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City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2003-0480	Communication	In Committee
Fleming Companies Inc. communication regarding sale or closure of its facility located at 1710 S. 108 St. affecting 184 employees on or about September 10, 2003.		
Introduced: 8/5/2003		Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION place on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8-5-03</u>	<u>MR</u>	<u>MR</u>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
		<u>X</u>	Kopplin	<input checked="" type="checkbox"/>			
	<u>X</u>		Lajsic	<input checked="" type="checkbox"/>			
		<u>MR</u>	Narlock				
			Reinke				<input checked="" type="checkbox"/>
			Sengstock				
			Trudell				
			Vitale				
			Weigel				
			TOTAL	<u>4</u>			<u>1</u>

SIGNATURE OF COMMITTEE MEMBER (RECORDER)

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION place on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8-5-03</u>	<input checked="" type="checkbox"/>		Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke				<input checked="" type="checkbox"/>
		<input checked="" type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
			Trudell				<input checked="" type="checkbox"/>
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>8</u>			<u>2</u>

Fleming

OFFICE OF THE MAYOR
RECEIVED

JUL 14 2003

WEST ALLIS, WI

1945 Lakepointe Dr.
P.O. Box 299013
Lewisville, TX 75029
telephone 972.906.8000

July 10, 2003

The Honorable Jeanette Bell
City of West Allis
7525 W. Greenfield Ave.
West Allis WI 53214
FAX: 414 302 8321

RECEIVED

JUL 11 2003

CITY OF WEST ALLIS
CITY TREASURER

RE: Notification Pursuant to the Worker Adjustment and Retraining
Notification Act, 29 U.S.C. § 2101 et seq. and applicable state law

Dear Mayor Bell:

As you may be aware, Fleming Companies, Inc., as a major step in its Chapter 11 bankruptcy process, has announced plans to sell certain assets of its wholesale grocery distribution operations, including its business at 1710 South 108th Street, West Allis.

In connection with the sale process, it is anticipated that an asset purchase agreement with a potential purchaser will be presented for approval to the U.S. Bankruptcy Court for the District of Delaware. If approved by the Bankruptcy Court as anticipated at a hearing scheduled for August 4, 2003, the asset purchase agreement will provide for a 6 month "Option Period", during which time a purchaser will acquire or decide not to acquire the above-noted facility. The purchaser will have the right but will not be required to extend offers of employment to Fleming employees to work at the acquired facilities under terms and conditions to be determined by the purchaser.

Accordingly, Fleming will be terminating 184, at the above noted facility, as well as additional Fleming employees at other facilities during the Option Period, including those Fleming employees who receive offers of employment from the purchaser, as these determinations are made by the purchaser, with the first such terminations expected to occur by September 10, 2003 or within 14 days thereafter, and all Fleming employees working in Fleming's wholesale grocery distribution operations to be terminated by the close of the Option Period or within 14 days thereafter. These terminations will be permanent and will affect employees in all job classifications. As Fleming will no longer be operating this facility, any bumping rights provided under current labor agreements with Fleming will not be applicable. Any wholesale grocery facilities not sold to a purchaser, will be closed by Fleming. A list of the job classifications of those employees who will be affected is attached.

cc Assessor
Barb B
Bldg Stibal

Of the 184 associates at this location, 168 bargaining unit employees are represented by BCTWIU Local 205. The following is the name and address of the employees' collective bargaining representative:

Mr. Kurt Schmidt, Financial Secretary
BCTWIU Local 205
8626A W. Greenfield Ave.
West Allis WI 53214

We are hopeful that many Fleming employees will receive offers of employment from a purchaser. This notice is being provided at this time in order to give as much advance notice as possible to everyone affected by this development and to fulfill any obligation that Fleming might have pursuant to Federal Workers Adjustment and Retraining Notification Act, more commonly known as the "WARN Act," and any similar state statute that may apply.

During the Option Period, as decisions are made regarding specific facilities, Fleming employees will be provided with updated information regarding the date of their termination of employment with Fleming.

If you have any questions, feel free to contact me at 972 906 8655.

Sincerely,

A handwritten signature in cursive script that reads "David C. Coleman".

David C. Coleman
Senior Vice President
Labor Relations and Employment Law

**Crestwood Bakery Classifications
Milwaukee, WI**

Count of Pers.no.	
Job	Total
CLERK, SR ACCTS RECEIVE	1
DRIVER	25
GENERAL WORKER, BAKERY	3
GENERAL WORKER, BAKERY - 2	3
GENERAL WORKER, BAKERY - 3	2
GENERAL WORKER, BAKERY - 4	30
GENERAL WORKER, BAKERY - 5	3
GENERAL WORKER, BAKERY - 6	28
GENERAL WORKER, BAKERY - 7	1
LEAD PERSON, BAKERY	4
LEAD PERSON, BAKERY - 2	3
LEAD PERSON, BAKERY - 3	1
MAINTENANCE, BAKERY - 2	4
MECHANIC, TRUCK	1
MGR, DELI/BAKERY SALES	1
MGR, OPERATIONS, CRESTWOOD BKY	1
MGR, OFFICE-CRESTWOOD BAKERY	1
SECRETARY	6
SKILLED LABOR, BAKERY	6
SKILLED LABOR, BAKERY - 2	5
SKILLED LABOR, BAKERY - 3	29
SKILLED LABOR, BAKERY - 4	13
SKILLED LABOR, BAKERY - 5	1
SKILLED LABOR, BAKERY - 6	6
SPECIALIST, BAKERY/DELI	1
SUPV, BAKERY	5
Grand Total	184