

DESERT EDGE LOCAL

UFCW 1167

a VOICE for working America

Official Publication of Local 1167, United Food and Commercial Workers Union

September 2009



Member Jesus Torres, right, holds his back-pay check from Ralphs as he is congratulated by UFCW Local 1167 Union Representative Gil Ramirez.

Union fights long and hard battle to win full-time status for member

In November 2007, Jesus Torres, a food clerk working in produce at Ralphs 609 in Riverside, contacted Union Representative Gil Ramirez to tell him he wasn't working full-time,

even though he had met the contractual requirement to become a full-time employee.

Under the Master Food collective bargaining agreement covering (Please see page 6)

PRESIDENT'S REPORT

Truth is a casualty in the health care debate

In politics as in war, truth is the first casualty. This is especially true in the current national debate over health care reform.

A wave of disinformation, much of it deliberate and politically motivated, has threatened to overwhelm the discussion. At a time when Americans should be talking about the substance of reform proposals being considered by Congress, everyone seems to be talking about crazy conspiracy theories.



By Bill Lathrop

This is apparent at the town hall forums that are being conducted by senators and representatives during Congress' summer recess. Many people are showing up at these events in a state of utter confusion and alarm. There are reports of shoving and people using words like "Nazi" and "Socialist" and "death panels."

Most of our members are too well-informed to believe this stuff, but if you know people who have been affected, here are some of the facts they should consider:

There will be no "death panels" designed to "pull the plug on grandma." (Please see page 3)

Quarterly Membership Meetings: Sept. 23, Dec. 23

All meetings at 7 p.m. in the UFCW Local 1167 Auditorium, 855 W. San Bernardino Ave., Bloomington



Members at Stater Bros. 46 in Hemet are the subject of this issue's "Members at Work" feature. See pages 4 and 5.

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MAP

Membership Assistance Program

Eligible active or retired Food and Meat participants can call the toll-free MAP number at the Health Management Center at any time,
DAY OR NIGHT, 24 HOURS A DAY,
SEVEN DAYS A WEEK.

Food Division, call
(800) 461-9179
Drug Division, call
(866) 268-2510

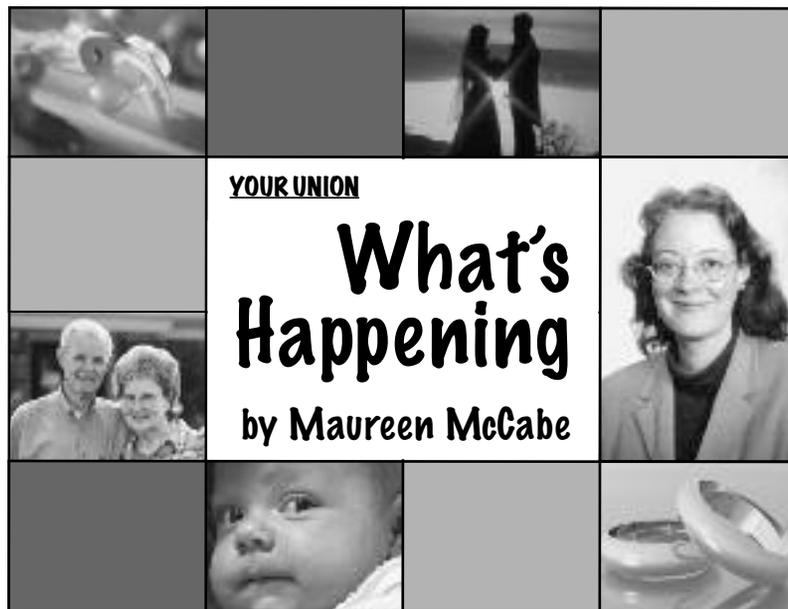
(All calls are confidential)

You are interesting!

Tell us about yourself.

You are the most interesting thing about our union! If there's something unusual or newsworthy about your life, hobbies, abilities or talents, call us at the office and tell us about it so that we may consider doing a feature about you in the *Desert Edge*. Just ask for Kathleen Franks or your Union Rep.

President Bill Lathrop



JUST RETIRED: The month of August brought us several new retirees. **Mark Chambers** worked in the industry as a meat cutter for 27 years with Vons, Lucky and Alpha Beta.

Karen Davis worked for Ralphs and Alpha Beta for 34 years. **Catherine Howard** worked for 39 years with Ralphs and Alpha Beta.

Shahnaz Khan retired after 14 years with Rite-Aid. **David Knapp** worked in the industry for 36 years with Ralphs, Alpha Beta and Beaches Markets. **Scott Martin** worked for Food 4 Less and Lucky for 28 years.

Johnathan Morgan worked for Albertsons for 37 years. **Barbara Wellard** worked for Rite Aid for 32 years.

Congratulations to all of our new retirees! We wish you many healthy, happy years ahead to enjoy your retirements.

JUST MARRIED: **Filemon Martinez**, Albertsons, married Bianca on March 28 in Palm Desert. **Lesla Dodson**, Albertsons, married Dave Harder on May 9 after 17 years together. The wedding was held at the Rose Garden of Fairmount Park and the happy

couple honeymooned on a Mediterranean cruise. **Matthew Gray**, Food 4 Less, took Elizabeth Garcia to be his bride on May 16. The wedding was at the Desert Princess Country Club in Cathedral City. **Stephanie Howard**, Stater Bros., married Jarrod Lujan on June 13 in Temecula. The newlyweds honeymooned in Las Vegas. **Minh The Doan**, Albertsons, married **Tracy Le**, Sav-On, on June 20. The wedding was in Orange County and the happy couple honeymooned in Vietnam. **Vickie Emerson**, Ralphs, said "I do" to Glenn Cordromp on June 27. The wedding was in Lake Elsinore and the newlyweds honeymooned at Lake Tahoe. **Steven Moreno**, Stater Bros., exchanged vows with Jessi on June 27 in Murrieta. The newlyweds stayed in San Luis Obispo for their honeymoon. **Lydia Zamarripa**, Rite-Aid, married James Wear at the Little White Wedding Chapel in Las Vegas.

Congratulations to all of our newlyweds!

JUST BORN: **Keith Le Blanc**, Stater Bros., has a new son. **Jaiden** was born on March 24 at

7 lbs. 13 oz and 18 inches long. ... **Jaime Garcia**, Food 4 Less, has twin girls. **Kaitlyn and Katie** were born on May 8 at 3.13 lbs and 4.08 lbs. ... **Jennifer Torres**, Food 4 Less, welcomed **Michael Jauregui** on June 4. Michael weighed 8.5 lbs. ... **Monica Martinez Vargas**, Stater Bros., welcomed **Marissa Raquel** into the world on June 18. Marissa weighed 9 lbs. 2 oz. and her happy mom calls her "my second little blessing for which I thank the Good Lord." ... **Sandra Hernandez**, Stater Bros., and Jeremy Torres proudly announce the birth of Mia Fe Torres on June 25. Mia weighed 6 lbs. and her delighted parents write: "We finally got our baby girl." ... **Anuradha Ramdas** and **Tarun Wadhwa**, both of Vons Pharmacy, have a new son. **Arav Wadhwa** was born on June 26 at 6.2 lbs. ... **David Wesley Almy**, Stater Bros., welcomed **David James** on June 26. David James weighed 8 lbs. 3 oz. and his happy dad tells us he is a "beautiful, healthy baby boy." ... **Mark Bevan**, Stater Bros., is the proud new dad of **Mia Wesley**, who was born on June 27 at 8 lbs. 1 oz. ... **Mario Garcia**, Stater Bros., and his wife Malin proudly announce the arrival of **Adriana Leanne**, who was born on July 2 at 8 lbs. ... **Kelly Barney**, Rite Aid, gave birth to **Chael Castro** on July 12 at 8 lbs. 5 oz. ... **Ivan Ocejo**, Ralphs, has a new son. **Benjamin Joel** was born on July 17 at 7 lbs. 14 oz. His happy father tells us he is "a very healthy boy" and "he and mother Olesya are doing great." ... **Daniel Pina**, Ralphs, is proud to announce the arrival of **Nehemiah Daniel** on July 21 at 8 lbs. 11 oz. His proud dad writes: "We thank God for such a handsome baby boy. He is a blessing." ... **Ismael Galindo**, Ralphs, has a new son. **Max** was born on July 23 at 7 lbs. 6.9 oz. ... **Melissa Colunga**, Stater Bros., gave birth to **Audrina Marie Rincon** on Aug. 5. Audrina weighed 8 lbs ½ oz.

Congratulations to all of our new moms and dads!



DESERT EDGE

Bill Lathrop
Editor

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Publisher



IN MEMORIAM

Terri Brom, a general merchandise clerk formerly employed by Stater Bros. Markets, died Nov. 27, 2008, at the age of 59. She had been a member since August 1996.

Eugene Dixon, a retired food clerk formerly employed by Lucky Stores Inc. and Albertsons, died July 3, 2009, at the age of 62. He had been a continuous member since December 1975.

Leroy Forrest, a retired meat cutter formerly employed by Walkers Packing House, Don Tyler Meats, Pantry and Alpha Beta, died July 24, 2009, at the age of 86. He had been a member since July 1947.

Howard Hildebrand, a retired food clerk formerly employed by Stater Bros. Markets and Food Fair, died July 9, 2009, at the age of 74. He had been a member since March 1959.

Jean Marshall, a retired meat wrapper formerly employed by ThriftyMart, Vons and Safeway, died July 13, 2009, at the age of 89. She had been a member since September 1956.

Ewing McDaniel, an affiliated member employed by Vons Pharmacy, died July 15, 2009, at the age of 66. He had been a continuous member since July 2008.

Mary Medina, a retiree formerly employed by California Luggage and Local 213 office staff, died March 4, 2005, at the age of 91. She had been a member since May 1955.

Joyce Muchmore, a retired nurse's aide formerly employed by Country Villa Hacienda Health-care Center, died July 4, 2009, at the age of 71. She had been a member since February 2002.

James Quinn, a retired meat cutter formerly employed by Fisher's Market and Dodson's, died Aug. 14, 2009, at the age of 96. He had been a member since December 1937.

John Sanchez, a retired meat cutter formerly employed by Stater Bros. Markets, died Aug. 1, 2009 at the age of 66. He had been a member since February 1968.

Our condolences to the families of these deceased members.

Your dues are now payable!

If you are one of the few members of the local who are not yet signed up for dues checkoff: **SEPTEMBER DUES ARE NOW DUE AND PAYABLE. IF NOT PAID ON OR BEFORE NOV. 1, 2009, YOU WILL AUTOMATICALLY SUSPEND YOURSELF.**

With dues checkoff, all future dues can be deducted automatically from your pay check. If you do not have an authorization form, call the local and one will be sent to you immediately.

Non-payment or payment of the incorrect amount will automatically suspend you — a costly and inconvenient mistake. Although not required, the local as a courtesy normally sends billing notices by first-class mail to those not on dues checkoff. It is the member's obligation to pay dues in a timely manner. Not receiving a notice is not an excuse for failure to pay dues on time.

**Avoid suspension.
Authorize dues checkoff today!**

PRESIDENT'S REPORT

Truth is a casualty in the health care debate

(Continued from front page)

Some politicians and commentators, including Sean Hannity, Rush Limbaugh, Rep. Virginia Foxx (R-N.C.) and former Alaska Gov. Sarah Palin, have asserted that the health care proposals would coerce "unproductive" people like the elderly to end their lives.

This is a lie. The proposals — now shelved because of the unwanted controversy they have drawn — would have provided for seniors to consult with a doctor every five years for "advanced care planning consultations."

In these voluntary consultations, they would state in advance their preferences for care should they become unable to speak for themselves. Nothing is said about euthanasia or assisted suicide. In fact, this measure was strongly supported by the AARP and was designed to foster important discussions so that patients are fully informed.

The government will not be paying for abortions.

Just mentioning the word "abortion" is sure to cause disruption. That is the purpose of the health care bill's opponents. Neither the House nor Senate versions of the health care bill say anything about government-funded abortions.

Our tax dollars will not provide free health care to illegal aliens.

Both versions of the bill say specifically that people who are "not lawfully present in the United States" will receive no federal aid for health care. That doesn't necessarily mean that the dying and severely injured will be barred from emergency rooms if they don't have the right papers on them. They will be admitted just as they are now.

The government won't ration our health care like in Soviet Russia.

Currently, the U.S. is the only industrialized country that lacks a comprehensive program to provide health care to those who need it. Our current system denies health care to millions because of "preexisting conditions" or the whims of insurance company bureaucrats. Seniors who have Medicare are far happier with their health care than other Americans who must cope with private insurance companies.

The reforms that are being discussed will forbid any company to deny coverage for someone with a preexisting condition. They would also give millions of people who currently can't afford health care an affordable means to obtain it.

This doesn't sound like rationing health care to me. It sounds like making it available to more people.

Passage of meaningful reform is necessary for the health and prosperity of our nation. How we should do that should be the subject of debate. But that debate should be based on the facts, not hysterical delusions.

UNION REPRESENTATIVE'S REPORT



By Rick Bruer

13 ways to keep your job

Too often, members get into difficulties at work because they fail to follow some important common sense procedures. Avoiding trouble on the job is often as simple as following some basic rules.

Here are 13 ways to protect your job and avoid problems at work:

1. Do not consume or use any product before purchasing it or while standing in a checkout line. Always have your receipt attached to anything purchased in the store!
2. Do not checkout your own purchase! No employee is authorized to conduct his or her own transaction.
3. Always check ID when selling alcohol or tobacco products! NO EXCEPTIONS!
4. Do not be insubordinate to management! Always comply with management's request then contact your union representative if you have a problem. Your union can file a grievance if a contract violation has occurred.
5. Do not take anything outside of the store without a supervisor's permission.
6. Do not falsify company paperwork (i.e. time cards, grind or temperature logs, codes, maintenance forms, inventory reports, sweep sheets and/or punches).
7. Do not get involved in shouting matches or any kind of violent situations with management, coworkers or customers.
8. Do not use your Club/Rewards card for anyone but yourself.
9. Do not discount/markdown any items without management's approval. Never discount/markdown anything for yourself, a relative or a friend.
10. Always work your posted schedule! Management must approve any changes.
11. Always be on time for your scheduled shift.
12. Always follow your employer's procedure when calling in sick.
13. Always provide your employer with a valid and current doctor's note when on a leave of absence.

Local 1167's 2009 scholarship winners

BILL SAURIOL AWARD

Dominic Ruggiero, Food 4 Less

SECOND AWARDS

Ali Lanewala, son of Farzana Lanewala, Rite Aid
Brenette Alamillo, daughter of Hector Alamillo, Food 4 Less
Javier Castro, son of Joaquina DeCastro, Windsor Quality Foods

THIRD AWARDS

Monica Gardner, daughter of Patricia Pompa, Rialto Family Dental
Kaylee Riddle, daughter of Trista L. Shriver, Ralphs
Patricia Williams, Stater Bros.

IT PAYS TO BE UNION!

	<u>AUGUST 2009</u>	<u>YEAR TO DATE</u>
Back pay and benefits restored to members	\$17,266.10	\$59,621.51
Members reinstated	28	148
Grievances settled	150	646



MEMBERS

Stater B

Her

Photos taken





AT WORK

Bros. 46

met

July 1, 2009



Union fights long and hard battle to win full-time status for member

(Continued from front page)

Ralphs, Vons and Albertsons, an employee who works 16 consecutive weeks of five eight-hour days qualifies for (and must be classified as) a full-time employee. A grievance was then filed against Ralphs.

Bill Edwards, Ralphs' labor relations representative, responded to the grievance, saying Torres had worked 16 weeks but, because he was filling in for another employee who was out on a medical leave of absence, his claim for full-time status was denied.

Edwards referred to contract language that states: "A specific individual's assignments to temporary vacancies caused by vacations, illness, injury, or leave of absence shall neither count toward nor interrupt the aforesaid accumulation of the 16 consecutive weeks."

After receiving the company's letter, Grievance Coordinator Bill Graham contacted Torres about his case. Torres informed Graham that during the weeks he worked 40 hours, he was scheduled nighttime shifts requiring specific duties. The employee who was out on a leave of absence

always worked on early-morning shifts that required other specific duties.

Torres said that the records would show him working night shifts prior to, during and after the other employee's leave of absence. He also said that other employees were scheduled to work the early-morning shifts to cover for the absent employee.

As is often the case, the company presented several positions that had never been submitted to Graham.

Graham contacted Edwards and gave him this information. Soon afterward, Graham received a letter from Edwards disagreeing with the information provided by Torres.

He said the company would not change its position and would not

make Torres full-time.

Graham then requested that the company provide the schedules and time records of all employees involved. The company responded that the records were at the store for review.

Ramirez and Graham went to the store and poured over all of the schedules and time records of every employee who was scheduled to work in produce.

After hours of research, the two determined that what Torres had stated was absolutely true. He had worked only on night closing shifts for the entire period while the other employee had worked only on early morning opening shifts.

Several other employees were then scheduled to work on the early morning shifts while this employee was absent.

Torres had not earned his full-time status by filling in for another absent employee. He was therefore entitled to a full-time position.

Graham immediately notified the company of his findings. The company chose to ignore the records and did

not even respond to Graham's letter.

The case was heard before arbitrator Carl Chernoff on March 5, 2009. Renee Sanchez acted as Local 1167's attorney to present the issue before the arbitrator.

Both Graham and Ramirez took the stand to testify about their findings. They were able to present to the arbitrator the detailed records of what they had found when they visited the store.

Torres also took the stand and testified about the duties he performed and the schedules he worked. After that testimony and the presentation of several documents, Sanchez rested the local's case, subject to rebuttal. The company then presented its case to the arbitrator.

As is often the case, the company presented several positions that had never been submitted to Graham. Local 1167 had come to the arbitration with the belief that the company had only one position: that Torres was not entitled to a full-time position because he had filled in for another employee on a leave of absence. But in an effort to win at any cost, the company raised

(Please see page 7)

FILL OUT, CUT OUT AND MAIL TO: UFCW LOCAL 1167, P.O. BOX 1167, BLOOMINGTON, CA 92316



Volunteer Committee Pledge Card

Count on me to volunteer for the following: (Check all that apply)

- Strike Captain/Union Activist
- Handbilling and Distributing Literature
- Work on Organizing Campaigns
- Participate in Grassroots Political Activities
- Home Calls/Phonebanks
- Rallies in the Community

Name: _____ Home Phone: _____

Address: _____
Street City State Zip Code

Work Location: _____ Work Phone: _____

Work Address: _____
Street City State Zip Code

Availability: _____



Desiree Holloway

Desiree Holloway probably would prefer that her life story be read and not heard. And not just read, but printed in bold on a two-page newspaper

Hot off the press

UFCW International Union scholarship winner lives for layout

spread with sharp, four-color pictures.

The headline would read: BLOOMINGTON HIGH SCHOOL STUDENT WINS \$8,000 UFCW INTERNATIONAL SCHOLARSHIP.

That award will help her pursue her dreams of journalism and graphic design at Cal Poly Pomona this fall.

“We were really surprised that I won,” Holloway said.

“My mom and I were on our way out the door when the letter came. I read over it and tried not to skip ahead, but my eyes hit ‘\$8,000’ and I thought, ‘that has to be a mistake.’”

“My mom read it and she couldn’t believe it either. We were in shock.”

Holloway decided on attending Cal Poly Pomona because of its “unique” curriculum. “There are not a lot of regular schools that offer graphic design programs anymore and Cal Poly is at the top of the list.”

‘I read over it and tried not to skip ahead, but my eyes hit ‘\$8,000’ and I thought, ‘that has to be a mistake.’

She became interested in graphic design when she was the editor of the Bloomington High School yearbook during her sophomore year. “Ultimately I want to work in advertising or print,” she said. “I have a lot of experience with journalism from high school.”

Aside from journalism, Holloway enjoys hanging out with friends,

scrapbooking and taking pictures, particularly nature photography. In high school, she was a member of Key Club, National Honor Society and she played softball.

Pamela, Desiree’s mother, works at Food 4 Less in Colton.

“I was kind of clueless about the union for a long time,” Desiree said. “But when the time came to write the essay for this scholarship, my mom talked to me about the union and helped me get started. I know a lot about it now.”

Currently, Desiree lives at home with her mom and her dad, who is a sergeant in the California Highway Patrol. Her 21-year-old brother is a computer engineering student at UC Riverside.

Holloway said her life can be summed up in three words: “Never give up.”

That, too, would make a good headline for Desiree Holloway.

Union fights long and hard battle

(Continued from page 6)

many issues that had never been discussed between the parties.

The companies often do this to try to confuse the arbitrator. But in their efforts to do so, the company’s representatives made themselves look foolish. At one point in the proceeding, while testifying under oath, Edwards disagreed with his own position that he had taken in a letter he sent to Graham.

When the company finished presenting Edwards’ disjointed testimony, the company requested an additional day of arbitration to present the remainder of its case. This is another tactic often used by the company’s representatives. They let the union present its case and then take the time between arbitration dates to develop their own case.

Unfortunately, even after objections from the union, arbitrators, in an effort to be fair, granted another day of arbitration so that the company was given ample opportunity to present its case.

The arbitration was reconvened on June 9 at Local 1167’s office. It appeared as though the company’s representatives were prepared to put

on quite a case. Not only had they brought back Edwards, they had perhaps a half-dozen other people who presumably were to testify.

While Sanchez, Graham, Ramirez and Torres developed their strategy for their next move, the company’s counselor knocked on the door, proposing to make a deal to settle the issue.

After more than a year and a half, the company proposed to make Torres full-time from that date forward.

While Torres would have been happy to accept the company’s offer, Graham and Ramirez felt there was a better deal.

After several proposals back and forth, the union was able to negotiate a full-time position not only for Torres, but also for another employee who worked in the store. In addition to the full-time positions, the company agreed to pay Torres \$2,500 in back pay.

Because Torres was strong enough to come forward with his position and fight the long, hard battle with the company, he was able to gain the full-time position that he had wanted for so long, along with helping another employee achieve full-time status.

Seat Level	Member Price	Gate Price	Savings
Prefore	\$28	\$36	\$8
Midrow	\$28	\$34	\$6
Endrow	\$24	\$26	\$2
Center	\$18	\$22	\$4
End Zone	\$15	\$18	\$3
General Admission	\$12	\$15	\$3

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Jessica Acosta at (310) 630-4572
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Visit www.ufcw1167.org to purchase tickets!**

STEWARD FEATURE

Dennis Haugen: A union steward who does what it takes

Dennis Haugen will do just about anything it takes to support his union. "I had a bit of an altercation during the 2003-04 strike and lockout," Haugen recalled.

"As a picket captain I was confronted by a non-union truck driver who was trying to deliver goods to our store. We got into a shouting match which led to shoving. He called the police. They handcuffed me, put me in the back of a patrol car and cited me for disorderly conduct.

"It was that important for me to stand up for our union."

At the time, Haugen was working as a food clerk at Lucky 6753 in Temecula. After the strike, he was transferred to Albertsons 6743 in Murrieta.

"I never back down when it comes to defending my union and my fellow members," Haugen said. "Even before I formally became a steward, I was advising my coworkers about their rights under the contract."

Without a union, management would pay its employees the lowest possible wages and offer them little or no benefits, Haugen said.

"All you have to do is look at the difference



Dennis Haugen

between the wages and benefits we have and what workers at Walmart have," he said.

Haugen said he doesn't back down when he sees someone at his store being treated unfairly.

"I know I have the union to back me up,"

Haugen said. "So, if I have something to say to a manager, I never hesitate. I know my union representative is always ready to support me."

Haugen said he feels privileged to have worked with recently retired Union Representative Keith Wright.

"Keith was the best of the best and a pleasure to work with," he said. "He was knowledgeable and responsible, and he loved to educate everyone he came in contact with. I'll sure miss him."

One thing Haugen does not miss is the opportunity to mentor younger workers.

"It's important they know what the union does for us," Haugen said. "The more people who understand what the union is all about, the more support we have and the stronger we become."

Haugen has two teenage daughters: Amanda, 16 and Jessica 15.

When he is not at work, he enjoys spending time with his children and working on his coin collection.

"I started when I was about 8 years old," he said. "I saw an ad in a newspaper and sent away for some old Indian head pennies. It's grown quite a bit since then."

Serving on E Board will be learning experience for Jerry Horton

New Executive Board member Jerry Horton said his first "E Board" meeting was a learning experience.

"I consider myself pretty well versed in the contract and in how our union works," Horton said. "But I received a real education about issues I was not aware of before. I'm sure future meetings will be equally educational."

Horton is a meat manager at Stater Bros. 174 in Wildomar. He has worked in the food industry for more than 40 years and has been at the Wildomar store for the past five years.

He said he joined the steward program when it was formed because he wanted to educate new hires about the importance of union membership.

"The union is the only reason we have the job protections we do," he said. "Without a union contract, we would be subject to unfair treatment with no recourse. Because we are in a union, we have a grievance procedure and someone who will fight for us."

Horton said he particularly values his union-negotiated health benefits.



New Executive Board member Jerry Horton, right, takes the oath of office, administered by UFCW Local 1167 President Bill Lathrop.

"My wife [Debbie] and I have three adult children," Horton said. "Their births and all of the various medical issues they encountered in their lives were all taken care of because of our health benefits.

"I try to tell our new hires how important those benefits are, espe-

cially in this day and age when companies are cutting back or eliminating them. I want them to appreciate that without a union to negotiate them for us, those benefits might not exist."

Horton said he hopes the union will continue to intensify its organ-

izing efforts.

"The more market share we have, the better our wages and benefits become," Horton said.

"Bringing more workers into our union will make us stronger so we can negotiate better contracts in the future."

He said he looks forward to the next round of food industry negotiations in 2011.

"I want to see our pension benefits increased for new hires," he said. "We need to keep people in the business for the long haul. We don't want a revolving door system."

When he's not working, Horton and his wife make frequent trips to their vacation home on the Colorado River.

"We have a speed boat we ride for fun and a pontoon boat for fishing," Horton said.

"I have no immediate plans to retire, but when I do, we plan to live there full time.

"I know we won't have to worry about anything financially, because I've worked at a union job and will have a good pension waiting for me."