

Cuesta Demasiado, Cuesta Vidas: **Documenting Worker Health & Safety at El Super** **Supermarkets in Southern California**



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Overview

- ◇ Background & Context
- ◇ Project Objectives
- ◇ Methodology
- ◇ Findings
- ◇ Recommendations
- ◇ Take Aways



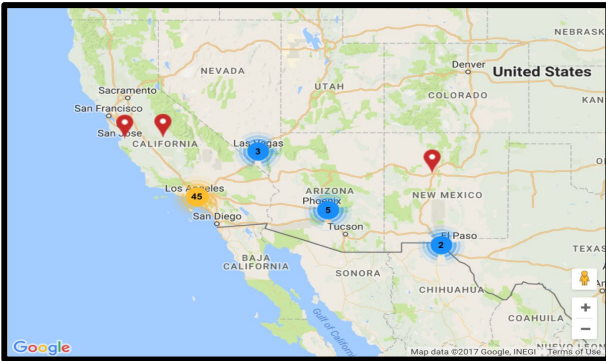
Shopping cart in water, photograph by
Andrea Vidaurre, Los Angeles, June 24, 2017.

Timeline: El Super, 1995-2017

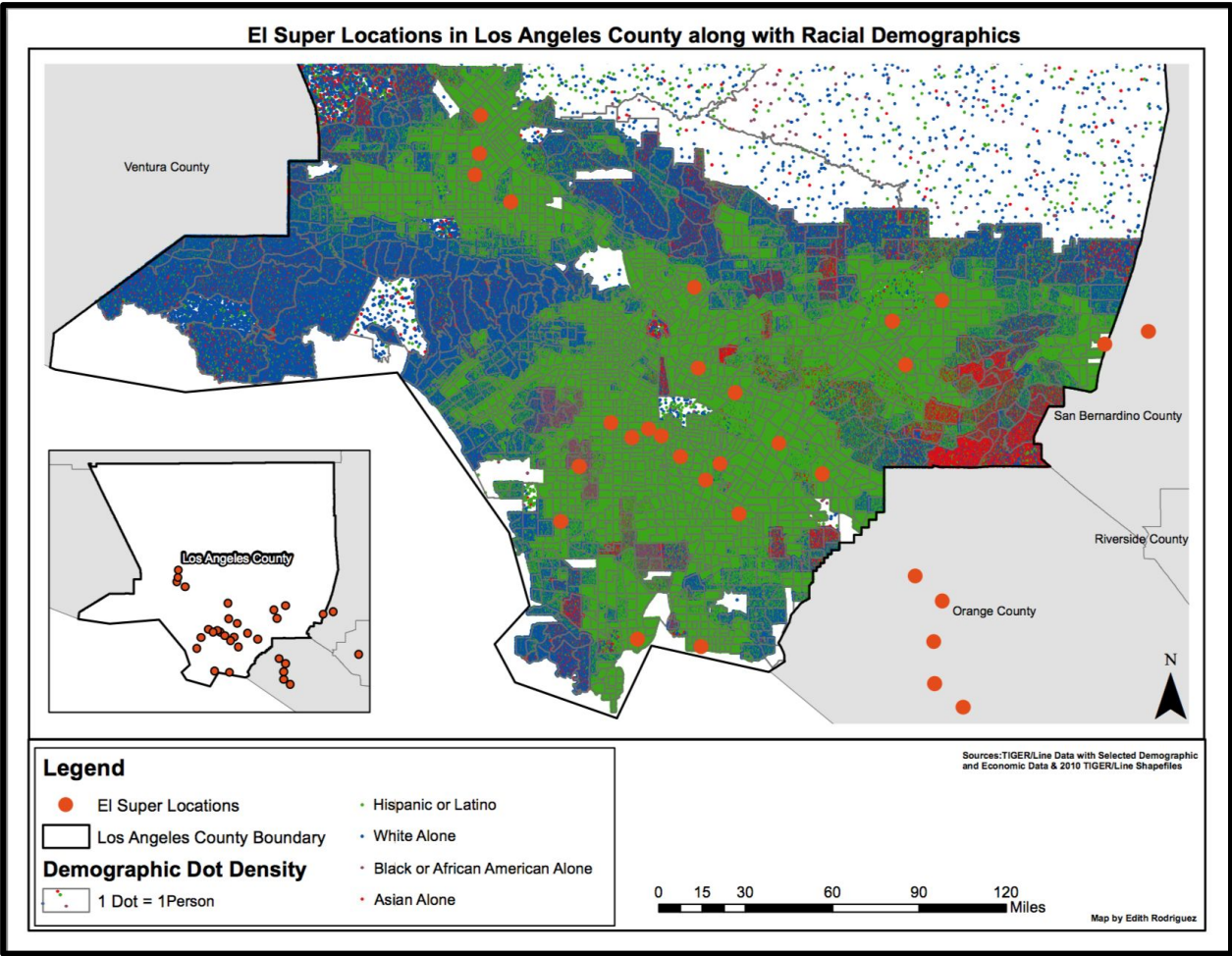


Boicoteros and union supporters at a boycott action at the El Super store in Oxnard, California, July 9, 2017.

1995	El Super is incorporated in California under Bodega Latina Corp.
1997	El Super opens its first store in South Gate (Los Angeles) in June.
2001	UFCW successfully unionizes workers at all existing Gigante supermarkets in southern California.
2008	El Super purchases all Gigante supermarkets in southern California in May – and inherits seven union stores.
2013	The union contract expires at the seven union stores; talks begin.
2014	El Super implements what it calls its last, best, and final offer at its union stores without agreement from UFCW workers.
2015	UFCW launches a large-scale boycott against El Super in January; CA labor commissioner cites El Super for multiple wage theft violations totaling over \$180,000.
2016	Los Angeles DPH shuts down an El Super store in Los Angeles for a rat infestation. A separate mouse sighting at El Super in Covina.
2017	Two young, charming OHIP interns are placed at UFCW 770.



Google Map, jacked from El Super website, August 2017.



Map created by Edith Sarai Rodriguez, August 2017.

UFCW Local 770: Project Objectives

- ◇ Develop a curriculum for and conduct health and safety trainings
- ◇ Analyze OSHA 300 logs
- ◇ Create a report with findings and recommendations for El Super management



An employee slicing ham in the Bulk Deli and Cheese department, El Super, July 31, 2017.

Methodology

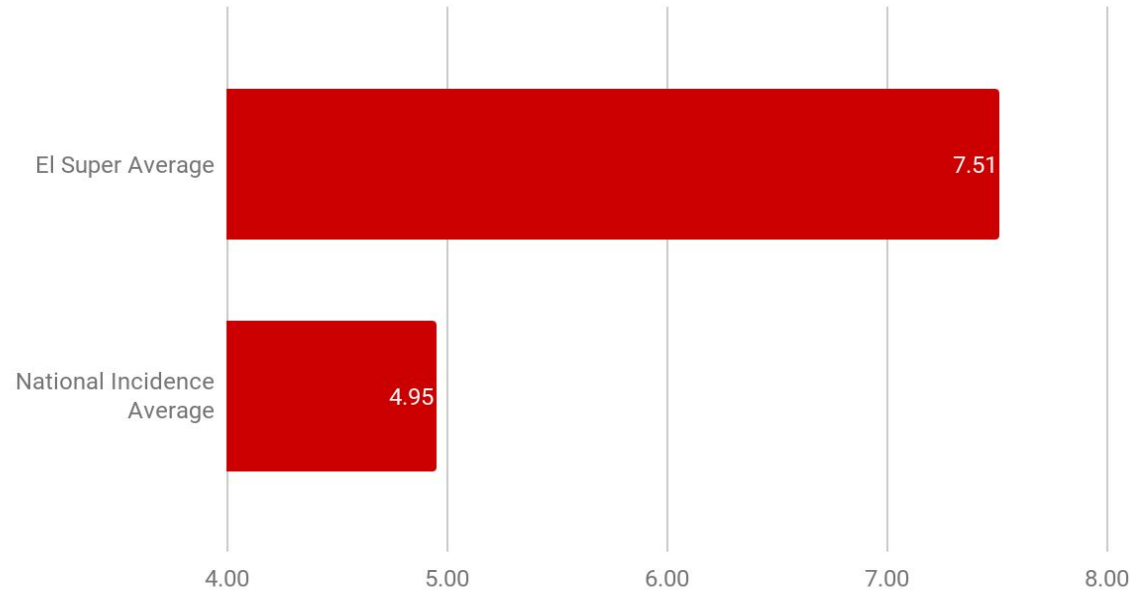


An employee cutting meat in the Meat & Seafood department, El Super, July 31, 2017.

- ◇ Analysis of OSHA 300 logs
 - **2011-2015:** 15 stores (7 union and 8 non-union)
 - **2012-2017:** 12 stores (7 union and 5 non-union)
- ◇ Store walk-throughs (15)
- ◇ Worker health and safety trainings (3)
- ◇ Semi-structured interviews with current and former workers (17)
- ◇ Conversations with workers

Findings: OSHA 300 Logs

El Super Incidence v National Incidence Average per year & FTE

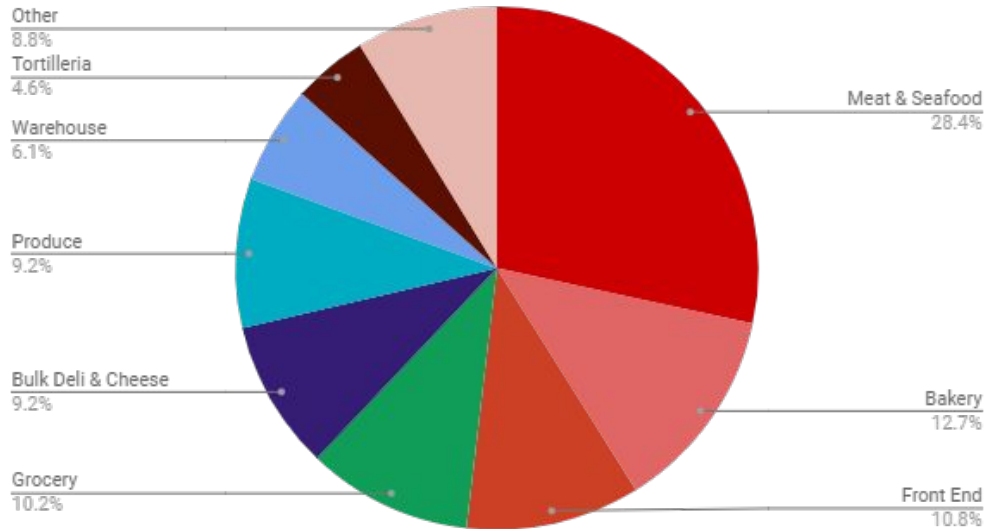


2012-2015 OSHA 300 Logs

SoCal El Super # of employees per 100 Full Time Employees that get injured per year (7.51) compared to the National Incidence Average (4.95)

Findings: OSHA 300 Logs (cont.)

El Super Injuries by Department, 2011-2017



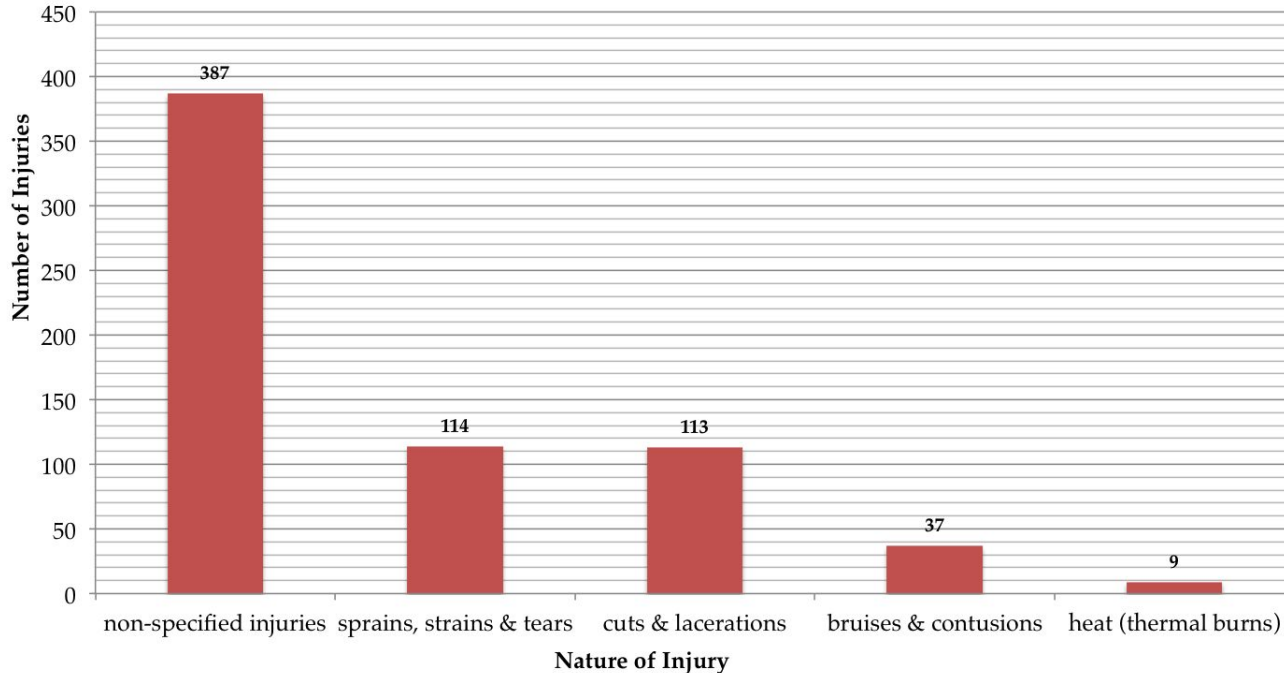
Departments with the highest number of injuries:

Meat & Seafood, Bakery, Front End, Grocery, and Bulk Deli & Cheese.

Note: Meat & seafood is the El Super department with the highest number of reported injuries. **The total injuries documented in meat & seafood exceed *double* the injuries reported in any other department.**

Findings: OSHA 300 Logs (cont.)

Most Commonly Reported Injuries at El Super, 2011-2017

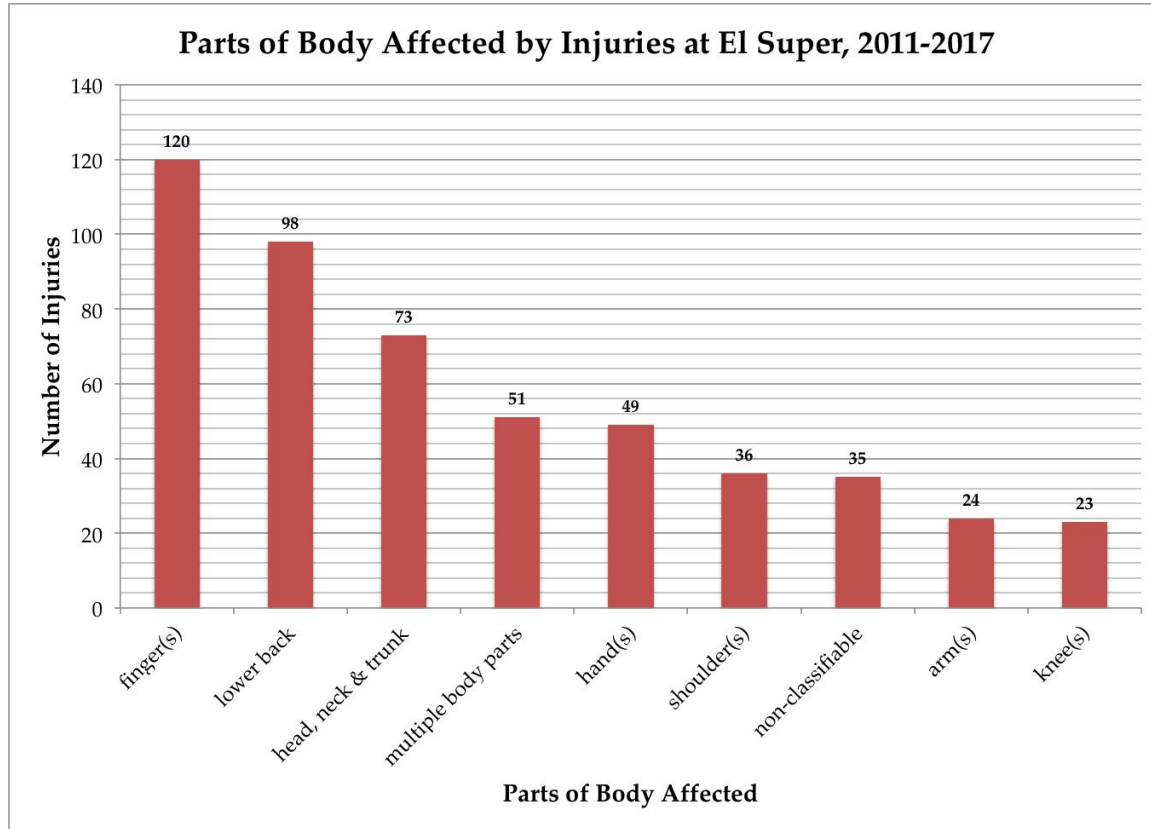


Injuries that were reported the most from 2011-2017:

- Non-specified injuries
- Sprains, Strains & Tears
- Cuts & Lacerations
- Bruises & Contusions
- Heat (thermal burns)

Note: The highest reported injuries are non-specified, traumatic injuries that have no specific description about the nature of the injuries. They include sore neck, hurt arm, pain in shoulder, hurt back, and crushing injuries to the upper and lower extremities.

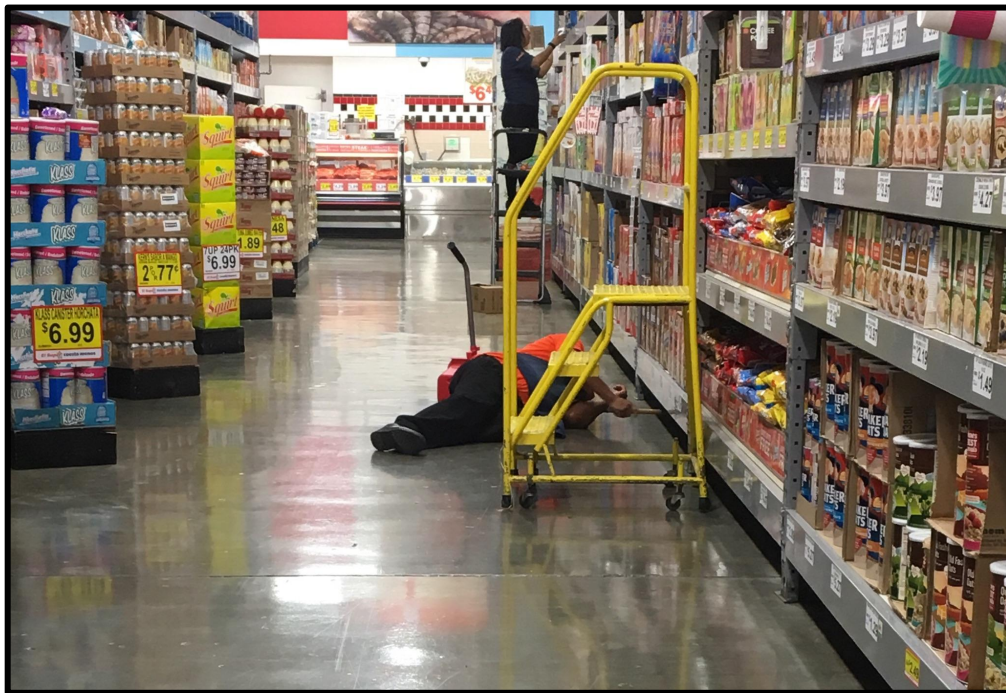
Findings: OSHA 300 Logs (cont.)



Parts of the body affected by injuries across all departments at all stores from 2011-2017:

- Fingers
- Lower back
- Head, neck and trunk
- Multiple body parts
- Hands

Findings: Store Walk-throughs



An employee cleaning (?), El Super, 2017.



Un piso mojado y resbaloso, El Super, 2017.

Findings: Store Walk-throughs (cont.)



Findings: Store Walk-throughs (cont.)



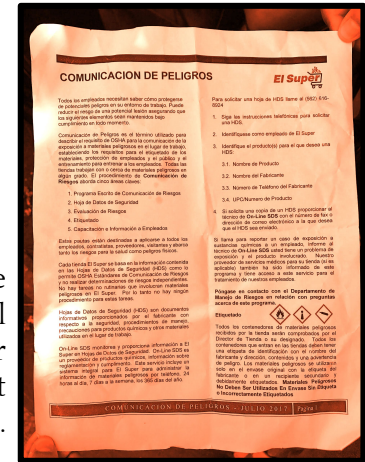
Findings: Health and Safety Trainings

1. Culture of **negligence** of worker health and safety
2. Culture of **fear and intimidation**
3. Culture of **overwork and understaffing**



Left: The second worker health and safety training we conducted for El Super workers, Ricardo F. Icaza Workers Center, July 11, 2017.

Right: “Comunicacion de Peligro,” workplace hazard communications handout, June 28, 2017. El Super management at Store #13 responded to our first worker training (June 27, 2017) by handing out a workplace hazard memo to all employees.



Findings: Worker Interviews

“Aca **no nos dan entrenamiento**. Aca no nos dan nada de eso.”

—employee, El Super #13

“Vamos a trabajar para trabajar, **no matarnos**.”

—employee, El Super #16

“Me golpeé, como uno va rápido y nos están apurando.”

—employee, El Super #12

“A te van a salir las tripas? Te llevo al doctor?”

—employee, El Super #13

“Les vale el trabajador, no más le importa sacar el trabajo y uno como personaje no le importa!”

—employee, El Super #12

Recommendations

1. Implement **proper trainings** and provide **appropriate PPE** for every worker immediately.
2. Adopt the principles of **dignity** and **respect** for workers.
3. Encourage the formation of **worker health and safety committees**.
4. Create an alternative form of recording incidents with each other & have a liaison between management and workers that can mediate any problems that arise

Challenges

1. Centering health and safety in worker organizing
2. Exceeding the limitations of OSHA 300 reporting



Take Aways

Worker health and safety is the end – not a means to an end.



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References

A Special Annual Report to Stakeholders: Grupo Chedraui at a Crossroads. Will mismanagement and growing conflict continue undermining El Super's future? UFCW. April 2016.

Bureau of Labor Statistics. *Occupational Injury and Illness Classification Manual*, version 2.01. U.S. Department of Labor, Bureau of Labor Statistics, January 2012. https://www.bls.gov/iif/oiics_manual_2010.pdf.

Cleeland, Nancy. "After 2 Years, Gigante and Union Reach Contract Pact," *Los Angeles Times*, April 28, 2001. <http://articles.latimes.com/2001/apr/28/business/fi-56532>.

Romney, Lee. "Mexican Businesses Push North of Border," *Los Angeles Times*, February 19, 2001. <http://articles.latimes.com/2001/feb/19/business/fi-27324>.

Sanchez, Conor L. "Latino grocer is swallowed up by rival," *Los Angeles Times*, August 23, 2008, <http://articles.latimes.com/2008/aug/23/business/fi-latinogrocery23>.

Shaffer, Amanda. "The Persistence of L.A.'s Grocery Gap: The Need for a New Food Policy and Approach to Market Development." Los Angeles, CA: Center for Food and Justice, Urban and Environmental Policy Institute, Occidental College, 2002.

Zweibach, Elliot. "El Super Plans Tucson Opening," *Supermarket News*, May 19, 2009. <http://www.supermarketnews.com/latest-news/el-super-plans-tucson-opening>.