



**your
voice at work**

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United Food and Commercial Workers Canada Union Local No. 401

May 5, 2020

VIA EMAIL: Sean.Naldrett@sobeys.com

Sean Naldrett
Director, Labour Relations
1020 64 Avenue
NE Calgary, AB
T2E 7V8

Dear Sean,

RE: More Confirmed Positive COVID-19 Case(s) in the Workplace

We are the voice and advocates of your employees as their bargaining agent.

We have been advised that there are more confirmed positive cases of COVID-19 in employees who work at the warehouse.

You have yet to respond comprehensively to our first letter dated April 28th,2020 and your employees demand answers. **They are anxious and concerned that you are not taking this matter seriously.** Please do so immediately so that we may share this information with our members.

The following are **some** of the requests and questions yet to be actioned or answered:

1. Inform the Union Labour Relations Officer and Director of the contact information of the person at AHS who has been assigned to handle the matter.
2. Set up an emergency health and safety meeting and **inspection** with Occupational Health and Safety, Alberta Health Services, Corporate Officials and **including our Union Labour Relations Officer**, and the members to hear their concerns, examine strategies, and engage in a full discussion and workplace inspection to best deal with the situation.

3. Provide the Union with any documentation and reports from Alberta Health Services, Occupational Health and Safety, and all other agencies that are assessing or auditing the plant in relation to this positive confirmed case.

We are very concerned about the safety of our members. At this time, we request your urgent attention and response to the following questions:

1. Have you identified the possible community transmission path of this case?
 - If so, have you notified those members who may have been in contact with the originally diagnosed person? **Please provide us with the names of these members as well as those who contracted the virus.**
 - If you have not been able to determine the possible community transmission path, when would you be able to share this information with us?
2. **Have you notified employees of their rights during this situation?** Please provide the details of any such communications and how this was communicated to employees. An example of communications we are looking for include how you have explained the **right to refuse unsafe work.**
3. Have you or AHS requested that any other employees self-isolate or quarantine due to these further confirmed cases?
 - Are these employees still covered by benefits during this time, and for all purposes under the Collective Agreement, is any absence related to COVID-19 to be considered time worked?
5. Have you informed your employees of their access to any Employee Assistance Programs or similar plans since you became aware of this confirmed case?

If the health and well-being of employees is not the top priority of employers, please understand that it is our view that **employees have the right to exercise their right to refuse unsafe work** consistent with health and safety laws.

Furthermore, failure to comply with AHS Guidelines and Ministerial Orders under the *Public Health Act* could jeopardize your business. Such a circumstance could result in the shutdown of your business. Moreover, should there be a higher possibility of

community transmission, employees may experience a paralyzing fear upon returning to the workplace. All of this impacts the present and future viability of your business and the livelihoods of our members. **We take this very seriously, and we do not want this to happen.**

The best way to mitigate these risks is to prioritize employee safety and to work together. In addition to the above, we ask that you take the following measures to ensure the safety of everyone, including the public:

1. Given the high number of people who are confirmed, presumed positive, away from work and self-isolated awaiting testing, **we request that you pause operations for at least two (2) weeks and allow employees the opportunity to isolate with no loss of pay, benefits, bonuses or vacation and for the warehouse to be thoroughly cleaned, sanitized and disinfected.** The concern for both locations is the shared lunchroom and common areas.
- 2. Have everyone in the warehouse and Commissary properly tested for COVID-19 as soon as possible.**
3. Upon reopening the plant, restricting flow in the plant through a slow and controlled reintroduction of workers and the productivity levels being lowered to account for that slow reintroduction.
3. Restriction of the number of people in lockers rooms, lunchrooms, hand washing stations and public areas at any point in time.
4. Ensure adequate and proper PPE for all employees including face shields, masks gloves and any other needed equipment
5. Appropriate social distancing on the production floors and all public areas as well as installation of plexiglass shields, screens or curtains to separate employees.
6. Putting up signage in multiple languages.
7. Ensuring employees have financial assistance if they are ill or under isolation and full continuance of benefits.
8. Fully and strongly implementing AHS directives on social distancing and PPE.

Please note that our union reserves our right to file grievances on all COVID-19 related matters, and given the nature of this unprecedented crisis, we continue to treat all time limits as though they are waived. Alternatively, please consider there to be an ongoing grievance commensurate with any egregious conduct.

Please do the right thing and help us keep our members safe.

**Contact David Smith, Union Labour Relations Officer at: 403-815-2625 or email:
dsmith@ufcw401.ab.ca**

Sincerely,



Thomas Hesse
President



Richelle Stewart
Secretary-Treasurer