



**your
voice at work**

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United Food and Commercial Workers Canada Union, Local No. 401

April 23, 2020

BY EMAIL

Honourable Jason Kenney, Premier
Office of the Premier
307 Legislature Building
10800 - 97 Avenue
Edmonton, Alberta T5K 2B6
Email: premier@gov.ab.ca

Dear Premier Kenney:

The COVID-19 pandemic puts Alberta's food workers at imminent risk. We write to you with urgent concern for the lives and livelihoods of our 32,000 union members and all Albertans that continue to work.

Our members have become sick with COVID-19, and some have died. Recent events suggest that food production has been prioritized over protection of workers' lives. As a result of the situations at Cargill in High River and JBS in Brooks, we have lost faith in the willingness of the Alberta government to do everything necessary to protect workers.

Now is the time for everyone involved to truly work together to ensure the safety of food workers, our members. It is long past time to establish a working group of labour, employers, and health experts to set rules and regulations to protect workers' lives in all food sector workplaces. This should involve a worker-centred approach that emphasizes the experiences of workers in the food processing industry. It should also be comprised of individuals far removed from political and employer agendas.

While public gatherings have been limited and playgrounds are closed to ensure public safety, our members' workplaces remain open. This constitutes an outrageous contradiction. Thousands of Alberta workers crowd shoulder to shoulder every day in meat packinghouses. Thousands of customers crowd grocery stores every day, congregating in close proximity to employees and each other, despite public health orders requiring social distancing.

Your government has referred to Alberta's food workers as "essential," and the public has called them "heroes." But at their workplaces they are treated as expendable.

We've sought to work with employers through good faith discussions for weeks. Some have written good policies on social distancing and issued personal protective equipment (PPE) to employees. Others have been slow to act or resistant. But even with the best employers, there are gaps between head office policy and practices at the worksite, which are now a matter of life and death. It is time for immediate government regulation and enforcement in the interest of protecting Albertans' lives.

We need new regulations for the food industry during COVID-19

Your government acted quickly to amend the *Employment Standards Code* to provide more "flexibility" to employers. We are asking for your government to now immediately act to protect workers. At a minimum, across the food industry, all workers should be guaranteed:

- In the case of an outbreak, immediate closure of the workplace until
 - a 14-day closure has elapsed for isolation of all employees
 - COVID-19 testing and contact tracing of all employees is complete
 - AHS and OH&S officers have confirmed the workplace is safe to resume operations and the union has endorsed that conclusion
- Statutory COVID-19 hazard pay of 1.5X regular hourly rate for all hours worked while COVID-19 remains a risk
- Increased number of paid breaks so workers can wash their hands frequently
- Presumptive status for COVID-19-related WCB claims in the food sector
- Mandatory, weekly workplace joint health and safety committee meetings to identify and mitigate risks and deal with employee concerns
- Mandatory disclosure of all AHS reports to the union in unionized workplaces
- Employer-paid leave for all food workers who cannot work due to COVID-19
- Government education and support for workers on how to protect themselves, including their right to refuse unsafe work
- Ensuring that no worker loses their job for being too afraid to attend work
- Protection of immigration status so no worker feels pressured to attend work during COVID-19 for fear of losing their status in Canada
- Guaranteed access to health care for employees who have not met the residency requirement for Alberta health care coverage
- Enforcement of social distancing measures and workplace safety measures with daily, unannounced daily spot checks by government officials empowered to levy significant fines for employers who violate these rules

Provisions Specific to Grocery Stores

Grocery stores are some of the last public spaces where people can gather in large numbers that are prohibited anywhere else. Unfortunately, not everyone respects the risks taken by our frontline food workers. We are calling for the following additional protections for all grocery stores in Alberta:

- Continuous masking for all employees, customers, contractors, and visitors
- Rules for social distancing by customers, enforced by management, including
 - Restricting the number of customers in a store at any given time to a number that truly affects health and safety
 - Mandatory proper barriers for cashiers, bakery, deli, and meat counter workers
 - Mandatory safety markings on store floors to maintain social distance
 - Signs and other tools to educate customers to keep their distance
 - In-store audio announcements reminding customers of social distancing requirements
 - Closure of self-scan stations
- Bylaw enforcement of social distancing orders in grocery stores
- A ban on difficult-to-clean shopping baskets, and making all pay-for-use shopping carts free, to mitigate customers congregating around carts
- OH&S recognition that aggressive and disrespectful customer conduct in stores constitutes a workplace hazard
- Daily disinfecting of all surfaces in stores
- Weekend closing of stores every two weeks for deep cleaning and to allow for staff rest from the stress of working in hazardous pandemic conditions
- Reducing hours and restricting opening times to prevent worker fatigue
- Major public education campaigns and enforcement of social distancing in stores, with penalties to achieve
 - Grocery shopping by households only once per week, with only one shopper per household
 - Respect for workers' safety while serving customers in these difficult circumstances
 - Appropriate social distancing is maintained in the store at all times
- Special hours for at-risk customers including store employees, seniors, the disabled, those with compromised immune systems, pregnant women, women who have recently given birth, essential workers, and workers with family responsibilities, such as single parents
- An effective and appropriate temperature check system that is properly sensitive to individual privacy issues
- Enforcement of the above provisions with unannounced regular daily spot-checks by government officials.

Millions of Albertans are regularly attending grocery stores - some for the first time in their lives - as restaurants have all but closed. Because of this surge in grocery shopping, retail food stores are enjoying record profits. They cannot be left to self-regulate if we are serious about saving lives; the government must step in and regulate these workplaces.

Provisions Specific to Food Processing and Manufacturing

Workplaces in the food processing industry are some of the last worksites in our province where mass gatherings of individuals in close proximity is still permitted. By design, food processing plants feature close social proximity of workers to maximize efficiency. Distancing is very difficult in these workplaces, and special attention is required to ensure safety in this industry. Consequently, these workers should be guaranteed, at a minimum:

- Active enforcement by government officials of social distancing on production floors and all areas where employees interact (lunchrooms, locker rooms, washrooms, hallways, etc.), thereby ensuring that workers are able to work two metres (6.5 feet) apart from each other throughout their working day. This should include:
 - Changes to the design of workstations such as the installation of Perspex, Plexiglas or similar material to shield workers from potentially infecting each other
 - Reduced line speeds and line spacing, staggered start times, the rearrangement of work and reduced line speeds, and increased line spacing so that social distancing practices can be realized. This must be achieved without eliminating any positions, and decisions regarding shifts, work-sharing arrangements, and overtime must involve the union.
 - Making arrangements for safe travel to and from the workplace to minimize the risk of exposure to COVID-19
- Mandatory PPE provided to all employees, though this cannot be a substitute for appropriate spacing between workers
- Provision of adequate hand washing and sanitizer stations and increasing the number of breaks so washing may become a more routine part of the work
- An effective and appropriate temperature check system that is properly sensitive to individual privacy issues
- Strict screening, masking, and hand washing required of all who attend the employer's premises, including owners, managers, contractors and any other third-party attending the site
- Posting of all COVID-19-related workplace protocols on noticeboards in languages that all workers can understand and maintaining regular communication
- Enforcement of the above provisions with unannounced regular daily spot-checks by government officials.

Are food sector workers “essential” or expendable?

Food workers are dying across North America. Many are members and leaders in our union. Across North America, food processing plants have been shut down for cleaning and safety reasons. Grocery stores have cut hours and limited customer counts. Major cities have mandating the wearing of masks in all public spaces. Los Angeles led the way by requiring shoppers to wear masks, while in New York, Governor Cuomo signed an executive order last week to mandate everyone in the state to wear a mask while shopping and force employers to supply masks to essential services workers.

Grocery stores and food processing plants are the last major battlefields to defeat COVID-19. Surely, we have now learned lessons from the horrific outbreak affecting more than 480 at Cargill in High River and the developing outbreak at JBS in Brooks. We are at a junction in these food workplaces where we still have the opportunity to avoid the same experience. We cannot afford to wait.

We are aware of nine grocery stores in Alberta that have been closed because of COVID-19. That number changes every day. At Cargill in High River one worker has died of COVID-19 and others fight for their lives. At JBS in Brooks, one worker has also died of COVID-19, and there are 124 cases confirmed. This virus makes a danger at work a danger in the home and in the community. How many lives is Alberta prepared to lose in the name of food production and sales?

Leaving the private sector to regulate itself is like asking the fox to protect the hen house. That is why we again request a meeting with public health officials and legislators with appropriate and competent authority to quickly establish clear, enforceable regulations to ensure the health, safety, and financial security of Alberta's workers.

The modelling that predicts 1 in 6 Albertans will become infected is terrifying. The outbreaks in High River and Brooks are demonstrating that Alberta's food workers will be disproportionately represented in the infected population. We must act decisively now.

Mr. Copping, your Minister of Labour, has recently stated that the health and safety of Albertans is the top priority of your government. We have had a preliminary discussion with him about these issues. But it is time to move from words to concrete actions.

Premier Kenney, I am the president of a union, and the lives of working people mean everything to me. At this key intersection in our province's history, I entreat you to consider the lives and livelihoods you have the power to protect. In two years, will we look back at this moment with regret? Or will we say we did everything we could to save lives and put people first?

Thank you so much for your consideration. We await your response to our requests.

Respectfully,



Tom Hesse, President
United Food Commercial Workers Canada Union, Local No. 401

CC: Hon. Jason Copping, Minister of Labour and Immigration
Rachel Notley, Leader, Alberta's NDP
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Tara Veer, Mayor of Red Deer
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