

Four (4) Hour Gaps at Superstore

UFCW Local 401 agreed to a clause in its Collective Agreement with Superstore that required the Employer to schedule “Available Anytime Employees” a minimum of four (4) hours more per week than “Restricted Employees”. This clause exists as Article 30.12(c) in the Edmonton and Calgary agreement and Article 30.11(b) in all other agreements. For reasons that can not possibly be fathomed, Superstore failed to live up to this obligation over and over and over again.

Finally, when the number of active grievances related to this issue reached several hundred, the Union and the Employer agreed to have a mediator look into the problem.

Utilizing the services of Mediator Andy Sims, the parties were able to come to a solution to all of the hundreds of existing grievances as well as a solution to expedite the resolution of new breaches going forward.

As a resolution to the hundreds of active grievances, the Employer agreed to make a one (1) time payment of twenty-five thousand (\$25,000.00) dollars. This was intended to compensate all of those affected by the active grievances. These calculations were made over the last year and those affected were paid out from the twenty-five thousand (\$25,000.00) dollar pot.

Going forward, the parties have agreed upon a format to very quickly address these issues as they arise and to rapidly pay out those affected by the breaches.

Since the resolution of this matter, the Union has noticed a significant drop in violations of the four (4) hour gap clause in the Collective Agreement. Of course, it has not come to an end. The Employer continues to pay out approximately two thousand (\$2,000.00) dollars per month to members affected by this issue. That trend is expected to continue. Since the agreement was made, the Union estimates that the Company has been required to compensate members affected by the issue in the ballpark of \$65,000.00, including the initial lump sum.

If you or one of your co-workers recognizes a violation of the “four (4) gap” language in the Collective Agreement, you should immediately contact your Shop Steward or your Union Representative. This will almost always result in a very quick fix to the problem.