



LOCAL 338 RWDSU/UFCW

WWW.LOCAL338.ORG

Vol. 7 No. 7
Summer 2006

NEWS

97-45 Queens Boulevard, Rego Park, New York 11374



by John R. Durso,
President

INSIDE

article 2

Viewpoint...

After years of fighting for a fair contract, I am happy to report that we finally HAVE A CONTRACT for 2600 Duane Reade workers. This contract includes wage increases and provides for health care and pension benefits. The 3,000 plus workers in our 141 Duane Reade stores were without a contract for almost 5 years. In April of 2003 the Allied Trades Council affiliated with our local, and we began a long contract battle with the former management at Duane Reade. We were looking for a fair contract that offered both dignity and respect for our newest members, and today we have one. There were a number of reasons that we were able

to achieve this great victory, but the biggest reason is the tremendous amount of help we received from you, our members. Many of you helped out on picket lines, at rallies, at meetings and some of you to Duane Reade

workers in their stores. Without your efforts, we would not have been able to accomplish this great achievement and for that I am truly grateful.

My sincerest appreciation also goes out to Stuart Appelbaum, our RWDSU International President, for the extraordinary support he and the International provided us over the past five years. I would also like to recognize the work of the law firm of Friedman and Wolf who went above and beyond in their dedication to the men and women of Duane Reade. To

the staff of Local 338, a special thanks. They were incredible in their efforts; they worked day, night, week-ends and holidays to bring this fight to a successful conclusion. We should all thank them for their efforts.

It was when the Duane Reade Board of Directors made a change in leadership that we really began to make great movement towards a contract. The new CEO, Richard Dreiling, who has had years of experience in retail as well as dealing with unions, realized that the most valuable asset of Duane Reade is its employees. With his enlightened leadership at Duane Reade we were

This story relates to what we in 338 are about to face this summer in our negotiations. Our Union is prepared to stand up and fight for the rights, benefits, and working conditions of all of our members.

able, along with our brothers and sisters in UNITE HERE!, to finalize a strong and fair contract for all of our members. So I am pleased to ask you, our members, and those friends and associates who read this paper

to PLEASE SHOP AT DUANE READE!!

This story relates to what we in 338 are about to face this summer in our negotiations. Our Union is prepared to stand up and fight for the rights, benefits, and working conditions of all of our members. Anyone who reads a newspaper or watches TV can see the extraordinary increase in the cost of health care and can understand that pension plans such as ours are under attack by the Bush administration. Despite this, we refuse to move backwards; we plan

to hold the line for our members and their families. We will stand together and fight for a contract that secures our members' wages, pensions and health care benefits.

We can only accomplish this as a UNITED and DETERMINED Union, speaking with one loud and clear voice of reason. We must always remember that WE ARE all "STRONGER TOGETHER." Together we will achieve great victories for our members; we can do it organizing new workers, at the bargaining table, in the halls of government but we cannot do it without YOU. You must be involved; you must be committed to each other and to this Union. This year more than ever we will face challenges to our pensions, our health care and our way of life. We must stand together, we must be united, we must never allow ANY employer to divide us. Remember there is strength in unity, there is strength in family, there is strength in the UNION, but the UNION starts with YOU!!

Stand up for yourselves, stand up for the UNION, wear your 338 button with pride and let everyone know you are Local 338 and PROUD of it!

**Remember, we are
Stronger Together!**

**Local 338
Welcomes
Duane Reade**
see pg. 11

**Al reverso de este
periódico hay una versión
abreviada en español.
Si le gusta esta idea,
¡llámenos y dénos su
opinión!**

Retail, Wholesale and Department
Store Union
338 News
97-45 Queens Blvd.
Rego Park, NY 11374

Address Service Requested

Local 338 News

Published by

John R. Durso
President

Steve Pezenik
Editor

Non-Profit Org.
U.S. Postage
PAID
Hicksville, NY
Permit #385



Working Families Pay the Price for Republican Tax Schemes...

BUT WE CAN TURN THINGS AROUND

by Stuart Appelbaum
President, RWDSU

It seems hard to believe that during a time of war and soaring budget deficits that the Bush Administration would be proposing to funnel more money to the wealthy. And yet that is exactly what the Administration is doing.

The country's finances are on increasingly shaky ground. The budget deficit now tops \$300 billion and the Federal debt is over \$8 trillion. There are continued reports of soldiers in Iraq being forced to do without proper equipment to protect them because of the expenses involved. Rebuilding New Orleans after Katrina will continue to cost billions. Money will be needed to ensure that as baby boomers retire Social Security and Medicare can meet their obligations. Now is not the time to further deplete the nation's finances through tax cuts targeted for the wealthy - especially when the only people who will really benefit are the super rich.

FEW BENEFIT, MANY PAY

In May the Republican-led Congress, voting mostly along party lines, extended the tax cut on capital gains and dividends for another two years. Millionaires stand to gain \$42,000 annually because of the cut, and yet workers who make \$50,000 will see only \$46. This is just the latest in a series of cuts benefiting the wealthy that began under President Bush's first term.

The Bush Administration's 2007 budget looks to pay for its many tax cuts by slashing programs for working people. Worker safety and health programs, unemployment programs, job training and placement programs are all being de-funded to pass tax breaks on to the wealthiest Americans.

But most galling of all were recent efforts by Senate Republicans to repeal the estate tax. According to the Center on Budget and Policy Priorities, repeal of the estate tax would have cost the U.S. \$1 trillion over ten years. Though the repeal effort failed, again in a mostly party-line vote, a so-called compromise still being considered would drain

\$500 billion from the nation's finances. That kind of cut would mean even less money will be available for government programs that benefit working families. It would mean higher deficits and increasing debt.

This kind of poor economic planning and shoddy policy is driven by political considerations. The Republican leadership in Washington seems bent on rewarding the wealthy few who are among their most important supporters. And while few reputable economists would defend unlimited budget deficits and unchecked public debt there are correspondingly few elected officials who have the courage to stand in the way of tax cuts no matter how damaging they are to our economy.

A TIME FOR CHANGE

There is a tremendous need for fiscal responsibility and greater tax fairness in our country. We desperately need leadership that understands just how unfair and economically dangerous it is to have the tax burden fall disproportionately on the backs of the middle class. It is high time that the Bush Administration and the Republican leadership in Congress stop rigging our tax laws to benefit the few and start crafting tax policy that puts America's working families first.

We can, however, change things. Working people have to make sure that their voice is heard in the legislative and political process. What this means is that we have to elect people who share our values and understand our concerns. This November control of the U.S. Congress is at stake. We must make sure that we are registered, that we know where the candidates stand, and that we are prepared to cast a vote in support of a more just and fair society for working people. It's high time we returned a sense of fairness to Washington, DC.

STAYING INFORMED



by John DeMartino,
Secretary-Treasurer

Over the past few years we have worked hard to fight off the planned development of anti-union stores such as Wal-Mart & BJ's. As you are aware, companies like these have continued to deny their employees proper wages and access to affordable health care. They instead encourage their employees to take advantage of state-sponsored health care programs thus costing the taxpayers millions of dollars each year. As our fight continues, we must not only work to prevent their development of new stores but must work to ensure these and other non-union workers are given an opportunity to organize.

Unionizing has never been an easy task for workers but in recent years it has become increasingly more difficult. These large anti-union companies have become increasingly bold in violating the rights of their employees to organize

under the law. Unfortunately, federal laws intended to support unionization are being manipulated by these companies to undermine its progress. The National Labor Relations Board's (NLRB) election process makes matters worse by enabling management to wage lengthy and bitter anti-union campaigns.

The NLRB gives the employer the option of allowing their employees to organize via a democratic card-check procedure (when a majority of the employees have signed written authorization forms designating the union as their collective bargaining representative) or to demand an election using the NLRB process. The problem is many companies intentionally choose NLRB elections because they are subject to legal and procedural tactics that can delay the organizing process for months or even years.

Companies use this time to create hostile working conditions in an effort to demoralize their employees, weakening their position. Union elections are unlike any other elections because of the coercive power that the management holds over the employees. During the organizing process workers can expect harassment, intimidation and threats of firings in an attempt to thwart the organizing efforts. Management understands that the longer the fight the greater the chance of the movement failing. In fact, studies have found that unionization rates decrease by 0.29% for each day of the delay. That means that a six month delay can reduce the chances of successfully organizing by almost 50%.

In an effort to level the playing field for workers, in April 2005 a bipartisan coalition reintroduced into Congress the Employee Free Choice Act (S. 842 and H.R. 1696). Under the Act, when a majority of employees sign union authorization forms, they can file a petition with the National Labor Relations Board and the NLRB must investigate the petition. If the NLRB determines that authorization forms have been signed by a majority of employees, it must certify the union as the employees' collective bargaining representative, eliminating the need for NLRB elections. The act also would provide for mediation and arbitration of first-contract disputes and authorize stronger penalties for violation of the law when workers seek to form a union.

It should come as no surprise that companies such as Wal-Mart are opposing this legislation. They would rather spend millions of dollars fighting this legislation than forming a real partnership with their employees. Local 338 supports the passage of the Employee Free Choice Act and I urge all of our members to contact their member of Congress and demand that he or she support this critical legislation.

A WORD ABOUT UPCOMING CONTRACT NEGOTIATIONS

As you know we will be entering into contract negotiations on behalf of most of our members in the upcoming weeks. We are anticipating very difficult negotiations and we should all be preparing for the worst. As revealed in a recent survey of our membership, health care, pensions, and job security are our top priorities. We intend to do all we can to maintain and possibly increase our current level of benefits that Local 338 members currently enjoy. These are tough times for workers with pensions & health care being constantly attacked by big business and the federal government. It is important that all members be united and informed of all of the facts throughout the negotiating process. Only if we stand united will these critical negotiations end up on a positive note as we move towards securing our future.

Local 338 at Work for its Members

Since March of this year, Local 338 RWDSU/UFCW, through grievances and arbitrations, has won and recovered over **\$73,876 in back wages and monies to our various funds**. Since January of 2006, the total monies refunded is **\$167,066**.
IT PAYS TO BE UNION!

Getting Involved

Murray J. Morrissey, Executive Vice President



As I have pointed out repeatedly in this space, we are coming up to our next major contract negotiations. Preparations are and have been made to begin discussions. Depending on your particular employer and the individual date of the contract termination, we are in varying stages of discussions and development and will keep you all updated as often as possible and practical.

The most important single thing we can do is something we have all been talking about from day one – “showing our unity.” This will send a powerful, if subliminal, message to the employers. It is vital for all of us to remember that we are our employer's most important commodity. Without us there is no one to take care of the customers, no one to stock the shelves, no one to serve the customers in the deli, no one to pack out the produce, no one to check the customers out. Without us there is no business.

So with that in mind, how aware do you think the employers are of what we are doing, and what we are thinking? VERY AWARE!!!! For these reasons it is up to us, as a group, to be sure that our employers are aware of how much this contract means to us. How important it is that we maintain and improve our health coverage, our

pension coverage, and our wages. How much it means to us that the employers show their respect and appreciation of our hard work. But we all must do this together.

This is the time to show the employers that we are very concerned about the outcome of the negotiations. We need to be more active and involved. Be ready to talk it up in the shops, to discuss your feelings and concerns with your brother and sister members. Help inform those that are less involved, and try to get them to be involved where they can. We need the strongest possible contract we can get. And that is only possible if we all get involved.

Historically, in Local 338, our most active members have been the full time members, because at one time we were mostly full timers. That has changed dramatically. We still have many full time members but we also have a huge part time membership. Part timers are no longer limited to young people going to school and earning some spending money. Our part time population is made up of adults supplementing another full or part time job. The constraints on their time are enormous already but we need their help as well.

The point is that all of us, whether we are full time or part time, have other commitments and obligations. But

we must work together, attend the meetings and spread the information as much as possible.

Another way to show solidarity is to wear your union buttons and stickers; we also have new posters that you will see throughout the stores soon.

Communication is the key and one of the most important people in the chain of communication is your Shop Steward. Your Shop Steward is the person you should be talking to with your suggestions and questions. They will be the first line of communication for any information that we need to get out quickly to the membership. Please make sure you take the time to introduce your self to your Shop Steward. These are the people you need to bring your questions and problems to and also offer your help.

Remember now and always, we are
“Stronger Together” together

LOCAL 338 SALUTES OUR SHOP STEWARDS “thanks for helping to make us stronger”

Thomas Rivera

A & P 125
Carmel, NY

Federico Cervini

A & P 186
Yonkers, NY

Richard Mellor

A & P 193
Greenburgh, NY

Cheryl Davison Mayer

A & P 778
Portchester, NY

Gilberto Caban

PS.K. Supermarkets Inc 013
Sunnyside, NY

Wai Tung NG

Psk Supermarket Inc
Brooklyn, NY

Anthony Gonzalez

The Food Emporium 703
New York, NY

Ansel Watson

The Food Emporium 706
New York, NY

Sadassa Hayes

The Food Emporium 706
New York, NY

Carol Rock

The Food Emporium 708
New York, NY

Denis Charles

The Food Emporium 711
New York, NY

Carlos Delgado

The Food Emporium 727
New York, NY

Felix Gonzalez

The Food Emporium 729
New York, NY

Louis Torres

Food Emporium 732
New York, NY

Dwayne Moore

The Food Emporium 767
New York, NY

Harry Sukhdeo

The Food Emporium 777
New York, NY

Rosa Guzman

The Food Emporium 779
Great Neck, NY

Caleb Lubrun

The Food Emporium 783
New York, NY

Clive Garrell

Food City 009
New York, NY

Ramon Concepcion

Food City 020
Brooklyn, NY

Oswaldo Perez

3151 Westchester Ave Food Corp
Bronx, NY

Jamison Bowman

3151 Westchester Ave Food Corp
Bronx, NY

Edgardo Miranda

S M E Lydig Food Corp
Bronx, NY

Elvin Abraham

S M E Belfiore Food Corp
Bronx, NY

Dominic Muscianesi

Shell Mar Foods Inc 892
Brooklyn, NY

Brenda Romanski

Janson Supermarkets
Hauppauge, NY

Paul Petrosino

Red Apple/Sloans 005
New York, NY

Lashawn Nelson

Supermarket Acquisition/Sloans 428
New York, NY

Virginia Delaney

Supermarket Acquisition/Sloans 437
New York, NY

Cesar La Fontaine

Namdor/Sloans 508
New York, NY

Janet Pizarro

Namdor/Sloans 511
New York, NY

Max Schiffman

Namdor/Sloans 512
New York, NY

Wilfredo Rodriguez

Namdor/Sloans 514
New York, NY

Victor Bennett

Namdor/Sloans 517
Roosevelt Island, NY

Luis Roman

Namdor/Sloans 518
New York, NY

Robert Michaelis

Namdor/Sloans 543
NYC, NY

David Barreto

Namdor/Sloans 545
New York, NY

Moussa Sissoko

Namdor/Sloans 545
New York, NY

Bernice King

Namdor/Sloans 601
New York, NY

Brian Pfeifer

Stop & Shop 526
East Northport, NY

Stanley Luzynski

Stop & Shop 542
Glen Cove, NY

Anthony Massoni

Stop & Shop 552
East Meadow, NY

Peter Postel

Stop & Shop 555
Levittown, NY

Rosemary Obes

Stop & Shop 569
Oyster Bay, NY

Audrey Riley

Stop & Shop 576
Massapequa Park, NY

George Parra

Stop & Shop 577
Oceanside, NY

Gregory Zaczekiewicz

Stop & Shop 577
Oceanside, NY

Veronica Thompson

Stop & Shop 578
Inwood, NY

Gloria Maher

Stop & Shop 585
Lake Grove, NY

Delores McLeod

Stop & Shop 586
Freeport, NY

Michael Gallagher

Stop & Shop 587
Pt Jefferson Sta, NY

Wayne Donohue

Waldbaums 212
Riverhead, NY

Vito Masi

Waldbaums 213
Oceanside, NY

Carolyn Walters

Waldbaums 214
Hauppauge, NY

Kevin McCarthy

Waldbaums 217
Greenlawn, NY

Linda Leggio

Waldbaums 219
Staten Island, NY

Carolyn Herr Youmans

Waldbaums 223
Garden City Park, NY

Timothy Dembek

Waldbaums 229
Center Moriches, NY

Josephine Lopez

Waldbaums 235
Brooklyn, NY

Mitchell Spiegel

Waldbaums 236
Huntington, NY

Joseph Quercia

Waldbaums 238
Staten Island, NY

Robert Collette

Waldbaums 240
Brooklyn, NY

Ralph Venuti

Waldbaums 247
Douglaston, NY

Margaret MacGilvray

Waldbaums 251
Lindenhurst, NY

Lisa Lund

Waldbaums 256
Massapequa, NY

Edward Melfi

Waldbaums 270
Whitestone, NY

Robert Schmidt

Waldbaums 275
College Point, NY

Fred Jackson

Waldbaums 277
E Setauket, NY

Thomas Kunkel

Waldbaums 278
Smithtown, NY

Raymond Munn

Waldbaums 278
Smithtown, NY

Manuel Ribeiro

Waldbaums 279
Merrick, NY

Glenn Silverman

Waldbaums 283
Levittown, NY

Eugene Seid

Waldbaums 289
Jericho, NY

John McArdle

Waldbaums 295
Flushing, NY

Leward Biggs

Waldbaums 296
Brooklyn, NY

Carl Fowler

Waldbaums 343
Carle Place, NY

Mary Bridges

Waldbaums 434
East Meadow, NY

Jerry De Cola

Waldbaums 434
East Meadow, NY

Ethel Northcutt

Waldbaums 434
East Meadow, NY

Frank Cutolo

Waldbaums 449
Hunt. Sta., NY

Michael Delligatti

Waldbaums 449
Hunt. Sta., NY

Larry Sanders

Waldbaums 452
Baldwin, NY

James Becht

Waldbaums 475
San Remo, NY

Gary Andreas

Waldbaums 604
Shirley, NY

Carolyn Johnson

Waldbaums 611
Rocky Point, NY

Terry Cutler

Waldbaums 613
Glen Oaks, NY

Connie Moriarty

Waldbaums 616
Belle Harbor, NY

Anthony Angieri

Waldbaums 630
Ronkonkoma, NY

Ruth Boyd

Waldbaums 632
Bay Terrace, NY

Judith Martaux

Waldbaums 633
Baldwin, NY

Dolores Pariselli

Waldbaums 641
Jackson Heights, NY

Continued on pg. 4



Political Arena

by Ernesto Mattace, Jr. - Political Director



We have the winter behind us and summer is here. It is time for the weather to heat up, but that's not all. It is the start of this year's political and election cycle. In June petitions need to be signed so that candidates can have their names placed on the ballots to run for office. Over the next five plus months you will be receiving mail and will hear radio and television ads for the candidates that will be running for office in November.

Now is the time to be informed. We will be gathering the information that we will need to endorse the candidates that will best represent the issues that are important to all of us; that means you and your families. By being informed, you can make the best choice for you. We will be recommending the candidates to vote for, but the decision is yours and you alone should vote. That is one of our most important freedoms, the right to vote and have your voice heard.

We believe that with information all of us will be able to make the right decisions. In 2002 the federal government passed the HAVA Act which is the "Help America Vote Act." It required a voting device per poll site to enable voters with disabilities to cast a private and independent vote. New York then passed the "Election Reform and Modernization Act, (ERMA)". This Act bans lever machines as of September 1, 2007 and requires each county and the City of New York to choose a new voting technology and allows two options:

1. PAPER BALLOT/OPTICAL SCANNERS, (PBOS), consists of paper ballots to be marked by hand (or by ballot marking devices for voters with disabilities or minority languages), and optical scanner machines in each polling place to check each ballot for corrections before it is cast and to print a tally at the end of the election day.
2. DIRECT RECORDING ELECTRONICS, (DRE), consists of voting machines (computers) with a touch-screen or push buttons, and a tiny printer to print a receipt-like list of each voter's choice for the voter to verify before pressing "Cast My Ballot." The printout then goes into a secure storage box in the machine.

Now let's do some comparisons:

1. Purchase cost: PBOS - \$30 million or less; DRE - \$120 - \$180 million.
2. 22 PBOS units for every 100 DRE units will be needed.
3. Equipment lifetime: PBOS - 10-20 years; DRE - 5-8 years.
4. Who can program and maintain the equipment: PBOS - bipartisan technical staff at Board of Elections; DRE - vendor technician only, (due to secret software and contract provisions).

These are only a few of the pros and cons on this new technology. We believe that public testing prior to the selection of the new voting equipment must be done to make the correct choice, as Councilman Jackson has urged in RESO 228 at the New York City Council. We all need to work together and urge our elected officials to have the new voting equipment tested first.

As always we are Stronger Together and if you have any questions, I can be reached at the union office at 718-997-7400 or 516-694-1656, ext. 247.

STUART APPELBAUM CHOSEN AS CUOMO CAMPAIGN LABOR CHAIR

At a recent press conference, NY State Attorney General Candidate Andrew Cuomo announced that Stuart Appelbaum, President of the RWDSU, will serve as the Chair of his Campaign Labor Committee which consists of 14 major Unions. "Stuart Appelbaum and the RWDSU are the leading progressive force in the Labor movement," stated Cuomo. "They are outspoken advocates for the rights of immigrants and their aggressive organizing campaigns have helped bring better lives to thousands of workers in the state."

"The RWDSU was proud to be the first union to endorse Andrew Cuomo for Attorney General and I am honored to serve as chair of his Labor committee. We know that he will work to safeguard the rights of workers and hold employers to the highest standards," said Appelbaum.



Center - Andrew Cuomo and Stuart Appelbaum
They are joined by the officers of Local 338, 1102, 1-S and members of the International staff.

Congratulations!

In every 338 newspaper, we tell you "It pays to be union" and follow with the amounts of back wages and monies that are returned to our members and funds. These dollars are based on arbitrations and grievances that Local 338, on your behalf, are filed with the National Labor Relations Board (NLRB).

However, sometimes an amount can stand out a little bit bigger than the rest. Based on charges filed during the Duane Reade Campaign, congratulations are in order to three employees of Duane Reade who are members of Local 338. They are Carlette Ballard, Edward Cave and Consuelo Rodriguez who received back pay and interest for a total of \$64,523.

It pays to be union... It really pays to be Local 338!



(l. to r.) Carlette Ballard, Celeste Mattina - Regional Director, NLRB ATC/338, Rep Basil Patterson Consuelo Rodriguez, 338 President John R. Durso, NLRB Board Agent Lauren Esposito, Eugene Friedman, Esq. NLRB Board Agent Susannah Ringel 338/ATC Director Jack Caffey (Edward Cave, not pictured)

"THANK YOU" TO ALL LOCAL 338 SHOP STEWARDS from pg. 3

Vernon Smith
Waldbaums 643
Brooklyn, NY

Mark Bagdoian
Waldbaums 651
Howard Beach, NY

Debra Lane
Waldbaums 655
Glen Head, NY

Larry Linan
Waldbaums 657
Bayside, NY

Vito Casamassino
Waldbaums 658
Long Beach, NY

James O'Reilly
Waldbaums 660
East Patchogue, NY

Louis D'Ambrosio
Waldbaums 661
W Babylon, NY

Robert Fisher
Waldbaums 661
W Babylon, NY

Patricia Scott
Waldbaums 662
Selden, NY

Matthew Ostro
Waldbaums 673
E Islip, NY

David Lech
Waldbaums 699
Deer Park, NY

Salvatore Licata
Food Basics 503
Brooklyn, NY

Joanne Natt
Jgs Mahopac 001
Mahopac, NY

George Carrozzelli
Jgs Beacon Corp 001
Beacon, NY

Jose De Jesus
Farmland Dairies
Wallington, NJ

Omar Mohammad
Farmland Dairies
Wallington, NJ

Charles Dooner
Farmland Dairies
Wallington, NJ

Orlando Martinez
Farmland Dairies
Wallington, NJ

Dennis Conneely
Farmland Dairies
Wallington, NJ

Barbara Fitzgerald
Crest Hall Care Cente
Middle Island, NY

Darnell Brown
Crest Hall Care Center
Middle Island, NY

Kathaleen Speer
Crest Hall Care Cente
Middle Island, NY

Patrick Ambrose
Oak Hollow Nursing Center
Middle Island, NY

Marilyn Haynia
Oak Hollow Nursing Center
Middle Island, NY

Margaret Coleman
Oak Hollow Nursing Center
Middle Island, NY

Edgar Rodriguez
IAHD 001
Bronx, NY

Richard Sawyer
IAHD St Jude 002
Tarrytown, NY

Rabindrana Jeeuth
IAHD 003
Bronx, NY

Joel Isaac
IAHD 003
Bronx, NY

Greta Glasgow
IAHD 004
Bronx, NY

Claudette Duffus
IAHD 006
Bronx, NY

Joyette Gordon
IAHD 010
Bronx, NY

Darcia Mbaye
IAHD 010
Bronx, NY

Alether Williams
IAHD 011
Bronx, NY

Wesley Dunkley
IAHD 012
Croton On Hudson, NY

Sonia Stewart
IAHD 016
Pleasantville, NY

Victor Estepa
IAHD St Mary S 017
Bronx, NY

Angela Walker
IAHD St Mary S 017
Bronx, NY

Judy Lopez
Health Center At Bloomingdale
Bloomingdale, NJ

Johanna Kastias
Health Center At Bloomingdale
Bloomingdale, NJ

Julio Guevara
Surgical Services Inc
Syosset, NY

Ramsahoi Inderdeo
Tribeca Oven
Carlstadt, NJ

Joseph Sokol
Waldbaums 428
Farmingdale, NY

Daniel Presseisen
Shop Rite 800
Woodbury, NY



Steve Pezenik, Joan Holstine ,
Ernesto Mattace Jr.,
Congressman Charlie Rangel
and Fallon Ager



Joan Holstine, UFCW International President
Joe Hansen, Fallon Ager and 338 Political
Director Ernesto Mattace, Jr.



Ernesto Mattace Jr., Fallon Ager, Senator Clinton,
Joan Holstine & Steve Pezenik



338 VISITS WASHINGTON, D.C.

Staff members of Local 338 recently attended an intensive 3-day UFCW Legislative and Political Action training conference in Washington, DC. General Sessions and workshops included interactive discussions with Congress members from across the United States and private meetings with Democratic National Committee (DNC) Chairman Howard Dean and UFCW International President Joe Hansen.

In depth classes were given on Immigration, Minimum Wage, Pensions, the Employee Free Choice Act, Health Care Changes and of course Wal-Mart. The Local 338 team lobbied on Capital Hill and visited with New York Representatives Charlie Rangel, Eliot Engel, Gary Ackerman, Nydia Velasquez, Steve Israel and ended with a visit with Senator Hillary Rodham Clinton.

Local 338's involvement in legislative and political activities here and in Washington is paramount to our future. The Local 338 Political Action Committee supports elected officials that understand and meet the needs of working families.

When you are asked to join the Local 338 PAC, there are many important reasons to do so. However, the most important reason is our own future.

338'S JOHN DURSO PRESENTED WITH LEADERSHIP AWARD

Local 338 member Ann Kelly joined with New York City Comptroller Bill Thompson in honoring our president, John R. Durso, with the leadership award from the Wood-Heights Democratic Club.



Local 338 President John R. Durso

CONGRESSIONAL NIGHT

April 17, 2006 was a very special night for labor on Long Island. Members of Local 338 joined with 37 other unions and well over 1,000 members from across Nassau and Suffolk at the Long Island Federation of Labor's Congressional Night, held at IBEW 25's offices in Hauppauge, NY.

John R. Durso, who also serves as the president of the "L.I. Fed" welcomed the assembled and thanked the memberships for coming. "This is an important night," said Durso. "These important men and women, your elected officials, represent you in Washington. It is your right and even more so, your responsibility to tell them your needs and those of your families."

Congress members Steve Israel, Tim Bishop, Peter King and Carolyn McCarthy spoke and answered questions. United States Senators Chuck Schumer and Hillary Rodham Clinton brought new understanding of what is happening in Washington, D.C. and their plans to fight for the middle class on Long Island and for affordable housing among other ideas.

Unions attending included: RWDSU/UFCW, UFT, CWA, NALC, AFSCME, SEIU, APWU, IBEW and the UAW.



Long Island Congressional Delegation



Senator Chuck Schumer (D) NY



Senator Hillary Rodham Clinton (D) NY



WORKPLACE FIRES: EXIT STRATEGIES

In a workplace fire, being able to evacuate quickly can mean the difference between life and death. Workers may have only seconds to safely evacuate a burning building.

"Workplace fires and explosions kill 200 and injure more than 5,000 workers each year" according to the Occupational Safety and Health Administration. Fires wreak havoc among workers and their families and destroy thousands of businesses each year, putting people out of work and severely impacting their livelihoods. The human and financial toll underscores the serious nature of workplace fires" according to former Labor Secretary Robert B. Reich. Fire can be caused by many factors, including friction, electrical malfunctions, sparks, open flames, hot surfaces, and unsafe use and/or storage of chemicals. Most states and cities have fire department and building code regulations covering fire prevention and protection. In addition, the Occupational Safety and Health Administration has several standards covering these areas. 29CFR1910.38, for example applies to requirements for employee emergency exit plans.

FIRE EXITS

There are several important points concerning fire exits:

1. There must be at least two exits which are separate from each other so that if one is blocked by fire another is available for escape. More than two exits may be required depending on the number of people to evacuate and the level of fire danger.

2. Exits should not be locked or blocked. If doors are locked for security reasons, they must be able to be opened immediately in an emergency

3. Exits, and the pathways to exits, should be clearly marked, easy to get to and well lit. Every sign should be illuminated by a reliable light source. Doors and passageways that are not should be marked "NOT AN EXIT."

FIRE DRILLS

Fire drills should be conducted on a regular basis so that every worker knows how to evacuate the building quickly. You need to know where your nearest exit and alternative exit are located.

EMERGENCY ACTION PLAN

Employers should develop an emergency action plan. This plan should include a written policy that includes at least the following:

1. How to report a fire.
2. How and where employees will escape the building including how disabled employees and employees involved in shutting down critical plant equipment will be evacuated.
3. The type of emergency alarm system(s) to be used throughout the workplace.
4. Training and retraining on evacuation procedures for all employees.
5. Designation of fire wardens or other responsible individuals who can answer

questions and give further information.

This plan can also be used as a basis for planning for other emergencies, such as chemical releases, severe weather conditions or security threats.

EVACUATION SAFETY POINTS

If you are escaping from a building:

- Know your escape route.
- Don't use the elevator or escape to the roof.
- Close all doors behind you to slow the spread of the fire.
- The smoke is often the most hazardous part of a fire. If it is smoky, stay close to the floor; crawl if necessary.
- Don't open a door if it feels hot.

The OSHA law says no worker should ever be required to fight a fire unless they have received proper training to fight a fire and use the available fire extinguishers. Fire extinguishers should only be used to put out small fires or help in the escape. Fires that are spreading rapidly, have extreme heat or are very smoky are out of control. You should get out immediately.

The above information appeared on the RWDSU website in Health and Safety. Visit our website at www.local338.org and use our links for current information. If you have any questions or need more information, I can be contacted at our office at 718-997-7400 or 516-694-1656, ext. 247.



DOES THIS LOOK FAMILIAR?

If it does, call your union rep or service rep immediately!

Your safety, the safety of your brother and sister union members and the customers must take precedence over everything else. Over 600,000 workplace injuries occur every year and we at Local 338 don't want you to become one.

Here are some examples of what you shouldn't see:

1. **BLOCKED FIRE EXIT DOOR-**
(Waldbaum's #229 in Center Moriches, LI)
2. **LEAKING PIPE TO OVERFLOWING BUCKET**
in frozen food room-creates ice on floors
(Waldbaum's #662 in Selden, LI)
3. **BROKEN FLOORS IN PRODUCE PREP ROOM**
(Waldbaum's #632, Bayside, NY)
4. **BLOCKED FIRE EXIT DOOR**
(Waldbaum's #??? in Glen Oaks, NY)
5. **WATER IN BASEMENT**
(Waldbaum's #657 in ???, NY)
6. **BROKEN FLOOR TILE**
(Gristede's #514, Manhattan, NY)

Leaky pipes, broken floors or tiles.
No heat or too much A/C? Blocked exits,
it doesn't matter, CALL IT IN!





“ When you jail one of us...
You jail all of us! ”

Our union joined with thousands of union members from across the city at a rally and march for TWU Local 100 President Roger Toussaint as he prepared to serve a 10 day sentence in prison. He was hailed as a true hero.

Labor leaders from across the City and State included: NY State AFL-CIO President Denis Hughes, UFT's Randi Weingarten, Pat Lynch of the PBA and RWDSU's own Stuart Appelbaum. Prayers, songs and even jokes filled the assembled with a spirit of solidarity.

“I stand here today because a judge has found me guilty of contempt of court,” stated Toussaint “The truth of the matter is that I have nothing but contempt for a system that gives employers a free rein to abuse workers. I will do thirty years before I let transit workers surrender.”

Union members and officers alike then marched with Toussaint across the Brooklyn Bridge to the city jail on Center St. known as “the Tombs.”



YOUR LEGAL SERVICES PLAN

- Are you buying, selling or refinancing a house?
- Do you have a dispute with your landlord?
- Do you need help with an uncontested divorce, or adoption?
- Do you need advice regarding a home improvement contract you are going to sign?
- Have your personal finances become complicated and do you want to know if bankruptcy is an option for you?
- You still don't have a will?
- Are you being sued or need to sue someone in a civil matter?

**If you live in New York City,
Upstate New York or New Jersey**

**call: Friedman & Wolf
at (212) 354-4500
and**

**If you live in Nassau
or Suffolk County,
call: Fusco, Brandenstein & Rada
at (516) 496-0400**

If you answered “yes” to any of these questions, here's one more question. Do you know that your Union negotiated for many of its members a Legal Services Plan that may mean you have access to a quality attorney at no or little cost to you?

All full-time and part-time members, their spouses and dependent children are entitled to legal benefits provided by the Legal Services Plan of the Local 338 Benefits Fund if they are covered by a collective bargaining agreement under which their employer is obligated to make contributions into the Local 338 Benefits Fund. A full-timer becomes eligible for legal benefits after six months of participation in the Fund and a part-timer after 12 months. There are more than a dozen different legal areas in which services are available up to a maximum of 30 hours per calendar year. To be covered by the Plan, legal services must be provided by the law firms retained by the Fund to provide benefits.

COVERED LEGAL SERVICES INCLUDE:

1. Legal advice, research, consultation, and document preparation and review;
2. Drafting and signing of Wills, Powers of Attorney and Trust Agreements;

3. Probate of Wills and Administration of Estates;
4. Uncontested divorces, separations, and annulments, and uncontested adoptions and Change of Name proceedings;
5. Purchase, sale, refinance or family transfer of title of a participant's residence;
6. Suits against you for rent and eviction proceedings;
7. Personal voluntary bankruptcy;
8. Representation or defense in civil litigation (excluding Small Claims, contingent fee cases or matters covered by insurance);
9. Reviewing retail credit and consumer contracts;
10. And more...

As the world becomes increasingly complex, the Law affects us all. It provides rights, but also imposes responsibilities. At some point, all of us will need the services of a lawyer. Your Union bargained for the legal services benefit and the Trustees instituted the Legal Plan in the belief that it will protect and advance the legal rights and interests of Local 338 members and their families, that it will provide you with easy access to quality attorneys, and that it will make receiving sound legal advice and representation more affordable. We encourage you to make good use of your Legal Plan whenever you have a covered Legal matter.

members at work members

members



Dario Pineda
Amauri Contreras

ZABAR'S
2245 BROADWAY,
NEW YORK, NY



Adia Velez



Morakinyo Fatimiro, Henry Santana, Evangelina
Fuentes, Luis Sarmiento, Dionicio Gutierrez, Rafael Diaz



Francisco Bisoño,
Manuel D. Rodriguez



Yury Khanis, Carlos A. Ortiz, Jose A. Toribio



Gladys Garcia



?????????



Jerry Sze, James Bynum, John Wang



Nancy Morales
Natalie Nathalie Munoz



Juan Morel, Victor Maldonado, Ramon L. Allmonte

members at work members

***We're local 338 members too...
And proud of it!***

**PSK FOODTOWN # 13
31-25 GREENPOINT AVE.
SUNNYSIDE, QUEENS**



Gloria Mascolo, Suzy Szabo



Diana Lopez, Gilberto Caban



Sheila Suarez, Catherina Gromes

**GRISTEDES #508
246 MERCER ST., NEW YORK, NY**



Celmnina Maldonado, Peter Richard, Vicente Santoella



Lashaun Nelson



Lucy Luzon, Cesar La Fontaine, Ivette Ramirez

2006 Human Rights Awards



(l to R) Richard W. Dreiling, George Miranda, John R. Durso, John Gillis, Stuart Appelbaum

For 71 years, the Jewish Labor Committee has served as a bridge between organized labor and the Jewish community in a shared commitment to economic and social justice. It grew out of the union movement's response to the rise of Nazism in Germany.

The National Trade Union Council for Human Rights, under the JLC, honors those in Labor and in the larger community, who seek to advance the causes of human and civil rights. These awards honor those men and women.

Over 600 guests attended this year's ceremony. The 2006 human rights awards were presented to:

Michael Goodwin, President OPEIU International

Gary La Barbera, President Teamsters Local 282
& Teamsters Joint Council 16

Richard W. Dreiling CEO & President, Duane Reade

A very special part of the evening was when the presidents of the three unions that represent workers at Duane Reade stores across New York came together with Stuart Appelbaum, JLC President, to present the human rights award to CEO Richard Dreiling.

Elizabeth Betty) Santonastasi (21 yrs.) & Rene Perez (22 yrs.)
Stop & Shop #569, Oyster Bay



Phyllis De Marco (41 yrs.)
Waldbaum's #641, Jackson Heights



Ralph Mazzella (12 yrs.)
Stop & Shop #587, Port Jefferson



*Retired
from work...
not from
my union!*



Phyllis Maywald (25 yrs.)
Shop Rite #800, Woodbury



Frederick Leighton (21yrs.)
Shop Rite #800, Woodbury



Barbara Westenberger (26 yrs.)
Waldbaum's #253
Center Moriches



Barbara Maniaci (36 yrs.)
Waldbaum's #278, Smithtown

CONGRATULATIONS TO OUR RETIREES

Georgia Andreou
Susana Babicz
Teresa Baker
Anthony Barba
Betty Bridgelall
Lawrence Bond
Cecilia Charles
Jean Clark
Jesus Colon
Beverly Coyle
Leon Daitz

Lizbeth Dargenio
Tadeusz Delenzik
Dawn Dicks
Sixto Escalante
Janice Farruggio
Rosa Feinberg
Eddy Fernandez
Marie Fontana
Remigio Gardezabal
Albert Giamburro
Giselle Hamlin

Ibrahim Jaber
Catherine Lagnese
Barbara Lapiana
Marilyn Lohwasser
Richard Lukeman
Barbara Maniaci
Linda Miller
Frank Ottati
Rene Perez
Warren Robinson
Arden Saladino

Elizabeth Santonastasi
Rose Scaffidi
Howard Sommers
Charles Thompson
Thomas Valentino
Nelson Velez
Anne Wiener
Laimunis Zvirbulis

We Have a Contract with Duane Reade!



Duane Reade CEO Richard W. Dreiling

After a long struggle, a contract has been settled for the 2,600 Local 338 RWDSU/UCFW employees working at 141 Duane Reade stores in New York City and Long Island, as well the more than 1,000 employees at 110 stores represented by Local 340A New York Joint Board UNITE HERE!.

The three-year agreement contains wage and benefit increases, as well as grievance and arbitration provisions.

“We have reached a settlement that is in the best interest of our members, who have been without a contract for almost five years,” Local 338 RWDSU/UCFW President John R. Durso said. “The unions came together this year to work for a contract, keeping our members’ interests and needs as our top priority, and now we have an agreement that protects those interests. We look forward to continuing to best represent our members at Duane Reade, and to working to ensure that all retail employees in New York are afforded the same protections and benefits provided by a union contract that Duane Reade workers now have.”

“New York’s retail workers are hurting,” RWDSU President Stuart Appelbaum said. “But this contract will play an important role in making a difference in their lives. As New York’s retail union, we believe that there is a message to all NY retail employers in this new agreement that everyone can benefit when the interests of workers are dealt with fairly. This contract was the result of a long and difficult struggle that came to its conclusion based upon an understanding by the company’s current management that a positive relationship with its workers’ union is in everyone’s best interest.”



Amila Sukhnandar & Justo Vasquez, Duane Reade #475



Delia Lester & Toni Gatto, Duane Reade #473



Matatova Yelizaueta, Duane Reade #475



Blessy Thomas, Duane Reade #467



Jasleen Kaur, Duane Reade #473



Craig Niederberger, Duane Reade #467

They Gave a Lot More!

Union members give. We always give. It's one of the things we do, give. Well this year, we gave a little bit more!

On May 13th, 2006 the NALC (National Association of Letter Carriers) held their 14th annual food drive to "stamp out hunger." All across America, working families, both union and non-union, made special deliveries by giving their postman (or woman) cans of non perishable goods for the food drive. In 2005, over 71 million pounds of food were donated and distributed to food pantries in 10,000 cities and towns in all 50 states. This year, they will surpass that number. "Right now," said 338 President John Durso, "38 million Americans aren't sure where or even when they will be getting their next meal. Our brothers and sisters in NALC branch 6000 have collected over 1.1 million pounds of food to be used right here in Long Island."

Our union, along with other unions on Long Island, helped NALC branch 6000 in sorting, moving and packing the collected food.

The next time you see a letter carrier on their route, give them a big thank you.

(l to r) Fred Wren, Jay Diaz, Nelson Resto, Jeff Laub and Local 338 President John R. Durso



will get names.

338 Community Services Cares

For the past 7 years, Local 338 RWDSU/UFCW has expanded its community services program to include not only its members and their families but to involve them in the neighborhoods in which they live. And you never fail to come through.

You, our members, donate clothing, blood, books, money, time and all year round, food.

Pantries, shelters, churches and others are chosen at random or referred by members who live and work in those communities. All the food and personal items are donated by the members and delivered without fanfare. "Who knows food better than us," states 338 President John R. Durso. "Our members work hard every day but they always find something to help others who have less. It's humbling to see how much they care."

Local 338's members recently donated dozens of cartons and bags of collected food to the Allerton Neighborhood Food Pantry in New York's Bronx County. These supplies will go to seniors and community residents for the Passover and Easter Holidays.



(l to r) Lisa Rivera, 338 Community Services Liaison, Liz Vega, Allerton Food Pantry Eli Elsdorfer, NIDC George Santiago, 338 Union Representative

NATIONWIDE DAY OF ACTION

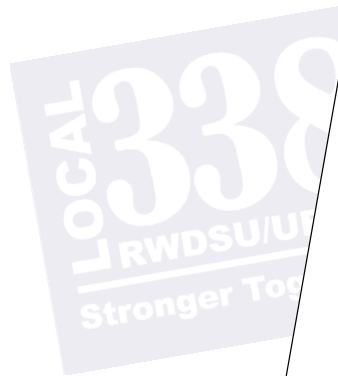
On April, 10, 2006 around New York's City Hall, people rallied. Estimates ranged from 90,000 to 125,000 attendees. They came from around the world – from Mexico and Canada, Central and South America, Europe, Africa – it didn't matter, people of every color, race, and religion came together for one purpose: to bring to light the living conditions of 11 million people who are in the shadows.

Local 338, along with other RWDSU locals, joined with community, civil, religious, labor and advocacy groups to create the largest rally for immigration rights and reforms in years, if not ever. It was a "National Day of Action" with similar rallies across the United States. People marched down streets, drove in and marched across bridges. Flags were everywhere. Signs in every language read: "Legalize, don't Criminalize" and "Immigrant Values are Family Values" and "Grant a Fair Path for Citizenship."

"I've never seen anything like this," said one 338 member. "It's like the civil rights marches of the 60s."



THANKS FOR YOUR CARING & SUPPORT!





Workers Memorial Day NYC - imam ???, Fr. Brian Jordan, Rabbi Michael Feinberg, Lisa Rivera, Tommy Baez, Steve Mooser, Ernesto Mattace, Jr.

*Local 338
RWDSU/UFCW
Remembers*

WORKERS MEMORIAL DAY 2006

In 1990, the International AFL-CIO called for a national day of remembrance for workers who have died on the job. Since 1991, workers across America have observed “Workers’ Memorial Day” on the 28th of April. As in the past, Local 338 RWDSU/UFCW officers, staff and especially you, our members and your families, attended services around the tri-state area to honor their memories.

In New York City, an ecumenical service was given by Father Brian Jordan at the St. Francis of Assisi Church that included a Rabbi and an Imam.

At the Long Island service, there was a candle lighting ceremony and bag pipes. Melodie Guerrero, President of the L.I. Workers’ Memorial Committee stated her feelings in the most simple terms. “We are here to remember the men and women who went to work and never came home.”

“Every year, over 600,000 workers are injured on the job,” stated 338 President John R. Durso. “and 60,000 are killed. There have been 15 workers’ memorial days and the injuries and losses of life have only gotten worse. When will the employers realize that worker safety is more important the bottom line?”

At the Kensico Dam Plaza, in Westchester, hundreds of union members and elected officials held an evening vigil, rang fire bells and read the names of those we have lost.

I N M E M O R I A M

Abe Abraham
Philip Adler
Maria Barone
Leonard Baum
Gerda Birkhahn
Carmela Buonomcontri
Nicolette Cavanaugh

Jesus Cintron
James DiBuono
Angelo Ferrari
Joseph Francomano
Louise Gordon
Charles Klein
Mary Koontz

Jack Kwiatek
Jack Lass
Walter Lewis
Mary Lilly
Felix Mafaraci
Kathleen Martin
Peppino Montesanto

Albert Pirovits
Shelton Powell
Anthony Occhicone
Sally Reinstein
John Riley
Herman Rivera
Joseph Rizzo

Evelyn Schwartz
Samuel Sklar
Isidore Sohn
George Wright
Benjamin Yaruss

a **union** is as strong
as its **members** want it to be.

NAACP AWARDS DINNER



338 congratulates Max Bruny

Members and staff of Local 338 were pleased to attend the 95th Anniversary Dinner of the New York Chapter of the NAACP.

The NY Chapter was founded in 1911 in Harlem and has served the people of New York ever since. It provides community-oriented programs including voter registration, education seminars, health fairs, prep schools and provides forums for civil and human rights issues.

Dr. Annie B. Martin, a great friend of Local 338, has worked tirelessly for over 28 years as its president.

The labor honorees were: John J. Torpey, President of Steamfitters local 638, Maf Misbah Uddin, Treasurer of DC 37 and Max Bruny, President of our sister Local 888 UFCW.

UFCW Region One South Women's Network 2006 Recognition Awards



(l to r) Fallon Ager, Harajanie Singh, Rosa Martinez, Joan Holstine

Sherry Vandyk, Meredith Larson, Speaker Christine Quinn, Paulette Fialkoff-Amodeo



The UFCW Women's Network was founded in 1988 and works to motivate and encourage women to become active, not only in their local union but also in organizing, collective bargaining, voter registration, educational, political and community activities.

The primary purpose of Region One South Women's Network is to unify UFCW women throughout the region. The network examines current women's needs and concerns and develops programs to address them. Network members went out into communities and asked people to sign on to the Mother's Day campaign to force Wal-Mart to stop disrespecting and discriminating against its female employees and to provide affordable health care for

its workers. Local 338 members have also benefited from the region's child care scholarships.

THIS YEAR'S HONOREES WERE:

Max Bruny, President, UFCW Local 888

Geralyn Luty, International Vice President
Region 7 Director UFCW

Christine Quinn, Speaker
New York City Council

Local 338 and its members and staff are proud to support the UFCW Region One South Women's Network.

NYU GRAD STUDENT TEACHING ASSISTANTS STILL ON STRIKE

Members and staff of Local 338 came together with dozens of unions to show support for our brothers and sisters of the GSOC/UAW. The union represents "graduate student teaching assistants" at New York University. The members there have been on strike for 8 months.



Members of RWDSU Locals 338 & 1-S, CLC officers Ted Jacobsen and Brian McLaughlin, NY State Senator Tom Duane and the RWDSU International.

Fair Share for Health Care and Wal-Mart too!

The week of April 24th 2006 was "Make Work Pay Week" for Change To Win Affiliated Unions across the country and Canada. RWDSU/UFCW members were there and in force.

Working with Teamsters and Laborers, SEIU janitors and health care workers, carpenters and supermarket union members spread out to every borough in New York City and New Jersey to bring the message: workers are united if fighting for a better life and a paycheck that can support a family and even look towards retirement. The "Fair Share for Health Care" programs are simple:

1. Everyone deserves quality affordable health care
2. Every business should pay its fair share
3. Responsible businesses should not be penalized for providing health care
4. Taxpayers should not bear the burden

Wal-Mart is the largest employer in the United States; however their employees receive little or no health care for themselves or their families. Taxpayers (us) and responsible employers, pick up the cost of the uninsured employees like those at Wal-Mart. It's not fair. The "FSHC" act guarantees minimum healthcare standards for all companies of a certain size to pay into a government fund to help with the burden of government funded care.

RWDSU International President Stuart Appelbaum, along with other union officers and elected officials, spoke on the steps of New York's City Hall in calling for this law to be passed.



At Podium: Stuart Appelbaum, RWDSU International President
(l to r) Councilmembers James Vacca, Melissa Mark-Viverito, Annabel Palma, Eric Gioia, Hiram Monserrate & Dan Cantor, Director of Working Families Party



Our Man in Albany

On the day after receiving the designation at the New York State Democratic Party's Convention in Buffalo, Attorney General and now Gubernatorial candidate Eliot Spitzer began a 3 day bus tour of cities across New York, ending up on the lower east side of NYC. Local 338 was there to great him.

Joining with hundreds of supporters, Local 338 members and staff came out in the pouring rain to wish Eliot well and to begin the campaign.

Eliot Spitzer has long been a friend to local 338 RWDSU/UFCW. He has fought for the betterment of our members, their families and all working families in New York State.



w/ Carlos Sanchez on lower east side



Carl Diaz on lower east side

*You must exercise
your right to VOTE!*



END OF LIFE PLANNING

No one is promised tomorrow. All too frequently death comes suddenly and finds us woefully unprepared. It is important to communicate your wishes upon your death to your family and friends, but verbally describing those wishes is not enough from a legal standpoint. The law requires specific, signed writings to accomplish your desires.

There are a number of important documents you need to have in place now, not some unspecified day in the future. Take the time, right now, to contact your Local 338 Legal Plan attorney to have these documents prepared, or to have old documents reviewed and updated. (In NYC and NJ: Friedman & Wolf, Tel. # (212) 354-4500; on Long Island: Fusco, Brandenstein & Rada, (516) 496-0400.) These documents include:

1. Durable Power of Attorney: This document, which is valid only during your lifetime, authorizes the person you appoint to act on your behalf with the same authority as though you yourself were acting. The document is important if you become disabled and unable to act or need assistance in carrying out your decisions and actions during your lifetime. The person you appoint must be someone you highly trust to act in your best interests during your lifetime.

2. Health Care Proxy: This document, sometimes referred to as a "Living Will," authorizes the person you appoint to make health care decisions on your behalf

when you are unable to do so. It is often used to express one's clear desires as to whether or not you want extraordinary measures taken to prolong your life or whether you want to be permitted to die with dignity without certain artificial life-sustaining measures.

3. Last Will & Testament: This document sets forth, among other things, how you wish your property to be distributed, who you want to handle your estate, who you want to care for your children and to handle their financial affairs, all after your death.

4. Final Directives: Although not necessarily a legally enforceable document, this writing sets forth your final wishes, including whether you want to be buried in a particular location, whether you wish to be cremated, etc.

It is also important that close and trusted family or friends or your attorney be aware of where you store your important documents. You should also make sure that you update your Local 338 Benefits Fund death benefit beneficiary, as well as the beneficiaries listed in any other death benefits or life insurance. It is a common and costly error for individuals to forget to update the person they want to receive their death benefit after they have been divorced. A divorce judgment alone does NOT automatically change your beneficiary. If your ex-spouse is listed as your beneficiary that is to whom the death benefit must be paid even if you are later divorced!

NOTICE NEW HOURS FOR MEMBER SERVICES

To better serve you and your families, the Fund Office has extended the hours of your Member Services Department. We are now open to receive your calls about claims, eligibility, requests for ID cards, general Local 338 Health and Welfare Plan information, etc. from:

**9 AM to 5:30 PM,
Monday through Thursday, and
9 AM to 4:30 PM on Friday at:
(718) 997-7400 extension 776**

Similarly, as you have new children, you may want to add newborn or newly adopted children as beneficiaries or as secondary (contingent) beneficiaries; otherwise, they will not be entitled to share in any death benefits.

As we move through life and experience life's changes, we must keep in mind our obligation to ourselves and to our family to keep our records, beneficiary designations, and our intentions current.

FIGHTING CORPORATE GREED

Every day, as union members, it is our responsibly to speak out on the continuing excesses of corporate greed, the race to the bottom in wages, benefits, health & safety protections and basic human rights like dignity and respect at the workplace.

Local 338, along with the Long Island Federation of Labor, fights every day to bring its members news of importance through our union and service reps, our newspapers and our website www.local338.org. Ask questions, read, join the fight.



(l to r)
Frank Spadaccini
Joan Holstine
Ernie Mattace, Jr.
Tommy Baez
Kerri Famiglietti
Kris LaGrange



INCENDIOS EN EL LUGAR DE TRABAJO: ESTRATEGIAS DE SALIDA

En caso de haber un incendio en el lugar de trabajo, estar en condiciones de evacuar rápidamente puede significar la gran diferencia entre la vida y la muerte. Los trabajadores pueden tener sólo segundos para salir de manera segura de un edificio en llamas.

“Los incendios y las explosiones en el lugar de trabajo matan a más de 200 trabajadores y lesionan a más de 5.000 cada año” según informa la Administración de Seguridad y Salud Ocupacional. Los incendios son devastadores para los trabajadores y sus familias, además de destruir miles de negocios cada año, dejando a la gente sin trabajo y afectando gravemente su capacidad para ganarse la vida. El precio en vidas humanas y finanzas resalta la seriedad de los incendios en el lugar de trabajo” conforme al Ministro del Trabajo Robert B. Reich. Un incendio puede deberse a muchos factores, incluso fricción, averías eléctricas, chispas, llamas expuestas, superficies calientes y agentes químicos sin uso, en uso o guardados. La mayoría de los estados y ciudades tienen reglamentaciones de códigos de construcción y cuerpos de bomberos que cubren la prevención de incendios y la protección en caso de incendios. Además, la Administración de Seguridad y Salud Ocupacional tiene diversos estándares que abarcan estas áreas. El 29CFR1910.38, por ejemplo, corresponde a los requisitos para contar con planes de salida de emergencia.

SALIDAS DE INCENDIOS

Hay varios puntos importantes referentes a las salidas de incendios:

1. Debe haber al menos dos salidas que estén separadas entre sí para que, si se bloquea una por el incendio, haya otra disponible para escapar. Pueden necesitarse más de dos salidas dependiendo del número de personas a evacuar y el nivel de peligro de incendio.

2. Las salidas no deben estar bloqueadas ni cerradas con llave. Si hay puertas cerradas con llave por motivos de seguridad, deben poder abrirse inmediatamente en una emergencia.

3. Las salidas, y las rutas que llevan a ellas, deben estar claramente marcadas, tener acceso fácil y estar bien iluminadas. Todo letrero debe estar iluminado por una fuente de luz confiable. Las puertas y pasadizos que no correspondan deben estar marcados “SIN SALIDA”.

SIMULACROS DE INCENDIOS

Los simulacros de incendios deben realizarse regularmente para que cada trabajador sepa cómo salir rápidamente del edificio. Debe saber dónde están la salida más cercana y la salida alternativa.

PLAN DE ACCIÓN DE EMERGENCIA

Los empleadores deben crear un plan de acción de emergencia. Este plan debe incluir una política por escrito que incluya al menos lo siguiente:

1. Cómo reportar un incendio.
2. Cómo y por dónde escaparán los empleados del edificio, incluyendo cómo lo harán los empleados discapacitados y los empleados que deban apagar equipo crucial de la planta.
3. El tipo de sistema(s) de alarma de emergencia a usar en todo el lugar de trabajo.
4. Entrenamiento y repetición del entrenamiento sobre los procedimientos de evacuación para todos los empleados.
5. Designación de guardias en caso de incendio u otras personas responsables que puedan contestar preguntas y dar más información.

Este plan puede usarse también como base para planear otras emergencias, como derrames químicos, inclemencias del tiempo o amenazas a la seguridad.

PUNTOS DE EVACUACIÓN DE SEGURIDAD

Si escapa de un edificio:

- Conozca su ruta de escape.
- No use el elevador ni escape hacia la azotea.
- Cierre todas las puertas detrás suyo para hacer más lenta la propagación del fuego.
- El humo es a menudo la parte más peligrosa del incendio. Si hay humo, quédese cerca del piso, arrástrese si es necesario.
- No abra una puerta si se siente caliente.

La ley de OSHA indica que a ningún trabajador debe exigírsele combatir un incendio a menos que haya recibido el entrenamiento necesario para hacerlo y que use los extintores de incendios disponibles. Los extintores de incendios deben usarse sólo para apagar incendios pequeños o ayudar al escape. Los incendios que se propagan rápidamente, tienen un calor extremo o generan mucho humo están fuera de control. Debe salir del área inmediatamente.

La información anterior apareció en el sitio Web de RWDSU en Salud y Seguridad. Visite nuestro sitio Web en www.local338.org y use nuestros enlaces para obtener información actualizada. Si tiene alguna pregunta o necesita más información, estoy a su disposición en nuestras oficinas llamando al 718-997-7400 o al 516-694-1656, ext. 247.

S U P L A N D E S E R V I C I O S L E G A L E S

- ¿Está comprando, vendiendo o refinanciando una casa?
- ¿Tiene una disputa con el rentista?
- ¿Necesita ayuda con un divorcio sin objeciones, o una adopción?
- ¿Necesita consejo referente a un contrato que va a firmar para hacer mejoras en su casa?
- ¿Se han complicado sus finanzas personales y desea saber si la bancarrota es una opción que le convenga?
- ¿Todavía no tiene un testamento?
- ¿Fue demandado o tiene que demandar a alguien por un asunto civil?

Si respondió que "sí" a cualquiera de estas preguntas, aquí tiene otra pregunta. ¿Sabe que su sindicato negoció en nombre de muchos de sus miembros un Plan de Servicios Legales que puede darle a usted acceso a un abogado de calidad a un costo mínimo o sin cargo para usted?

Todos los miembros de tiempo completo y tiempo parcial, sus cónyuges e hijos dependientes tienen derecho a los beneficios legales que ofrece el Plan de Servicios Legales del Fondo de Beneficios Local 338 si están cubiertos por un convenio de negociación colectiva según el cual su empleador tiene la obligación de hacer aportaciones al Fondo de Beneficios Local 338. Un empleado de tiempo completo pasa a ser elegible para recibir beneficios legales después de seis meses de participación en el Fondo y un empleado de tiempo parcial después de 12 meses. Hay más de una docena de áreas legales distintas en donde hay servicios disponibles hasta un máximo de 30 horas por año calendario. Para estar cubierto por el Plan, los servicios legales deben ser prestados por las firmas legales que contrata el Fondo para brindar los beneficios.

ENTRE LOS SERVICIOS LEGALES CUBIERTOS SE CUENTAN:

1. Asesoría legal, investigación, consulta y preparación y evaluación de documentos;
2. Redacción y firma de testamentos, poderes notariales y convenios fiduciarios;
3. Validación de testamentos y administración de sucesiones;
4. Divorcios sin objeciones, separaciones y anulaciones, además de adopciones sin objeciones y procesos para cambio de nombre;
5. Compra, venta, refinanciamiento o transferencia familiar del título de la residencia de un participante;
6. Demandas judiciales en su contra por procesos de alquiler y expulsión;
7. Bancarrota personal voluntaria;
8. Representación o defensa en litigios civiles (excluyendo Reclamos de menor cuantía, casos de honorarios contingentes o asuntos cubiertos por seguros);
9. Revisión de contratos de crédito de tiendas y consumo;
10. Y mucho más...

A medida que el mundo se hace cada vez más complejo, la Ley nos afecta a todos. Concede derechos, pero también impone responsabilidades. En algún momento, todos necesitaremos los servicios de un abogado. Su Sindicato negoció para obtener el beneficio de servicios legales y los Fiduciarios instituyeron el Plan Legal porque consideran que protegerá y promoverá los derechos legales y los intereses de los miembros del Sindicato Local 338 y sus familias, que le facilitará el acceso a abogados de calidad, y que hará más asequible económicamente la asesoría y representación legales. Le alentamos a aprovechar bien su Plan Legal siempre que tenga un asunto judicial cubierto.

Si vive en la ciudad de Nueva York, Upstate Nueva York o Nueva Jersey, llame a: Friedman & Wolf al (212) 354-4500 y Si vive en los Condados de Nassau o Suffolk, llame a: Fusco, Brandenstein & Rada al (516) 496-0400



Anuncio de un nuevo beneficio para miembros de RWDSU/UFCW – Local 338

Disfrute los beneficios hipotecarios especiales que le ofrece Wells Fargo Home Mortgage, el prestamista hipotecario minorista líder del país¹.

Ventajas adicionales en cada etapa de la vida

Independientemente de que esté comprando su primera casa o sea un propietario con experiencia, esté progresando o reduciendo su capital, tendrá conexión directa con ahorros y servicios sin igual.

Como miembro de RWDSU/UFCW – Local 338, reúne los requisitos necesarios para:

- Asesoramiento hipotecario gratuito
- Calificaciones previas SIN CARGO
- Crédito al cierre de los cargos de Tasación² e Informe de crédito³

Para obtener más información, póngase en contacto con el Consultor de Préstamos Hipotecarios especializado de RWDSU/UFCW – Local 338 al 1-866-804-7304 e identifíquese como miembro del "Local 338".

¡Llame hoy mismo!

¹ Basado en los datos estadísticos de finales de 2005 publicados por Inside Mortgage Finance 2/17/06. ² Los prestatarios reúnen los requisitos para una tasación sin cargo que no supere los \$500.00 en cualquier compra nueva, garantizada por una primera hipoteca o escritura de fideicomiso con Wells Fargo Home Mortgage ("Préstamo nuevo"), con sujeción a calificación, aprobación y cierre. ³ Los prestatarios reúnen los requisitos para un informe de crédito sin cargo cuando presentan una solicitud para cualquier compra nueva, garantizada por una primera hipoteca o escritura de fideicomiso con Wells Fargo Home Mortgage ("Préstamo nuevo"). ⁴ Estas promociones no están disponibles en todos los productos. Consulte con su Consultor de Préstamos Hipotecarios para obtener detalles. Estas promociones son transferibles, con sujeción a los términos del presente, y son válidas hasta el 12/31/06. Estas promociones son nulas donde estén prohibidas. Este no es un compromiso para renunciar a cualquier término o condición del Préstamo nuevo ni para establecer un Préstamo nuevo. Sólo se permite un descuento para una tasación y un informe de crédito sin cargo por Préstamo nuevo. Por favor, tenga en cuenta que el resto de la correspondencia, documentos legales y notas aclaratorias le serán suministrados en inglés. Le recomendamos que obtenga los servicios de un intérprete independiente para que le ayude según sus necesidades. Please note, all other communications, legal documents and disclosures will be provided to you in English. We recommend that you obtain the services of an independent third party interpreter to assist you as needed. Wells Fargo Home Mortgage is a division of Wells Fargo Bank, N.A. © 2006 Wells Fargo Bank, N.A. All Rights Reserved. #37412 6/1/06





by John R. Durso,
Presidente

Punto de vista...

Después de años de lucha para lograr un contrato justo, me complace reportar que finalmente TENEMOS UN CONTRATO para 2600 trabajadores de Duane Reade. Este contrato incluye aumentos de sueldo y

cinco años. También quisiera reconocer la labor de la firma de abogados Friedman and Wolf que superó las expectativas con su dedicación a la fuerza laboral de Duane Reade. Mis agradecimientos especiales al personal del Sindicato Local 338. Fueron increíbles en sus esfuerzos, trabajaron día, noche, fines de semana y feriados para que esta batalla tuviera una conclusión exitosa. Todos debíamos agradecerles sus esfuerzos.

Cuando la junta de directores de Duane Reade hizo un cambio de ejecutivos realmente comenzamos a avanzar mucho hacia el logro de un contrato. El nuevo Presidente (CEO) y Principal Ejecutivo, Richard Dreiling, que ha tenido años de experiencia en el comercio así como en el trato con sindicatos, se dio cuenta de que sus empleados son lo más valioso que tiene Duane Reade. Con su liderazgo iluminado en Duane Reade pudimos finalizar, junto con nuestros hermanos de UNITE, un contrato sólido y justo para todos nuestros miembros. Por eso me complace pedirles a ustedes, nuestros miembros y a los amigos y empleados que lean esto ¡¡POR FAVOR COMPREN EN DUANE READE!!

Esta historia se relaciona con lo que nosotros en el sindicato 338 estamos a punto de enfrentar este verano en nuestras negociaciones. Nuestro sindicato está preparado para enfrentar y luchar por los derechos, beneficios y condiciones laborales de todos nuestros miembros. Cualquiera que lea un periódico o vea la televisión puede darse cuenta del aumento excesivo del costo de la atención médica y puede entender que los planes de pensiones como el nuestro están sien-

do atacados por el gobierno de Bush. A pesar de esto, nos negamos a retroceder; planeamos mantener nuestra línea para el bien de nuestros miembros y sus familias. Nos mantendremos unidos y lucharemos por un contrato que asegure los sueldos, pensiones y beneficios de salud de nuestros miembros.

Sólo podemos lograr esto como un sindicato UNIDO y con DETERMINACIÓN, hablando unidos con la voz alta y clara de la razón. Siempre debemos recordar que SOMOS todos "MÁS FUERTES JUNTOS". Estando unidos lograremos grandes triunfos para nuestros miembros; podemos hacerlo organizando a los nuevos trabajadores, en la mesa de negociaciones, en los pasillos del gobierno pero no podemos hacerlo sin USTEDES. Tienen que participar; tienen que estar comprometidos mutuamente y con este Sindicato. Este año más que nunca enfrentaremos dificultades con nuestras pensiones, nuestro seguro médico y nuestro modo de vida. Debemos estar juntos, mantenernos unidos, nunca debemos permitir que NINGÚN empleador nos divida. Recuerden que la unión hace la fuerza, que hay fuerza en la familia, hay fuerza en el SINDICATO, ¡¡pero el SINDICATO comienza con USTEDES!!

¡Defiéndanse a sí mismos, defiendan el SINDICATO, lleven puesto el botón de 338 con orgullo y háganle saber a todos que son del sindicato Local 338 y que se sienten ORGULLOSOS de serlo!

proporciona beneficios de atención médica y pensiones. Los casi 3,000 trabajadores de nuestras 141 tiendas Duane Reade estuvieron sin contrato durante casi 5 años. En abril de 2003 el Consejo de la Alianza de Gremios (Allied Trades Council) se afilió con nuestro sindicato local, y comenzamos una larga batalla para lograr un contrato con la ex-gerencia de Duane Reade. Estábamos buscando un contrato justo que ofreciera dignidad y respeto a nuestros miembros más recientes, y hoy lo tenemos. Hubo varias razones por las cuales pudimos lograr esta gran victoria, pero la razón más importante fue la enorme ayuda que recibimos de ustedes, nuestros miembros. Muchos de ustedes ayudaron en las huelgas, las manifestaciones, las reuniones y algunos fueron a hablar con los trabajadores de Duane Reade en sus tiendas. Sin estos esfuerzos, no habríamos podido lograr este gran triunfo y estoy verdaderamente agradecido.

Agradezco especialmente también a Stuart Appelbaum, nuestro Presidente de RWDSU International, por el extraordinario apoyo que nos ha dado él e International en los últimos

Día nacional de acción



El 10 de abril de 2006 la gente se reunió alrededor de la Municipalidad de Nueva York. Se estima que asistieron entre 90.000 a 125.000 personas. Era gente de todo el mundo – de México y Canadá, América Central y del Sur, Europa, África – no importaba, gente de todos los colores, razas y religiones se juntó con un solo fin: revelar las condiciones de vida de 11 millones de personas que viven en las sombras.

El Sindicato Local 338, junto con otros locales de RWDSU, se unieron a grupos comunitarios, civiles, religiosos, laborales y defensores para crear la mayor manifestación en pro de los derechos y las reformas de inmigración que se haya

visto en años, incluso jamás vista. Fue un "Día Nacional de Acción" con manifestaciones similares en todos los Estados Unidos. La gente marchó por las calles, llegó y marchó cruzando los puentes. Había banderas en todas partes. Letreros en todos los idiomas señalaban: "Legalizar, no criminalizar" y "Los valores de los inmigrantes son valores familiares" y "Pedimos un camino justo hacia la ciudadanía".

"Nunca había visto algo así", dijo un miembro del sindicato 338. "Me recordó las marchas por los derechos civiles en los años 60."