

# Protect holidays and personal days for New York UPS workers!

The UPS Workers Rank-and-File Committee  
1 September 2023

*Provide testimony to the Rank-and-File Investigation into the UPS Contract by emailing [upsrankandfilecommittee@gmail.com](mailto:upsrankandfilecommittee@gmail.com). No identifying information will be published without your explicit consent.*

The UPS Workers Rank-and-file Committee is demanding an end to the attacks on holidays and personal days at Local 804 in New York City. Management is using new language buried in the supplemental agreement, which was concealed from us by the Teamsters bureaucracy and which we are only now uncovering.

This past week, package drivers working Tuesday through Saturday work weeks were informed by their stewards that they would not be given a day off in observance of Labor Day. Because Labor Day falls on a Monday, we would ordinarily have been given a different day off during the week in observance of it, so that we did not lose the day off simply because we were not scheduled to work Monday.

But unbeknownst to us when we were voting on the contract, the supplemental agreement eliminates the clause (Article 6, Section 10, paragraph e) which provided for this. This will not only affect Labor Day, but also Martin Luther King, Jr. Day and Memorial Day, both of which also take place on Mondays. We estimate that about one-third of our package car drivers in Local 804 will be affected by this. What's more, the national master agreement allows the company to force low seniority drivers onto Tuesday through Saturday shifts if it deems it necessary (Article 11, Section 1, paragraph a, sub-paragraph iv).

Whenever July 4, Christmas Day, New Year's Eve or New Year's Day fall on a Sunday, those *on all work schedules* will be affected.

What is potentially even worse—management may

have been tricking us into using up our personal days. Over the past few weeks, they have been encouraging as many drivers as possible to take scheduled days off, claiming that there was not enough work. Before, this would have been unpaid, and workers who took management's offers would have been under the impression that they were not using their personal days.

But a new clause slipped in the supplement (Article 3, Section 2, paragraph b) states: "When the employer offers an employee the availability to take a scheduled day off, the employee must use an available entitlement day prior to taking a day off with no pay."

The effective date for the new contract is August 1, and pay retroactive to that date will be sent out to take into account the new wage rates. Given this, it also stands to reason that the language on scheduled time off is also retroactive.

**We demand this end immediately. We demand workers be given time off for all holidays falling outside of their normal workweek, and that we lose no personal days for any scheduled days off, either over the past month or going forward.**

We already know what the worthless stewards and other union officials will say: there is nothing you can do about it, it's in the contract, management has the "right" to do this, etc. We reject this. The purpose of a contract is to protect our rights, not to swindle us out of them. Nobody ever warned us that this was in the contract when we were voting on it, but now, after the contract has been "ratified," suddenly the stewards are very knowledgeable about it.

We reject the idea that we have to be bound to contract terms that were slipped past us using lies and tricks. The Teamsters bureaucracy told us time and again the contract contained no concessions. Now we know this was a lie. The bureaucracy trumpeted the

addition of Martin Luther King, Jr. Day as a paid holiday in all of their promotional material as a big win. But now we know that a significant fraction of the workforce will not even get a day off in observance of it.

The Teamsters officials say that both the national contract and the Local 804 supplement were approved by 86 percent. We dispute that this claim reflects the reality, and we have launched an investigation into both the contract and the methods used to ratify it. But it is indisputable that more workers have voted against the contract, if they had been told the full truth about it. If these types of concessions are hidden in the Local 804 agreement, what other “surprises” are in store for UPS workers that are hidden across the dozens of other supplements and riders, not to mention “memoranda of understanding” that we don’t even know exist yet?

When we founded the UPS Workers Rank-and-File Committee, we stressed that the central question was not “supporting” or “pressuring” the bureaucracy, but the fight for control by rank-and-file workers against the authority of the corrupt bureaucracy. The revelations at Local 804 are only further proof that this fight must continue.

*Contact the UPS Workers Rank-and-File Committee by emailing [upsrankandfilecommittee@gmail.com](mailto:upsrankandfilecommittee@gmail.com).*



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