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October 18, 2024

Via U.S. Certified Mail and Email: bjackson@mcneeslaw.com

Brian F. Jackson, Esquire
McNees, Wallace & Nurick, LLC
100 Pine Street
Harrisburg, PA 17102

RE: Information Regarding Kunzler and Company, Inc.

Dear Mr. Jackson:

This firm represents UFCW Local 152 ("Local 152"). Local 152 and Kunzler and Company, Inc. ("Kunzler") are parties to a Collective Bargaining Agreement ("CBA"). As provided in the CBA, Kunzler provides compensation to Local 152 members who work at Kunzler. This request is made to monitor and enforce the terms of the CBA and ensure accurate administration of the CBA. You are required to provide this information as part of your obligations arising under the CBA, the Fair Labor Standards Act ("FLSA"), the Pennsylvania Minimum Wage Law ("PMWL"), and the Pennsylvania Wage Payment and Collection Law ("PWPCCL") (the FLSA, PMWL, and the PWPCCL collectively "Wage Laws"). Your failure to provide this information as requested would violate the National Labor Relations Act and the Wage Laws.

Local 152 hereby requests the following for each Local 152 member who worked at Kunzler for the two (2) year period preceding the date of this letter (this period is the "relevant time period"):

1. A list of each Local 152 member who worked at Kunzler during the relevant time period.
2. For each individual identified in response to 1, provide the following for the relevant time period:
 - a. Dates of employment

- b. All timesheets including the “Raw / Calc. Total” for each entry and the “Raw Total” and the “Calc. Total” for each workweek
 - c. A copy of each paystub reflecting hours work compensated and deductions
3. A copy of any and all policies regarding pay practices for each workweek during the relevant time period including how the “Raw Total” and the “Calc. Total” is calculated each workweek.
4. An explanation for the difference between the “Raw Total” and the “Calc. Total” for each time entry.
5. A qualitative list of all reasons for time deductions for the relevant time period, inclusive of lunch and/or breaks.
6. A quantitative list of the value of each time deduction identified in 8 during the relevant time period.
7. A copy of Kunzler’s policy for rounding timeclock entries.
8. An explanation of Kunzler’s practice for rounding timeclock entries.
9. An explanation of how Kunzler calculated the regular rate during the relevant time period.

Please provide these documents by October 25, 2024. Thank you for your attention and cooperation in this regard. Local 152 reserves it right to request additional information as may become necessary in providing representation to its members.

Sincerely,

O’BRIEN, BELLAND & BUSHINSKY, LLC

/s/ Mark E. Belland

Mark E. Belland, Esquire

cc: Daniel Ross, President (*Via Email*)
Lisa Sanders, Recorder (*Via Email*)