



October 22, 2024

Elizabeth M. Fiergola
UNFI Labor Relations Manager
Sent via email to elizabeth.fiergola@unfi.com

Re: Union response to UNFI letter dated October 18, 2024 (emailed October 19, 2024)

Dear Liz,

This is to follow up on your letter dated October 18, 2024 (emailed October 19, 2024).

In response to your request regarding which provisions of the collective bargaining agreement are violated, beyond the grievances which have been filed, the Union's position is that the employer, by implementing its "scheduling modernization" is unilaterally taking action, and altering the hours and terms and conditions of employment, without first bargaining them.

Section 8 of the National Labor Relations Act explicitly defines an employer's obligation to bargain matters of wages, hours, and terms and conditions of employment. The changes are a mandatory subject of bargaining. Please identify where, within the collective bargaining agreement or otherwise, has the Union waived its bargaining rights?

Our Union has at no point waived such rights. Further, while the collective bargaining agreement is largely silent on the scheduling and hours of work provisions that the employer is changing, the current scheduling practices have been in place for years and, in many instances, decades. As such, the employer is obligated to bargain these changes prior to the implementation and the employer is prohibited from taking action prior to bargaining the changes.

Even if there are no transcripts of all communications with UFCW staff and members regarding scheduling changes the employer has rolled out communications and materials regarding the change to store directors and employees. For example, this includes all materials and communications on Cub Hub or emails to our members, talking points provided to store directors for what they should communicate to our members, etc. To date, I have not received any of the information requested and am reaffirming this request for information.

Based on the Union's notes from effects bargaining on October 7th, Liz, you mentioned a confidential slides presentation that has been presented to UFCW Local 663 members regarding scheduling changes, but that you are not able to turn over to the Union. I am simply reminding you of your statement, which we noted and our entire bargaining committee heard. This is not a misstatement of facts on my part as you tried to imply in your letter. We continue to request a copy of this presentation.

Should there be confidential or proprietary information in the presentation, please feel free to send a copy of your NDA for our review.

We also continue to request the information below, ideally from January 1, 2024, but at least for the past 6 months. Drew Anderson from your UNFI Cub team mentioned multiple times that the scheduling changes are due to customer service needs during "peak" or "prime" customer



service hours. This information requested, based on the statements from your management team, is relevant, germane, and vital to understanding the business needs the employer has expressed.

- Excel spreadsheet of the daily “prime” or “peak” customer service hours per department, per store AND the number of hours per department, per store needed for prep before and after those “prime” or “peak” customer service hours
- Excel spreadsheet of schedules for all UFCW Local 663 members, sortable by store, department and shift. I received a paper copy of 1 week schedules for Cub employees. However, neither the format nor 1 week’s information is adequate.
- Excel spreadsheet of all sales dollars per hour for every department, per store

Please provide the requested information in electronic format by noon on October 24 so we can begin to review and prepare for our effects bargaining on October 25.

Should the employer continue to refuse to bargain the changes and refuse to provide the requested information, the Union may need to take further recourse. Also, please confirm the following:

1. That the employer recognizes its obligation to bargain these changes.
2. That the employer will cease implementation of the changes until the parties have bargained over the changes.
3. That the employer will provide the relevant requested information to the Union.

Sincerely,

A handwritten signature in black ink, appearing to be "Rena Wong".

Rena Wong, President
UFCW Local 663