

...New Seasons

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Business magazine on the day of the announcement, Collie said she loves New Seasons and was trying not to cry, but denied point blank that she was being pushed out.

Could Collie's handling of the union situation have had something to do with her departure? New Seasons spent 18 years cultivating a reputation as a progressive employer, and there's no bigger stain on that record than its decision to hire a union-buster within days of the public announcement of the union campaign. New Seasons hired California-based Cruz & Associates, the same firm employed by the Trump Organization in its failed 2016 fight against union organizing at its Las Vegas hotel.

At what must have been considerable expense to New Seasons, Cruz & Associates dispatched a pair of attorneys to hold hour-long meetings with nearly every Portland-area store employee in groups of 5 to 15. Employees were scheduled for the meetings by their managers, and many didn't realize they didn't have to attend the meetings. [Oregon law requires that such meetings be voluntary.] Given a local workforce of around 3,300, even if the lawyers' rate was as low as \$200 an hour, that would suggest New Seasons spent over \$1 million on the campaign. The actual figure won't be known until required disclosure forms are filed with the U.S. Department of Labor, likely next month.

Union supporters aren't sure what to make of the news of Collie's abrupt departure, but their union, New Seasons Workers United, did issue a statement in response: "Wendy Collie's tenure was marred by poor decisions that hurt employees, drove down morale in the stores and challenged the very ethos of the grocery chain. In response to workers' efforts to fight for pay equity, safe staffing levels, affordable healthcare and transparency



New Seasons worker Chris Heim distributed flyers March 1 outside the Multnomah Athletic Club, where New Seasons board member Stephen Babson was giving the keynote address at an event organized by a group called Association for Corporate Growth. Babson is a managing director of the private equity firm Endeavour Capital, which owns a controlling interest in New Seasons. The union fliers criticized Endeavour for misdeeds of companies it's invested in, including New Seasons.

from management, Wendy chose to hire the same union-busting firm as the Trump Hotels and fire workers beloved by customers simply for speaking up."

The firing the statement refers to were of pro-union workers Adrian Mendoza and Terra Bosart. In charges filed with the National Labor Relations Board (NLRB), the union alleged the two were fired illegally for having supported the union effort, but the NLRB dismissed the charges Feb. 28 on the grounds there was insufficient evidence to establish a violation. A spokes-person for New Seasons Workers United said the union disagrees with that decision and will be appealing.

Will New Seasons' new leaders shift course?

With Collie out, two new "co-presidents" are now in charge of the company: New

Seasons "chief people officer" Kristi McFarland and chief financial officer Forrest Hoffmaster. Both are fairly new to the 18-year-old company: Hoffmaster came to New Seasons in 2016 from Austin, Texas, where he was an executive at Whole Foods. McFarland came to New Seasons in 2014 from Emeryville, California-based Peet's Coffee.

Does the new leadership intend to take a new approach toward the union effort? A representative of the Metropolitan Group, New Seasons outside public relations firm, said the new co-presidents were too busy for an interview with the Labor Press, but would answer questions by email. They did, in some detail. You can see their responses in full at nwlaborpess.org/2018/03/new-seasons.

But the short version is that the new co-presidents are willing to meet with pro-union employees, though not with

any "outside organization" (such as United Food and Commercial Workers Local 555, with which New Seasons Workers United is affiliated).

McFarland and Hoffmaster say they're in the process of setting up a meeting with the pro-union worker group, and hope to have it scheduled soon.

"We have pledged to stand by our employees' decision if an NLRB election is held, and will do our utmost to ensure they have the opportunity to make their decisions in a democratic manner with full information, no intimidation, and a secret ballot," McFarland and Hoffmaster wrote.

That last item — ensuring that employees make the decision about unionizing via a secret ballot administered by the National Labor Relations Board — is a seeming rebuff to hopes that New Seasons might agree to recognize a union if and when a majority of its employees sign cards saying they want a union. Safeway-Albertsons did that very thing several years ago at stores around Oregon (and even let union organizers talk with employees in break rooms) which led to 4,400 grocery workers joining Local 555.

McFarland and Hoffmaster also said Cruz and Associates is no longer employed by New Seasons (having completed its work last year). But they offered a profoundly disingenuous explanation of why New Seasons hired Cruz & Associates in the first place — the same explanation Collie gave in a letter to employees.

McFarland and Hoffmaster write: "When this all started New Seasons was asked by many staff members to provide information on the overall process and specifics around the National Labor Relations Act. This is unfamiliar territory for all of us and we felt it best to bring in experts who could inform and educate properly and objectively. To provide staff

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RETIREMENT

Bipartisan panel tasked with finding solution to multiemployer pension crisis

Tucked into the "Bipartisan Budget Act of 2018" is language that establishes the Joint Select Committee on the Solvency of Multiemployer Pension Plans, a bipartisan House and Senate panel tasked with finding a solution to the looming multiemployer defined benefit pension crisis.

Roughly 10 million union workers and retirees are enrolled in 1,400 multiemployer pension plans in the U.S. About 110 of those plans are considered in critical and declining status and are projected to run out of money within the next 20 years. Once a plan becomes insolvent, it turns

to the Pension Benefit Guaranty Corporation (PBGC) to pay out benefits, albeit at a much reduced level. However, with so many plans facing insolvency, PBGC says it is likely to run out of money by 2025.

To help prevent a catastrophe, lawmakers passed the Multiemployer Pension Reform Act of 2014 (also known as the Miller-Kline law). It allows troubled plans to cut the accrued benefits of most participants—even those already retired. Fifteen plans have applied for permission to cut benefits—some by as much as 50 percent. The Treasury Department has approved four applica-

tions and denied five others. Four applications have been withdrawn and two are under review.

Among those under review is the Western States Office and Professional Employees International Union (OPEIU) Pension Fund, whose participants include members and retirees of OPEIU locals in several western states, including Local 11 based in Vancouver, Wash. Pension trustees are proposing cuts of 30 percent.

As you might imagine, participants are up in arms about the reductions, especially retirees, who put money into pension plans year after year, sometimes forgoing larger wage increases or

other benefits because they wanted to make sure they had enough to maintain their middle-class lifestyle in retirement.

The goal of the new committee is to find a way to prevent cutting the pensions of workers in troubled plans, while also avoiding tapping into the PBGC.

Members of the panel have until Nov. 30 to craft a plan. Co-chairs are authorized to hold at least five meetings, including one public hearing outside of Washington, D.C. It will take agreement by a minimum of five of the eight members of both parties to send any proposal to the full House and Senate for up-or-

down votes. Neither chamber will be permitted to amend the agreement.

The first meeting was held March 9. Committee members are:

- **U.S. Senate:** Democrats Sherrod Brown of Ohio (co-chair), Joe Manchin III of West Virginia, Heidi Heitkamp of North Dakota, Tina Smith of Minnesota. Republicans Orrin Hatch of Utah (co-chair), Lamar Alexander of Tennessee, Michael Crapo of Idaho, Rob Portman of Ohio.

- **U.S. House:** Republicans Virginia Foxx of North Carolina, Phil Roe of Tennessee, Vern Buchanan of Florida, David Schweikert of Arizona. Democrats Richard Neal of Massachusetts, Bobby Scott of Virginia, Donald Norcross of New Jersey, Debbie Dingell of Michigan.