

REQUEST FOR INFORMATION

To: King Soopers
From: UFCW Local 7
Date: December 4, 2018
Re: Information for Bargaining

Unless otherwise stated, these Requests for Information seek information for the time period from January 1, 2016, through the present (the “Relevant Period”). For Requests Nos. 35 through 46, please provide only documents and information that have not already been produced in response to prior Requests for Information on these topics. To the extent you maintain that any responsive documents or information have already been produced, please list the date(s) and manner(s) of production for all, and the respective grievance numbers under which such production occurred.

1. List all stores or facilities in Colorado and Wyoming, operated by King Soopers, City Market, and/or The Kroger Company (collectively, the “Company”), where law enforcement was called to the premises when employees were present, for conduct other than shoplifting and/or petty theft without any physical confrontation of employees or customers, including a description of the date, time, and circumstances of each law enforcement visit.
2. List all stores or facilities in Colorado and Wyoming where an incident of physical confrontation occurred when employees of the Company were present, including but not limited to assault, battery, armed robbery, criminal menacing, or other physical threats or altercations, other than those for which law enforcement was called, including a description of the date, time, and circumstances of each incident.
3. List all instances in Colorado and Wyoming stores or facilities of the Company where only one (1) employee was present in the store or facility for all or a portion of their shift.
4. Provide the number of employees of the Company, as of the date of this request, who were hired before March 6, 2005, and the number of employees who were hired on or after this date.
5. Provide the number of employee transfers from Company store to store in Colorado or Wyoming, for each calendar year during the Relevant Period.
6. List all stores or facilities in Colorado and Wyoming, operated by the Company, in which a Parata robot or other pharmacy automation device is being used to dispense medication or otherwise aid in the provision of merchandise to customers, including the date on which this function began in each store or facility.
7. List all stores or facilities in Colorado and Wyoming, operated by the Company, in which a Parata robot or other pharmacy automation device is anticipated to be used to dispense

medication or otherwise aid in the provision of merchandise to customers, including the date on which this function is intended to begin in each store or facility.

8. List all stores or facilities in Colorado and Wyoming operated by the Company that, as of the date of this request, conduct liquor or full-strength beer sales, and the respective square footage devoted to the liquor department in each such store.
9. List all stores or facilities in Colorado and Wyoming operated by the Company that, as of the date of this request, are anticipated to conduct liquor or full-strength beer sales, and the respective square footage that is intended to be devoted to the liquor department in each such store.
10. List all stores or facilities in Colorado and Wyoming, operated by the Company, in which a vendor, contractor, or other entity that is not wholly owned by the Company, including but not limited to Compass Advantage, SAS, Empire, Boar's Head, DPI, Seattle Fish Company, and Northeast Seafood (a "Vendor"), engages at that location in the preparation, handling, and/or selling of merchandise, including but not limited to stocking and resetting product displays, other than the following duties of direct store vendors that are authorized by Article 2 of the collective bargaining agreement (CBA):
 - a. Delivering beverages, cookies and crackers, bakery, pizza, ice cream, chips, specialty/gourmet/natural foods, greeting cards and related products, newspapers, magazines, books, and all other products directly delivered by that vendor;
 - b. Stocking and maintaining J-Hook or Clip strip programs;
 - c. Work in connection with promotional and seasonal displays or during the two-week period surrounding a store remodel or following a store opening;
 - d. Facing, rotating, cleaning, and affixing coupons and other promotional materials in connection with the products listed above; or
 - e. Work necessary to accommodate the introduction of new items, removal of discontinued items, checking of code dates, and removal of outdated product.
11. For each location listed in response to request no. 10, above, list each Vendor that has engaged or is engaging in these activities at this location.
12. For each Vendor listed in response to request no. 11, above, describe what activities are performed at this location and the merchandise delivered and/or handled by that Vendor.
13. List all stores or facilities in Colorado and Wyoming, operated by the Company, in which a third-party performs work governed by the "Vendor Work" section of Article 2 of the CBA, and identify every third party doing so at each location.
14. For each third party identified in response to request no. 13, above, list the merchandise delivered and/or handled, and describe what activities are performed at this location.
15. For each location listed in response to requests nos. 10 and 13, above, indicate the timeframe(s) in which these Vendors or third parties have engaged or continue to engage in these activities.

16. For each location listed in response to requests nos. 10 and 13, above, indicate the number of individuals utilized by these Vendors or third parties to engage in these activities and the identity of each individual's employer.
17. For each location listed in response to requests nos. 10 and 13, above, provide copies of any contracts, service agreements, memoranda of understanding, or other written agreements regarding these activities that have been entered into by the Company and any Vendor or third party.
18. For each location listed in response to requests nos. 10 and 13, above, provide copies of the Company's shift schedule for the time periods during which any Vendor or third party was engaging in these activities at that location.
19. For each location listed in response to requests nos. 10 and 13, above, provide copies of all documents from any Vendor or third party relating to or reflecting the time, manner, and performance of these activities, including but not limited to vendor sign-in logs, work schedules, policies, and training materials.
20. For each Vendor or third party listed in response to requests nos. 11 and 13, above, describe all training, certification, and monitoring of individuals utilized by these Vendors or third parties regarding compliance with food safety regulations, health codes, and the Company's policies on these topics.
21. For each Vendor or third party listed in response to requests nos. 11 and 13, above, describe how the individuals utilized by these Third Parties or vendors are background checked or otherwise screened in advance of engaging in these activities.
22. For each location listed in response to requests nos. 10 and 13, above, indicate the total hours, by work-week, worked by any Vendor or third party at that location for the time periods during which it engaged or continues to engage in these activities at that location.
23. List all stores or facilities in Colorado and Wyoming, operated by the Company, in which a vendor, contractor, or other entity that is not wholly owned by the Company, including but not limited to Ocado, Instacart, iOmni, and Door Dash (a "Delivery Vendor"), engages at that location in the selection, purchase, and/or delivery of merchandise, including but not limited to retail food, floral, and pharmaceutical products.
24. For each Delivery Vendor, indicate the number of individuals utilized to engage in these activities and the identity of each individual's employer.
25. For each Delivery Vendor, indicate the timeframe(s) in which individuals have engaged or are engaging in these activities on its behalf, or for its benefit.

26. For each Delivery Vendor, provide copies of any contracts, service agreements, memoranda of understanding, or other written agreements regarding these activities that have been entered into by the Company and the Delivery Vendor.
27. Provide copies of any contracts, service agreements, memoranda of understanding, or other written agreements in the Company's possession that have been entered into between a Delivery Vendor and any individuals who have engaged or are engaging in these activities on behalf, or for the benefit, of a Delivery Vendor.
28. For each location served by a Delivery Vendor, provide copies of the Company's shift schedules for the time periods during which the Delivery Vendor engaged or continues to engage in these activities at that location.
29. For each Delivery Vendor, provide copies of all documents from the Delivery Vendor relating to or reflecting the time, manner, and performance of these activities, including but not limited to work schedules, policies, and training materials.
30. For each location listed in response to request no. 23, above, indicate the proportion of total merchandise sales, both by number of transactions and dollar amount, for that location that is attributable to any individuals who engaged or continue to engage in these activities at this location on behalf, or for the benefit, of the Delivery Vendor.
31. For each location listed in response to request no. 23, above, describe, using the information in the Company's possession, the total amount of merchandise sales made by Delivery Vendors at that location, both by number of transactions and dollar amount.
32. Provide copies of all profit and loss statements for the Company, showing financial revenue or loss resulting from purchase and/or delivery of merchandise by Delivery Vendors.
33. For each location listed in response to request no. 23, above, indicate, using the information in the Company's possession, the total mileage driven for and/or amount of time spent on purchase and/or delivery of merchandise by Delivery Vendors at or from that location.
34. For each location listed in response to request no. 23, above, describe, using the information in the Company's possession, whether or how each Delivery Vendor:
 - a. Requires individuals conducting these activities on its behalf to dress uniformly, including but not limited to whether any materials are provided by the Delivery Vendor for this purpose;
 - b. Monitors the performance of individuals conducting these activities on its behalf, including but not limited to the shopping for and delivery of merchandise to customers;

- c. Requires or permits any markings and/or signage identifying the Delivery Vendor on these individuals' motor vehicles, including but not limited to whether any signs or markings are provided by the Delivery Vendor for this purpose;
 - d. Requires individuals conducting these activities on its behalf to utilize particular equipment or tools, including but not limited to whether any of these equipment or tools are provided by the Delivery Vendor for this purpose;
 - e. Reimburses individuals conducting these activities on its behalf for mileage and travel expenses;
 - f. Trains and/or certifies individuals conducting these activities on its behalf regarding compliance with food safety regulations, health codes, and the Company's policies on these topics; and
 - g. Conducts background checks or otherwise screens individuals in advance of their engaging in these activities on its behalf.
35. Provide copies of all OSHA 300 forms for stores operated by the Company in Colorado and Wyoming.
36. List all employees of the Company during the Relevant Period who were or are certified, or otherwise permitted to operate, any Powered Industrial Trucks ("PITs"), including but not limited to the Big Joe, power mules, and/or pallet jacks.
37. Provide copies of all documentation relating to or utilized in the certification process for employees of the Company who operate, or have operated, PITs during the Relevant Period.
38. Provide copies of all maintenance and repair records presently in existence for all PITs that were or are in operation during the Relevant Period.
39. Provide copies of all maintenance and repair records for all Hydraulic Box Crushers (Balers) in operation during the Relevant Period.
40. Provide copies of all documentation relating to inspection and/or repair of the fire control systems, including hand-held fire extinguishers, during the Relevant Period.
41. Provide copies of all records of cleaning of the oven hoods in the Company's Deli departments during the Relevant Period.
42. List the respective load or weight capacities for each of the PITs that were or are operated by employees of the Company during the Relevant Period.
43. List all safety equipment that was or is provided by the Company to employees, during the Relevant Period, who were or are required to ascend more than four (4) feet from the floor to perform their duties.
44. List all employee tasks for which Personal Protective Equipment ("PPE") was or is provided by the Company during the Relevant Period.

45. List all instances, without identifying employee information but including the nature of the injury and its cause, in which employees of the Company filed claims for workers' compensation benefits during the Relevant Period.
46. Provide copies of all documentation relating to or reflecting the inspection and/or repair of stores, operated by the Company, in Colorado and Wyoming by third parties, including public and private entities, during the Relevant Period.