows an employer to change your wages, hours and working conditions without your consent. There are virtually no restrictions regarding what the employer can do... unless you have a Union contract!

The Union contract gives you a voice in decisions concerning your wages, benefits and working conditions. The collective bargaining process permits employees to negotiate with management on an equal basis. Numerous studies by the United States Department of Labor have shown that Union members earn more money, have better benefits, and greater job security than similar workers in non-union businesses.

The principle manner in which Local 342 protects its members from unfair treatment and makes sure that they are provided with proper wages and benefits is through a contract. A contract is a legal document that is negotiated between your employer and Local 342 for the purpose of establishing wages, hours, benefits and working conditions for all Local 342 members.

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In addition to establishing your wages, hours, benefits and working conditions, a Union contract also:

- Protects your seniority. This becomes increasingly important to you the longer you work for your employer.
- Prohibits discipline or discharge by your employer, except for just cause once you have completed your probationary period.
- Provides for paid vacations and personal days.
- Provides for health care, pension, and legal benefits negotiated by Local 342. (Please contact the Member Services Department whenever you have questions concerning benefit coverage and eligibility.)
- Provides for promotions and transfers.
- Provides special provisions for Sundays and Holidays.
- Establishes a grievance procedure with binding arbitration to resolve your complaints.
- Provides for many more benefits, all of which are specifically outlined in your Union contract.
- The greatest benefit of a Union contract is the knowledge and security that the provisions cannot be changed whenever the employer decides. Compare this with non-union workplaces where employers have all decision making opportunities at their disposal at all times and the difference is clear.

In addition to the specific provisions of a Union contract, Union membership also means that you will be able to:

- Voice your opinions about a proposed contract that sets your wages, benefits and working conditions.
- Fully participate in the development of contract proposals and all other Union activities.

CONTRACT NEGOTIATIONS

Your contract is (re)negotiated every few years. In most cases, prior to negotiations, Local 342 puts together a negotiating committee composed of rank and file members and Union staff. This committee represents you in direct contract negotiations. For most contracts, the rank and file members of the negotiating committee are elected by members covered by that contract.

You may be wondering how Local 342 negotiators know what issues are important to you. The simple answer to that is **we ask you**. Before bargaining begins, we survey members to determine priority items for negotiation. In addition, Union Representatives are in the workplaces daily, speaking to members to get a clear understanding of their needs. Further, Local 342 also conducts extensive research about the employer so that we know what can reasonably be achieved in the negotiations.

By the time we sit down to talk with the employer, we have a good idea of what your goals are and what we can achieve. We train our negotiating committees so that each member knows his or her responsibility. However, despite our preparation, winning a good contract stretches beyond the scope of these matters. Ultimately, the most important factor in winning a good contract is always our membership.

The main reason why Local 342 has been able to win good contracts time and again is because our members understand the issues, and they are united and determined to achieve what is fair. We distribute information about negotiations on a regular basis and also hold meetings to ensure that you are aware of what is happening at all times. It makes our negotiators' task much easier knowing that our members are standing firm, and not willing to accept less than what is due to them. Employers are able to recognize when our members are united, and consequently they are much less likely to make unfair proposals or to provoke a confrontation as a result. Please realize that much of the drama of negotiations happens at the bargaining table, but our victories are often won in the workplace with our members.

Because we stand united, Local 342 has had very few major confrontations in its history. This is true because most confrontations occur because an employer believes that a Union is weak, and they then try to take advantage of this perception. Very few of our employers have made that mistake! Instead, they seek to resolve our differences peacefully through the negotiating process.

GRIEVANCES AND ARBITRATIONS

A grievance is any dispute involving the interpretation or application of the provisions of a Union contract. This may include wrong wage rates being paid, disagreements about disciplinary write-ups or actions, denial of requested time off, unfair work scheduling, and other matters.

Although a grievance usually exists when there is an apparent violation of the collective bargaining agreement, it is also possible for a grievance to be based on a violation of the local, state or federal law, a violation of the company's rules and regulations, or a violation of a worker's rights through discrimination.

If a situation at work appears to be unfair to you, it is possible that you may have a grievance. The first person you should speak to about a possible grievance is your Union Steward. He or she is trained to help you if you have a question, or encounter a problem on the job. If there is no steward, you should contact the Local 342 area office directly.

When a grievance cannot be settled by the steward, then your Union Representative will take the necessary steps to resolve your problem. Depending upon the situation, this could include arbitration, where a neutral third party decides the merits of a grievance after Local 342 and management's representatives present their cases.

Local 342 members, who are subject to disciplinary action by their employer, have legal rights that they must be aware of. These rights, which were named after a US Supreme Court ruling, are known as Weingarten rights. The Weingarten decision established that a Union member is entitled to be represented at any disciplinary meeting with supervision when you have a reasonable belief that discipline or other adverse consequences may result from what you say at this meeting.

Once you make a request for Union representation, management has three options: They can:

1. Delay the meeting until a Union Representative arrives and has a chance to meet with you privately.
2. Deny the request and end the meeting immediately.
3. Give you a choice of having the meeting without representation.

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Local 342 recommends that you do not have any disciplinary meeting without a Shop Steward or a Union Representative present. If management still insists on holding the meeting after you make a request, it may be committing a violation of the law. Bring this situation to the attention of Local 342 immediately.

UNION STEWARDS

As a Local 342 member, you have probably already met one of the most important people at your workplace: The Union Steward. He or she is the first person you should talk to whenever a question or problem arises.

Your steward is trained in Union procedures and understands the Union contract. Local 342 stewards are among the best in the labor movement, so you should feel confident that your questions can be correctly answered with the assistance of your steward.

In instances where your steward needs assistance, he or she will contact the Union Representative assigned to your shop, or you can contact the Representative yourself simply by calling your area office and leaving a message.

MEMBERSHIP MEETINGS

All members in good standing are encouraged to attend Local 342 Membership Meetings. Meetings are held on a regular basis across Local 342's entire jurisdiction. In addition to general membership meetings, Local 342 holds shop meetings, stewards and department head meetings, companywide meetings, and many others during the course of the year. Further, members are also encouraged to visit their area offices on Monday evenings to meet with Union Representatives and participate in rank and file committees.

The meetings provide a forum for members to discuss the affairs of Local 342, and to learn more about the benefits of membership through the presentations of the Local 342 President, consultants and other guest speakers.

General membership meetings take place several times each year. These meetings represent the highest level of decision making in Local 342.

THE UNION OFFICERS AND STAFF

The Executive Board

Approximately 25 members representing all sectors of Local 342 comprise the elected leadership of the Union. The Executive Board meets periodically to review the activities of the Union and to make policy decisions.

Local 342 has three executive officers that are responsible for the day to day operations of the organization.

Union Representatives

Local 342's team of Union Representatives are trained to provide workplace representation for all of our members. In fact, all of our Representatives have come out of shops that they now represent for Local 342. They are professionals who can help you maximize the protection and security provided by your Union contract. Union Representatives are trained to answer questions about Local 342, handle grievances and disputes, help correct safety hazards, and communicate Local 342's plans to your shops. Representatives participate in negotiations, organizing drives, and many other useful activities. In addition, Union Representatives are also responsible for directing Local 342 committees that are involved with political action and social activities.

The person assigned to your workplace can handle your questions and problems. Take advantage of his or her expertise whenever the need for professional Union service arises.

Union Representatives work under the direction of Local 342 Officers.

UNION DUES

Every dollar you pay in dues helps Local 342 maintain the strength we need to win the wage levels and benefits programs enjoyed by our membership. No other investment can give you as much back as return as your Union dues. Your dues are used solely to benefit the Local 342 membership.

Obviously, it takes money to carry out all of the functions Local 342 must perform on behalf of its members. Along with your one-time initiation fee, your dues money

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helps pay for a number of necessary Union expenditures including:

- Contract enforcement by a professional Union Representative who visits your place of employment on a regular basis.
- Legal counsel and arbitration cases.
- Record keeping, area offices, postage, printing, utilities, telephone bills, and all special services available for your use.
- A per capita amount paid to the UFCW International Union Local 342 belongs to.

Besides these, your Union dues also allow Local 342 to pay for the experts necessary to operate an efficient organization.

Overall, dues pay for every activity that Local 342 performs on your behalf with the exception of the benefits that are provided to you by the individual benefits funds. The end result is that the dues you pay produce a higher standard of living and a more secure way of life for you, your family, and the entire Local 342 membership.

IF YOU LEAVE EMPLOYMENT OR WILL BE OUT OF WORK FOR ANY EXTENDED LENGTH OF TIME...

If you leave employment covered by Local 342 for a long period of time— if you're laid off, sick or have changed jobs— maintain your Union status by contacting the Dues Department for a **withdrawal card**.

Withdrawal cards are free, but your dues must be paid up to date before the card will be issued.

If you later return to a Local 342 job-- or any job covered by any United Food and Commercial Workers local Union—the Union will check your records and you will save paying a second initiation fee or back dues.

To request a card, write to the Dues Department, UFCW Local 342, 166 E. Jericho Turnpike, Mineola, NY 11501. Please include your name, address, social security number, company and date you last worked. If you have a question about this process please call (516) 747-5980. The Union office is open on weekdays 9 a.m. to 4:30 p.m. On Mondays, the Union office is open until 7:30 p.m.

UNION BENEFIT FUNDS

Local 342 has many different Benefit Funds to protect the current and future well-being of participating members and their eligible dependents. These funds are governed by a Board of Trustees generally made up of an equal number of Union and Employer representatives.

NOTE: Because benefit programs differ from contract to contract, please check your Local 342 contract and benefit booklets (known as Summary Plan Descriptions) for the benefit coverage.

Health Care Benefits

Local 342's contracts make provision for health benefits. These are negotiated as part of the overall contract. The actual benefits provided are determined by the Trustees of each Fund. Contact Local 342's Member Services department to determine what your benefits are.

Pension Benefit Fund

Local 342's various Pension Funds provide our members with an excellent level of pension payments so that they can fully enjoy their retirement years. To determine the benefits and eligibility requirements negotiated on your behalf, please read your personal Pension Fund Booklet or contact your Member Services department. Members who are planning to retire should contact the fund office several months in advance.

Legal Benefit Fund

In most cases, the Legal Benefit Fund provides free legal services, for purchasing and selling a house, writing wills, filing for divorce, and other common legal matters. To determine the benefits and eligibility requirements negotiated on your behalf, please read your personal Legal Benefit Booklet (where applicable).

SAFETY

Promoting health and safety in the workplace has been a part of Local 342's program for over 50 years. In the mid 1960's, the Local 342 Safety Department came into being with the establishment of an "employee benefit" that was funded by employer contributions. Since the inception of this program, Local 342, and the Joint Union Industry Safety Committee (JUISC), a labor management group, have expressed the belief that workplace safety is a right, not a privilege. As a result of our belief in this concept, we have established a long standing record of cooperation in correcting workplace hazards.

The Safety Department has several key functions. These include:

- The annual safety training programs. Over the years, training topics have included lifting and back injuries, ergonomics, cuts and stabs, electrical hazards, workplace violence, workplace chemicals, workers' compensation and others.
- Control of safety and health hazards through checklists, and inspections.
- Research into common safety and health problems on the job.
- Keeping statistics on injuries and accidents for our industry.
- Participation in safety organizations and conferences.

Members who believe that they are being exposed to workplace hazards should contact their Shop Steward, Union Representative or the Local 342 Safety Department. These reports of exposure to unsafe conditions can be kept confidential at the request of the member. Local 342 and its Safety Department are strongly committed to correcting all hazards as quickly as possible.

The Safety Department also provides advice to members with questions about Workers' Compensation. Workers' Compensation is a state law that requires every employer to provide benefits to its employees in the event that any employee is injured on the job. Benefits include full medical payments and financial compensation for lost time and certain permanent disabilities. The Local 342 Safety Department will answer general questions about how the law works, filing requirements, and will also assist members with questions about their own cases. If necessary, the Safety Department will refer you to a Workers' Compensation attorney to work with you on your case.

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The program is headed by a Safety Director who has responsibility over all of these comprehensive programs.

STAFF AND MEMBER EDUCATION

Local 342 provides many educational programs for its staff and members. The staff is regularly trained in how best to represent our members, especially in terms of new laws and regulations.

Steward Conferences – Most of our contracts provide for an annual shop steward conference. Executive Board members and Local 342 Shop Stewards meet for a day long program to learn about their rights and their responsibilities.

Over the years, Local 342 has provided many opportunities for rank and file members to learn about Labor Unions, and many other issues of concern. Among the educational programs regularly offered by Local 342 to our members are:

- Workplace safety and health
- Labor history and labor law
- Planning for retirement
- CPR and First aid

Additionally, the Local 342 College Scholarship Program is administered by the Safety, Education, and Cultural Department.

College Scholarship Programs

Each year Local 342 awards scholarships to the children of eligible members who are going to college for the first time or who are continuing their education. These scholarships are provided to participants in the Safety, Education, and Cultural and Activities Fund (SECA). Many scholarships are given out each year. Applications for scholarships are available from the SECA Department.

Tuition Reimbursement

Local 342 members who do not wish to attend college full-time but desire to continue their education with individual classes may be entitled to our Tuition Reimbursement program. This program provides a predetermined amount of funds

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for a member to put towards payment of classes each semester. For more information on eligibility, and how you can participate in this program please call the Member Services department.

CULTURAL FUND

Local 342 provides our members with a number of cultural activities through this benefit fund. These activities are meant to supply our members with free entertainment and enjoyment away from the workplace. A detailed list of these activities can be viewed by visiting our website at www.local342update.com, or contacting the Safety, Education and Cultural Department.

YOUR LOCAL 342 NEWSPAPER

The **Local 342 Forefront** is your Union newspaper. It is mailed to all members in good standing to update them on Union activities and affairs. Each issue contains important information about Union benefit funds, organizing, contract settlements, safety, and other details.

In addition to the Forefront, Local 342 also publishes many specialized communications during the course of each year known as Forefront Extras. Further, activity flyers, organizing bulletins, political action reports and other informational pieces are distributed throughout the year as well.

ORGANIZING

By bringing the benefits of Union membership to as many workers as possible, a Union gains greater strength at the bargaining table. This is a concept known as “market share.” When a Union represents a large majority of the employers in a particular industry, it has a large market share. This makes it less likely that non-union competition will be able to undercut the wages and conditions of our employers. By organizing these non-union shops, we are not only helping the workers that we are organizing, but we are also helping to maintain our own standards of living.

A team of professionally trained organizers utilize the latest techniques available to bring dignity and justice to working people. Local 342 uses a combination of staff professionals and organizers to accomplish this goal. Any member can volunteer to

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help organize if they wish to become involved. If you know of a workplace that is non-union, and you have some contact with the employees, let your Union Representative or the Organizing Department know about it. In recent years we have seen the devastating effects on our members after the A&P bankruptcy whereas former union local 342 stores that were left unsold for months have recently opened up non-union. That is why Local 342 is committed to dedicating the resources and talent we have to organizing these shops across our entire jurisdiction.

MEMBER VOLUNTEERS

Encouraging members to become active in the affairs of Local 342 is essential to the success of our organization. Like many Unions, Local 342 urges all of its members to become involved in one or more of the many committees we have available.

Local 342's Activities committees engage in two categories of related activities. These are community service activities and social events. Among the community service activities that each area committee is involved in are the following:

- Cardio pulmonary resuscitation (CPR)
- Toy donations at Christmas
- Thanksgiving and Easter food drives

Social Activities include (many are also charitable fundraising events as well):

- Picnics
- Dinner dances
- Fishing trips

In addition, Local 342 has also established a member Volunteer Organizing Committee which supports organizing drives through the identification of targets, contacts with employees, and leafleting, picketing, etc.

CONCLUSION

We hope that this booklet has given you a general idea of what it means to be a member of Local 342. Our main responsibility is to provide you with the best on the job conditions possible through a collectively bargained contract, and we believe that our members enjoy some of the highest wages, and benefits in their industries. Going forward, all that we ask for in return is that you provide the support and participation we need to increase our strength and continue to negotiate the best contracts in the industry.

Now, it's up to you to continue the fine tradition of Local 342!

