

**FREQUENTLY ASKED QUESTIONS  
KROGER AND UFCW LOCAL 1000  
COLLECTIVE BARGAINING AGREEMENT  
ARTICLES 9.01 THROUGH 9.06**

**9.01 WORKING CONDITIONS**

The hours for each employee shall be scheduled by the Employer. Schedules shall be prepared in ink indicating last name and first initial. A schedule for full-time employees prepared in ink shall be posted by noon Friday for the week beginning Sunday two weeks after the current week. Such schedule shall not be changed without the consent of the employee, unless such change is necessitated by sickness or emergency. Emergency means strike, fire, flood, etc.

*What does this mean?*

FULL-TIME EMPLOYEE SCHEDULES CANNOT BE CHANGED WITHOUT YOUR CONSENT AND YOUR SCHEDULE WILL BE POSTED BY NOON FRIDAY AND IN INK.

*Can I volunteer to go home early?*

YES, BUT YOU CANNOT BE FORCED OR REQUIRED TO GO HOME EARLY OR CHANGE YOUR SCHEDULE. IF YOU ARE FULL-TIME AND ARE REQUIRED TO GO HOME EARLY THEN THAT IS A VIOLATION OF ARTICLES 9.01, 9.03, AND 9.04 OF YOUR UNION CONTRACT.

**9.02 WORKING CONDITIONS**

A schedule for part-time employees shall be posted by noon Friday for the week beginning Sunday two weeks after the current week. This schedule is subject to change based on the needs of the business. Employees will be given twenty-four (24) hours' notice of any schedule change after the schedule is posted except where the change is caused by conditions beyond the control of the Employer. Senior employees affected will not be forced to work.

*What does this mean?*

PART-TIME SCHEDULES CAN BE CHANGED BY THE EMPLOYER, BUT CANNOT BE CHANGED WITHOUT 24 HOURS NOTICE AND YOUR SCHEDULE WILL BE POSTED BY NOON FRIDAY AND IN INK.

*Can I be required to go home early on a shift later in the week?*

ONLY IF THE EMPLOYER GIVES YOU 24 HOURS NOTICE.

### **9.03 WORKING CONDITIONS**

**If a full-time employee is required to work outside of his regular schedule, he shall not be required to take time off from his schedule that week in order to avoid payment of overtime.**

*What does this mean?*

FULL-TIME EMPLOYEES CANNOT BE REQUIRED TO GO HOME EARLY TO AVOID OVERTIME.

*If I'm asked to stay past the end of my scheduled shift, do I have to take time off another shift later in the week?*

NO.

*So if I'm full-time and scheduled eight hours in a single shift and I'm asked to work two hours of overtime (ten hours total), do I have to take two hours off another shift later in the week?*

NO, IF YOU WANT TO TAKE TIME OFF ANOTHER SHIFT THEN THAT IS A DECISION LEFT UP TO YOU AND YOUR MANAGER. IF THE COMPANY ASKS YOU TO TAKE TIME OFF ANOTHER SHIFT TO AVOID WEEKLY OVERTIME (MORE THAN 40 HOURS), THEN THAT WOULD VIOLATE ARTICLES 9.01 AND 9.03 OF YOUR UNION CONTRACT.

### **ARTICLE 9.04 WORKING CONDITIONS**

**The workweek shall consist of not more than forty (40) hours to be worked in five (5) shifts, not necessarily consecutive. The five (5) day shift week shall not apply to students during the school term. A student is to be defined as any employee currently enrolled in higher education (high school, technical school or college).**

*What does this mean?*

THIS IS THE DEFINITION OF THE STANDARD WORKWEEK FOR FULL TIME EMPLOYEES. THE COMPANY CANNOT REQUIRE AN EMPLOYEE TO WORK OVERTIME OR MORE THAN FIVE DAYS IN A WEEK.

### **ARTICLE 9.05 WORKING CONDITIONS**

**All work in excess of forty (40) hours per week shall be paid for at time and one-half (1 1/2).**

*What does this mean?*

THIS STATES FEDERAL LAW AND APPLIES IT TO YOUR UNION CONTRACT. EVERY HOUR OVER FORTY HOURS IN A WEEK SHOULD BE PAID TIME AND ONE-HALF.

## **ARTICLE 9.06 WORKING CONDITIONS**

All work in excess of eight (8) hours per shift shall be paid at time and one-half (1.5) with the following exception; at the Employer's request, if mutually agreed upon between Employer and the Employee, the Employee shall be allowed to work one shift up to ten (10) hours to be paid straight time. Nothing in this section shall take away from the definition of the standard workweek described in Article 9.04.

*What does this mean?*

ALL DAILY OVERTIME – ANY TIME THAT YOU WORK OVER EIGHT HOURS PER SHIFT – WILL BE PAID AT TIME AND A HALF.

EXCEPT, IF PRIOR TO YOU WORKING THAT OVERTIME, BOTH YOU AND THE employer AGREE TO CONVERT TWO HOURS OF YOUR OVERTIME PAY AS STRAIGHT TIME.

*If I'm scheduled eight hours on a shift and I work more than eight hours then that means that I get paid time and a half for any time over eight hours?*

YES.

*Can my employer convert my overtime to straight time without my agreement?*

NO, THIS IS A VIOLATION OF ARTICLE 9.06.

*Can my employer ask me after I work the overtime to convert it to straight time?*

NO.

*Can my employer convert my overtime to straight time on more than one shift during the workweek?*

NO.

**IF YOU FEEL LIKE YOUR UNION CONTRACT IS BEING VIOLATED,  
THEN PLEASE ALERT THE UNION RIGHT AWAY.**

**SPEAK TO YOUR SHOP STEWARD AND UNION REPRESENTATIVE**

**EMAIL DETAILS TO [GRIEVANCES@UFCW1000.ORG](mailto:GRIEVANCES@UFCW1000.ORG)**

**CALL 817-421-1003 RIGHT AWAY!**