



Office of the City Manager

SUPPLEMENTAL AGENDA MATERIAL

Meeting Date: 07/25/06

Item Number: 34

Item Description: Employee Representation at the West Berkeley Bowl – Att 1 -
Rev

Revised Attachment 1 (Revised Resolution).

(This cover sheet should be used only if the agenda item the material refers to is in addition to or is a revision of the material included in the original report)

RESOLUTION NO. -N.S.

A RESOLUTION IN SUPPORT OF AN EXPEDITIOUS AND OPEN PROCESS REGARDING EMPLOYEE REPRESENTATION AT THE WEST BERKELEY BOWL

- WHEREAS,** the citizens of Berkeley support a full-service grocery store in West Berkeley that would be a local source of healthy, organic and affordable food store; and
- WHEREAS,** the Zoning Adjustments Board and the City Council have approved the West Berkeley Bowl at 920 Heinz because it will be such a store; and
- WHEREAS,** the citizens of Berkeley also support the right of employees to organize for fair compensation, safe working conditions and human dignity; to freely decide whether or not they wish to be represented by a union and, if they do, to bargain collectively with their employer; and
- WHEREAS,** after a long, divisive and expensive conflict, Local 120 of the United Food and Commercial Workers won the right to represent the employees of the Berkeley Bowl store at 2020 Oregon Street, and has stated its intent to organize the workers at the new store at 920 Heinz; and
- WHEREAS,** both the owners of the Berkeley Bowl and Local 120 have publicly expressed their desire to avoid a repetition of such a conflict at the new store; and
- WHEREAS,** legal mechanisms exist, such as a "Card Check" agreement or a "Consent agreement" for an expedited election under the National Labor Relations Act, which could guarantee a rapid expression of the will of the employees whether or not to be represented by a union.

NOW THEREFORE BE IT RESOLVED that the Berkeley City Council does hereby urge the owners of the Berkeley Bowl and Local 120 to negotiate in advance such an agreement for a set of procedures to obtain a fair, open, and expeditious expression of the will of the employees whether or not to be represented by Local 120, and offers its good offices to encourage an agreement toward this end.

BE IT FURTHER RESOLVED that the City Council asks the City Manager to report to it six months after construction on the West Berkeley Bowl has begun on whether an agreement has been reached for such a set of procedures for a fair, open and expeditious expression of the will of the employees for union representation and the new store, and place on the agenda a time when the Council can discuss what to do if no such agreement has been reached.