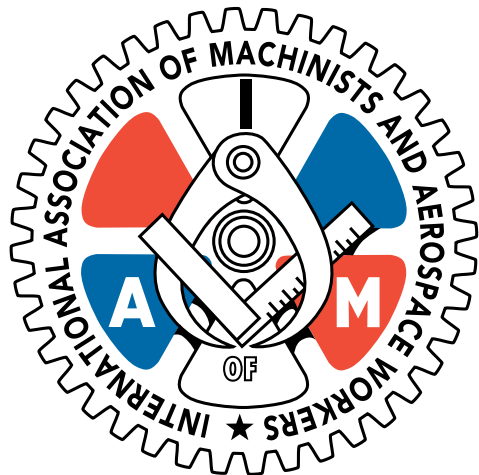


The Key to Becoming a Successful Steward

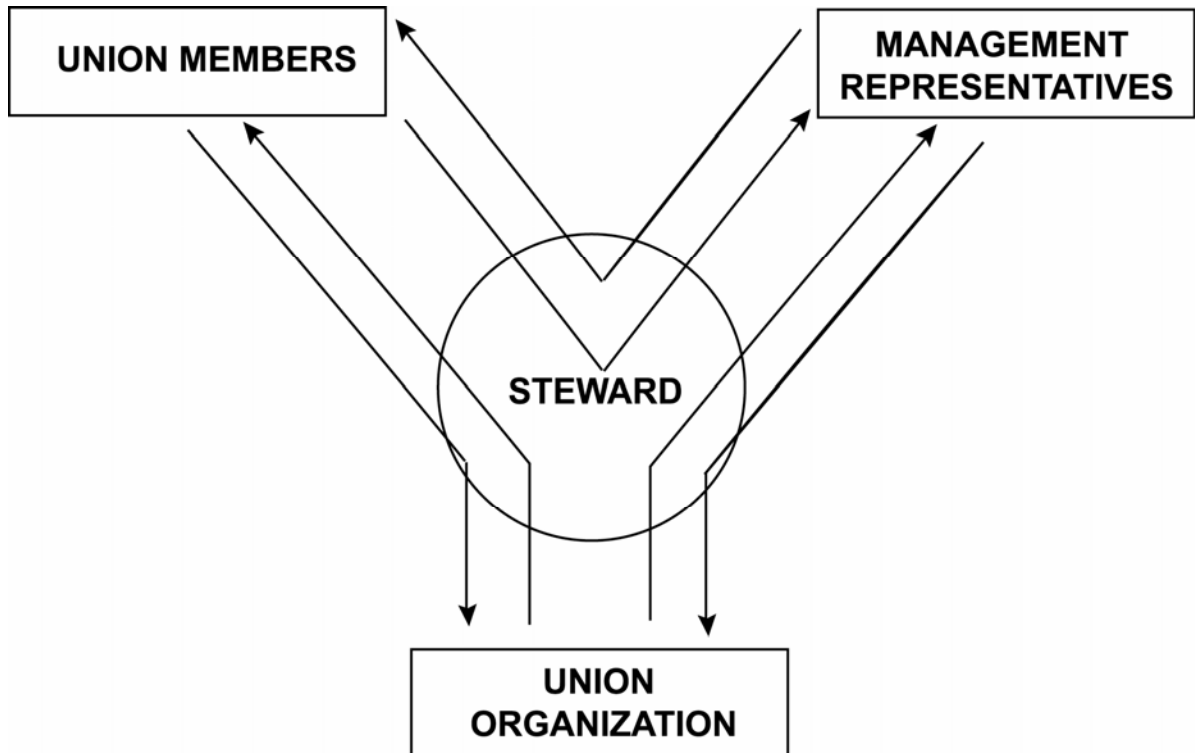


The Steward's Guide



William W. Winpisinger
Education and Technology Center
24494 Placid Harbor Way
Hollywood, Maryland 20636

The Key Position of the Steward



The Steward is a Key Person in the Union Because:

- Enforcement of the contract depends on him or her;
- Members often judge the union by their steward. If the steward is fair, and looks out for their interests, they respect and support the union;
- The steward can encourage members to take an interest in the union and take part in it;
- The steward is the link between members, union, and management;
- The steward represents the union and speaks for members with management;
- The steward keeps members informed about the union, and keeps union leadership informed about the shop or department;
- The steward keeps the members and union officers informed about management's attitude in the shop.

Duties of a Good Steward

The job of the steward is to police the contract and to build members' understanding of the union.

When carrying out this job, stewards have five main duties. The steward will:



Organize and keep the shop 100% Union

Welcome new workers and make sure they join the union.

Keep all people in the shop or department signed up and supporting the union.

Handle grievances and enforce the contract

Watch for contract violations, as well as handle grievances that are brought to them.

Provide leadership

Build a spirit of cooperation and teamwork among members they represent. Encourage all members to come to meetings.

Educate

Explain IAM programs, the contract, MNPL, the labor movement, and other union matters to the members.

Advise members on non-plant problems

When a member has a problem that is not a grievance, the steward can often help by advising the member where to go for aid - to the District Lodge Office, another union committee, a community agency, etc.

Shop Stewards Tools

In order to carry out the duties of a steward, you will need a copy or access to the following items:

- ▶ The Contract
- ▶ Lodge Bylaws
- ▶ IAM Constitution
- ▶ Seniority List
- ▶ Job Descriptions
- ▶ Grievance File
- ▶ Names and Phone Numbers of Officers
- ▶ Information File of Workers
- ▶ Names of Committee Chairpersons
- ▶ Workers' Compensation Information (State regulated)
- ▶ Unemployment Information

Be Prepared!



TIPS FOR STEWARDS: A NEW EMPLOYEE PROGRAM

Make Contact the First Day

The logical place to start a “New Employee Program” is on the first day a new worker comes on the job. If the union does not start as soon as the new worker enters the department, the company, not the union, may leave the first and most lasting impression.

If possible, your lodge should arrange with the company a standard procedure, which requires the company representative to introduce new workers to the steward when brought into the department. This helps the new worker to realize the importance of the steward and the union in the new workplace. If this cannot be arranged, try to get an agreement with your supervisor to introduce you to new workers as they are brought into the department. If none of these arrangements are possible, go to the new worker on your own (consistent with your particular contract provisions). Introduce yourself as the **department steward**. *This should be done as soon as possible after the worker enters the department.*



A worker on a new job is usually uneasy and nervous, so any friendly act will help them to be more self assured and confident. The company knows this, and usually tries to make the worker feel that he or she is coming into a good organization and will enjoy the new job.

The union should do no less to make the worker aware of the union and its role on behalf of the workers in the facility. You want to make the worker feel that belonging to the union is both beneficial and enjoyable.

Normally, the company will mention the union to the worker, either verbally or in its literature. If you have a union shop contract, the worker will probably be told that it is necessary to join the union at the end of a probationary period. The person in the personnel office may tell them about the health and welfare plan, paid vacations and all the other benefits that go with the job as if they had all been given willingly by the employer. If you have an open shop, he or she may be told that they have an option to join or not, often with an emphasis on not. In either case, the boss will not sell the worker on the union. That job, logically, falls to the steward, with the assistance of active members.

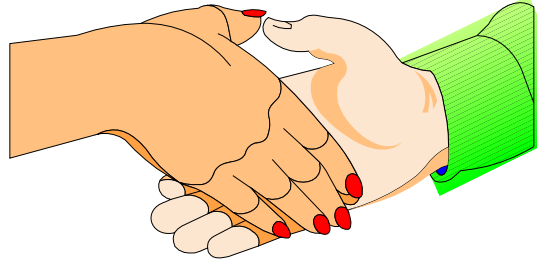
To have an effective new member program you must help new members become familiar with their union, and aware of the role they can and should play in it. Three important steps in this process are (1) to welcome, (2) to inform, (3) to educate new members.

First Impressions Count

It may be difficult to change the effect of the first day or two. If the new employee's first impression of the local is bad, he or she will be indifferent or antagonistic. But if it is good, he or she will want to learn more.

The shop steward should be the first union representative to meet new workers. In making the first contact, try to imagine the kind of welcome that you would want to receive. The first thing the new worker wants is to make friends with some co-workers. *Make it your business to be the first friend on the new job.*

The steward's responsibility is to make new workers feel they are among friends. Offer a welcome with a friendly handshake. Explain that you and the other union members are ready to help in every way.



Keep Up Your Contact

Make a suggestion that the worker join you at lunch. The lunch period could be the easiest time to become acquainted with the union and how it works in the plant. Often, this also provides for an opportunity to become acquainted with the worker's interests and habits. Make sure that the new employee gets introduced to all the workers in the department. Make a particular point of mentioning what positions any of them have in the union.

Show in a practical way how you can help by giving the very first basic information needed. This includes simple items like location of the washroom, eating-places, and the bulletin board. It also includes tips about safety practices and department routines and rules.



The important point is to *have the new worker feel that you are the person he or she is free to come to on any question or problem.* You may not always have the answer or the precise information needed, but you can show that you are able to get the information or can refer him or her to the correct place to get it - just as you would for regular members.

Start Explaining the Union

At some point, encourage the worker to become acquainted with the contract grievance procedure and its purpose. Take advantage of any opportunity you may have to explain a grievance case you are actually handling.

When you have the chance, *offer information about the union*. You probably want to include membership meetings, your steward meetings, other lodge activities, and benefits fought for and won over the years. *Explain a few of the contract clauses* that you think concern the new worker most immediately.

Explain how you and the others get things done by being active in the union. During your contacts with the new employee, be sure to find out about special interests and abilities he or she may have, such as enthusiasm for sports, education, or youth work.



Prepare the Worker for Membership

By all these efforts, you are preparing the worker to become an informed and interested union member - and one ready to be active as soon as he or she joins. When the worker becomes a member, you will know what committee work to suggest as an opportunity for being involved.

An important goal of the lodge in supporting a “New Employee Program” is to avoid subjecting the new worker, after a probationary period, to that sudden shock of being asked to join an organization that is unfamiliar and that he or she may not have heard about except from unfriendly or uninformed sources.



As a steward, you can have frequent contact with a new worker. *You play a big role in this important lodge program*. If everybody does their part, you will see that you will have a union that is more active and interested, a union that is, therefore, stronger and more effective.

Welcoming the New Member to the Lodge

Where possible, the steward who guided the new-member applicant through the “New Employee Program” and, in most cases, the application process, should hand deliver the invitation for the initiation at a lodge meeting.

Sample Letter of Invitation



Local Lodge XYZ

To: (Fill in name of new member)

From: The Education Committee

You will be obligated as a member of the Lodge XYZ at our next regular membership meeting. In order to explain the operation and purpose of our union, we have arranged a special meeting for new members an half hour before the regular meeting. Several officers of the lodge will be on hand to welcome you and tell about the union and to answer any questions you may have.

We are extending to you this invitation to attend this meeting for new members, which will be held as follows:

Date: _____

Time: _____

Place: _____

Looking forward to seeing you.

Chairperson, Education Committee
Lodge XYZ, IAM

Before the initiation, an orientation should be conducted. At that time, the new member should receive a New Member Kit. These kits are available at the Purchasing Department at IAM Headquarters. The New Member Kit contains a Welcome Letter from International President R. Thomas Buffenbarger and General Secretary-Treasurer Warren Mart, a New Member video, the IAM Owners Manual, an IAM Journal - We are the IAM and We're Pleased to Meet You, a catalog of IMAW items, a Community Services pamphlet, information about the Machinists Non-Partisan Political League, a High Performance Work Organization brochure, a Union Privilege information sheet, an IAM button, and decals. A copy of the Local and/or District

Lodge Bylaws should be added. To make the kit complete, an IAM Constitution should be given as part of the initiation ceremony.

A follow-up “welcome letter” from the Local or District Lodge to the new member’s home could make the spouse or family feel they are involved. Also, in instances where it is not possible for the new member to be initiated at a meeting, the steward can present the new-member kit, or have it mailed to the new member’s home along with the “welcome letter.”

Sample Letter to New Members



International Association of Machinists
and Aerospace Workers

Lodge XYZ
Wilkstown, Pennsylvania

Date

Dear Brother (or Sister) Jones:

We are glad to know that you have joined with us in Lodge XYZ of the International Association of Machinists. We are writing this letter to give you and your family a few facts about our Union.

You are now protected by a union contract which members have worked and fought forever since 1986 when our lodge was first organized. The present wage scale, the paid holidays and vacations, the hospitalization insurance and many other contract provisions which benefit you and your family are the result of union effort.

You are also protected by the grievance procedure in the contract. If you have a grievance or a problem on the job, check immediately with your Shop Steward, (Steward's Name), who has been elected by the member in your department.

We cannot continue to make progress without the help of every member. We hope that you will attend our union meetings and learn about our many activities. Meetings are held the first Monday of every month at 7:00 p.m. in the union hall, 123 Roselle Street, Wilkstown. From time to time, families of members are invited to special union affairs, such as our Children's Christmas Party, and we hope you will take part.

You will receive the IAM JOURNAL, a bimonthly publication, at your home. It contains union news, information on various programs and interesting articles on subjects of interest. We think you and your family will find it interesting and educational. Also sign up for I-mail at www.goiam.org.

We are enclosing a leaflet, which will tell you more about our union. I hope that you will feel free to contact your lodge officers at any time you feel the union can be of help to you.

Fraternally yours,
Jane Doe, President
Local Lodge XYZ

Obviously, this letter must be rewritten by the Local or District to make it fit the local situation. The Sample Letter to New Members is suitable as a "first contact," but, at other times, the lodge might take the occasion of the letter to pass on some important piece of information about a new union program, or community activity in which the lodge is involved. Also, a letter is a good way to pass on accurate information about procedures under a health insurance plan, or for joining the credit union, etc.

With the letter, you can enclose a leaflet or pamphlet, but, don't send more than one piece of literature-- anything more may not be read. A suggested leaflet for new members should briefly describe the services and activities of your Local and/or District Lodge.

Sample Leaflet for New Members

WELCOME TO LODGE XYZ

We are glad to have you as a new member of the International Association of Machinists and Aerospace Workers. Here are a few things you should know about your union:

IF YOU HAVE A PROBLEM ABOUT YOUR JOB . . . See your department shop steward. The union contract provides that grievances will first be taken up by the steward and the supervisor. If your problem isn't a grievance, as defined in our contract, your steward can tell you whether the union can help in some other way.

TO CONTACT LOCAL UNION OFFICERS OR LABOR REPRESENTATIVE . . . The union office is located at 154 Main Street, in Room 12 upstairs. Office hours are 9 to 5, Monday through Friday. If you want to see one particular person, phone beforehand at 329-4536.

YOUR LABOR REPRESENTATIVE is Ralph Ryder. Your lodge President is Joe MacDough. Officers of the lodge are elected in accordance with the IAM Constitution.

TO HAVE A VOICE IN THE UNION . . . Come to union meetings. Meetings are held the second Thursday of each month, at 8:00 p.m., in Oddfellows Hall, 529 Church Street. All important union matters are decided at the meeting - we need your participation.

USE UNION SERVICES . . . Our lodge has a blood bank for members and families. See Chairperson Mae Coles, Shipping Department, or the union office for more information.

THE UNION NEEDS YOUR SUPPORT . . . The wages and working conditions which you will find at SFT Company are the result of years of effort by your fellow members. Today, we have a good wage scale, 12 holidays with pay, health insurance and many other benefits because we have worked together in the union. The union also means more security. If you have a grievance, the union provides a way of taking it up without fear for your job. Our seniority system, reporting pay, and many other contract clauses also protect you.

**WE CAN'T HAVE A GOOD UNION WITHOUT YOUR SUPPORT AND INTEREST.
WE URGE YOU TO COME TO MEETINGS AND TO BECOME ACTIVE IN YOUR UNION.**

What Does the Steward Have to Know?

1. The Contract

Stewards must know what the contract says and what it means. They must understand how the contract has been interpreted by past grievance settlements, arbitration decisions, and agreements between the union and the company.

2. The Department or Shop

Stewards have to understand the operations of the department or shop they represent. They should know jobs, machines, rates, ways of figuring wages, company rules, and other basic facts. A seniority list and list of members' names and addresses are essential.



3. The People the Steward Works With

In handling grievances, stewards must be aware of personality differences. This is one reason why stewards must get to know the members they represent. Stewards must also take into account the personality and attitude of the supervisor when dealing with him or her.

4. IAM Policies and Activities

The steward represents the union in a particular shop or department. To explain IAM programs to the members and carry out union policies with management stewards must first know the programs and policies themselves. They must be well informed about the IAM, MNPL, and District and/or Local policies and activities.

5. Basics of Labor Law and Community Resources

To see that labor laws are followed in the shop and to explain them to the members, stewards must know the main provisions of these laws and where to get detailed information on the services of community agencies so they can advise the members where to go for aid.

Where Does the Steward Get This Information?

Stewards can learn through both day-to-day experience in the shop and through these channels of information provided by the union:

1. Membership and stewards' meetings;
2. Informal discussion with other stewards, Servicing or Full-time Union Representatives, Lodge Officers, and other IAM Staff Representatives;
3. Publications: The IAM Journal, "Have you Heard?", I-Mail, IAM pamphlets, MNPL publications, publications by other labor groups and government agencies, etc.;
4. Classes at the William W. Winpisinger Education and Technology Center;
5. Education programs developed by the Local Lodge Educator..



Five Points to Prepare Grievances

1. Listen to the facts from the worker

Listen to the problem as presented by the worker and *then* ask questions to make sure you have the facts correct and understand the situation.



2. Test for a grievance

Check the problem with the contract to see if there is a violation involved. The problem may not involve the contract, but may have a solution elsewhere.

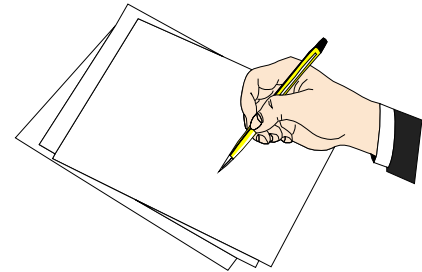
3. Investigate

Before writing the grievance, double check the facts with whatever records are available and other persons who may be involved. Check as thoroughly as you can, but do not delay filing a grievance.



4. Write the grievance

If your contract calls for written grievances, write a simple statement of the situation and conclude with the specific relief sought. Request full back pay if any loss is involved. Use the proper forms required by the contract, if any.



5. Present the grievance

Present the grievance to the supervisor in a firm, but polite, manner. Determine what the company's position is. Discuss the grievance, explaining the facts of the case. If unable to settle the grievance at this step, appeal to a higher step without delay.



If the grievance is won: Obtain the settlement in writing, and keep it as your record. It may be useful in fighting later cases.

If the grievance is lost: Appeal without delay, and keep the grievant informed of the progress of the case.

Handling Grievances

I. How does the steward process a grievance?

These are the steps the steward usually goes through in processing a grievance or complaint:

1. **Interview the worker** - The steward should listen carefully to the worker's statements, and ask questions on the details of the grievance.
2. **Check the facts** - It may be necessary for the steward to do the following:
 - A. Talk to other workers;
 - B. Check rate lists, job classification, seniority lists, etc.;
 - C. Talk to the supervisor. The supervisor often has information the steward can uncover;
 - D. Talk to the worker again.
3. **Check the contract**
4. **Discuss the grievance** - This should be done with your business representative or other union representatives to learn how the contract should be interpreted.
5. **Decide whether there is a legitimate grievance** - If there is no grievance, the steward must explain the contract to the workers so they understand why this particular complaint will not be taken up.
6. **Brief the worker** - If the worker is going to be present when the steward takes the grievance up with the supervisor, the steward should explain beforehand how the contract applies to this grievance. The steward should also warn the worker not to damage the case by side remarks or angry words.
7. **Make notes on the main facts** - Written notes on the main points of the grievance will help the steward process it effectively. Some contracts call for a written grievance at this point.
8. **Take the grievance up with the supervisor** - The steward should remember that in the grievance procedure, the supervisor and the steward meet as equals. The steward should be polite, but firm.

II. What do you do if the grievance is not settled?

When stewards cannot settle grievances with the supervisor, they must process it for higher steps in the grievance procedure.

1. **Write up the grievance form** - (The next section deals with this in more detail.)

2. **Be a good listener** - Even though you may feel that the aggrieved worker is wrong, listen patiently to the complaint. Find out what is really the basis for the worker's dissatisfaction. Show interest in the problem.
3. **Be armed with facts** - Know your contract and how similar grievances were handled.
4. **Easy does it** - Pounding the table and shouting do not settle anything.
5. **Use a friendly, positive approach** - Avoid aggressiveness or a defensive attitude.
6. **Don't be afraid of pauses in your talk or conversation** - Give both an individual or a group, as well as yourself, time to think over some of the arguments and suggestions that have been made.
7. **Avoid personalities** - It isn't *who* is right, but *what* is right that counts.
8. **When you must disagree with what, the supervisor says, do so with dignity** - Remember that you and your supervisor will have to work together and settle other issues in the future.
9. **Keep an open mind** - You may not know all the facts. Be willing to admit you don't know all the answers.
10. **Don't get upset or make empty threats which both of you know cannot be carried out** - If you and your supervisor do not come to an agreement, there are further steps to follow.
11. **Appeal to management's self interest** - It is important to management to have grievances settled satisfactorily and to keep morale high.
12. **Settle each grievance on its merits** - Don't "horse trade," that is, don't give up one grievance case in order to get a favorable decision on another. It is unfair to the member whose grievance is traded away.
13. **Stick to the point** - In your discussion with the supervisor, don't get side tracked on minor, unimportant matters.
14. **Remember that management has rights too** - Both workers and management must live up to the terms of the agreement.
15. **Don't take up complaints that are not real grievances** - Take care of them outside the grievance procedure.
16. **Keep the aggrieved worker constantly informed** - It is important that the worker know what is being done about the grievance.
17. **Permit the supervisor to correct the mistake without loss of face or dignity** -

Present the facts, and give the supervisor time to consider your arguments.

18. **Don't gloat when a grievance is settled in your favor** - Tell the supervisor you appreciate his or her effort to be fair in the matter.
19. **After a decision has been reached on a grievance by management and the union, *check to see that decision is carried out.***



Dealing With People

The following points about the way people behave may help stewards understand the reasons for some of the suggestions for handling grievances.

1. **People differ greatly.** Differences in physical appearance are easy to see. Differences in psychological makeup are not so easy to see, but they are even more important.
2. **Behavior is often emotional.** There are both rational and emotional reasons for beliefs and actions. Therefore, people do many things because of the way they feel, and not just because they are sensible or logical things to do.
3. **Point of view matters.** You have to know the way they *think* and *feel* about it before you can find an argument that makes sense from their perspective.
4. **Personal self-interest is an important motivation.** You cannot change a person's mind by suggesting anything that is in too great a conflict with their point of view, even after you know what kind of person they are in terms of likes, dislikes, and attitudes.
5. **Disagreement needs to be respected.** In trying to change people's attitudes, you must respect their right to their own opinions even though you may disagree with them. Agreement can be reached on a specific question even if there is disagreement on other matters.
6. **Personal pride can play a significant role.** People, normally, will not admit that they have changed their mind unless they feel they have been given enough room to do it without a loss of "face." And, people will resist any attempt to change an idea if they feel that they are being pushed around or that their democratic rights are being disregarded.



Putting a Grievance on Paper

I. Check Your Contract Procedure

Contracts vary on the procedure for writing grievances. Stewards must check the contract so that they know:

1. At what stage in the grievance procedure must a written grievance be filed?
2. Who is responsible for writing it? Who signs it?
3. What are the time limits involved?

II. Write the Grievance

1. The grievance must state what clause, or clauses, in the contract have been violated.
2. Every written grievance should contain the “five W’s”

Who * Why * When * Where * What

- A. **Who** was involved? Names, lodge number, jobs, department
- B. **Why** is it a grievance? Seniority bypass, pay shortage, unjust treatment, violation of past practices, safety hazards
- C. **When** did it happen? Date, time-- Show the date the grievance occurred, not when written.
- D. **Where** did it happen? Plant, department, section
- E. **What** settlement is wanted?
Enforce contract, be put on job, adjust seniority, retroactive pay--If the settlement is to be retroactive, this should be stated.





UNION FACT SHEET

FOR THE UNION ONLY

To be filled out by the Steward and attached to the UNION COPY ONLY of Grievance No.....Local.....

PLEASE PRINT

WHO IS INVOLVED IN THE GRIEVANCE?

GRIEVOR

Name:.....Check No.....

Department:.....

Job and Class:.....Rate:.....

SENIORITY: Plant Service from (date).....

Department Service from (date).....

Job Service from (date).....

FOREMAN OR OTHER MANAGEMENT INVOLVED:

Name:.....

Department:.....

Job title:.....

WITNESSES or OTHER PERSONS INVOLVED:

Name:.....

Department:.....

Job and Class:.....

Name:.....

Department:.....

Job and Class:.....

WHAT HAPPENED? WHAT IS THE GRIEVANCE ABOUT? (make sure to include all points mentioned on the checklist for each type of grievance)

.....
.....
.....

WHEN DID THE GRIEVANCE OCCUR? (date and time grievance began? how often? for how long? is it within time limits to proceed with a grievance?)

.....
.....
.....

WHERE DID THE GRIEVANCE OCCUR? (exact location - department, machine, aisle, job number, etc.; include diagram, sketch or photo if helpful)

.....
.....
.....

WHY IS THIS A GRIEVANCE? (violation of contract? supplement? law? past practice? safety regulations? rulings or awards? unjust treatment? etc.)

.....
.....
.....

WANT GRIEVANCE SETTLED and REDRESS IN FULL (adjustments necessary to completely correct situation; in case of discharge ask for back pay)

.....
.....
.....

COMPANY

CONTENDS:.....
.....

Company record of Conduct (Warnings and/or penalties for lateness, absenteeism, quantity or quality of work, etc.)

Dates

Reasons

Verbal warnings issued:.....

Written warnings issued:.....

Penalties imposed:.....

Any related information:

.....
.....

ADDITIONAL INFORMATION

Information Given by Witnesses (print the name of each witness followed by a summary of what each saw and heard; get a signed statement if necessary)

.....
.....
.....

Documentary Evidence (Seniority List, Wage Schedule, Work Ticket, Record of similar grievance, etc.)

.....
.....
.....

Date..... Signature of Steward
or Committeeman:.....

Signature of Aggrieved
Employee:.....

III. GRIEVANCE WRITING

A person handling grievance (steward, business agent, representative) does two kinds of writing. There is a difference in the writing as illustrated below.

For the Union files:

Everything you can get: interviews, notes from meetings, records of conversations, minutes of meetings, summaries of documents. Everything should be included. Do not be concerned about style--be concerned about getting all the information.

For presentation to management:

A brief statement containing two basic elements:

1. Statement of Grievance
2. The Remedy

Example: GRIEVANCE--Marion Ross was discharged on August 10 without just cause.

REMEDY--Reinstate Marion Ross effective August 10 and make her whole for all wages and all other employment rights and benefits.

Save arguments, proof, and documentation for future meetings and hearings.

IV. SOME PRINCIPLES OF GRIEVANCE WRITING

1. *Use planning techniques.* They will help you do a better job. Although they may seem like extra work to you until they become automatic, they will save you time and trouble by helping you define the issues, identify what you want and how to get it.
2. *As a general rule, keep your documentation out of the grievance form. Have it ready in the grievance analysis and in the other materials you work with.*

"Marty Williams" was sent home by his supervisor, Joe Clark, at 3:00 p.m.. on Monday, March 22, 2009, for insubordination. Specifically, Williams called Clark a *#/@'&*. The disciplinary action was unjust because Clark had called Williams a *#/@'&* just three minutes before the incident occurred . . . is not a good statement of the grievance:

"Marty Williams was disciplined without just cause on Monday, March 22, 2009" is a good statement. The facts are there to support the Union's contention. You may not want to introduce them until you get into formal discussion.

3. *Use short, positive statements to write the grievance.* Long sentences are hard to read. They can be tedious and irritating to the reader. Sometimes, after you've strung a long series of thoughts into one big "super" sentence, the whole thing doesn't come out right anyway. Then, if your reader is "of the picky persuasion" and wants to find fault with you, he may hold the faulty sentence against you. Stick to short, clear sentences. They're the basis of good writing.
4. *Use simple descriptive words.* Let people be impressed with how well you've researched the grievance, how clearly you have identified the issues--not by the complexity of your vocabulary or sentence structure (these are often a cover-up for sloppy thinking). Stick to good plain speech and leave legalistic writing to the lawyers.
5. *Use an objective approach in communicating with management. Use the third person ("he, she, the supervisor" not "you, me, us") to describe behavior without moralizing about it.* "Joe Blow was terminated without just cause" inclines your reader to look at the information to see if just cause did or didn't exist. "You people acted unfairly when you fired Joe Blow" puts the reader on the defensive. If she or he admits that Joe shouldn't have been terminated, she or he has to accept the "bad guy" label. Joe Blow stands a better chance of getting his job back if you describe his case for him in language that is free of "blaming" words.

V. SOME EXAMPLES OF GRIEVANCE WRITING

Keeping in mind the principles of grievance writing the following examples illustrate (a) the incorrect form and (b) the proper form.

1. (a) Supervisor Stoney Hudson is requiring employees to perform work which is inappropriate under their job classifications. He is utilizing park laborers in the performance of tasks, which are properly performed by gardeners. When this matter was brought to his attention by Doris Knight, the Union representative, Mr. Hudson stated that it was his prerogative to assign the work in such a way. He maintained that the matter did not fall within the Union's purview. His reasons for holding this view were that the job description of a laborer had elements in common with that of a gardener and that inasmuch as he was not having the laborers perform tasks which were peculiar to the gardener's job description, the collective bargaining agreement had in no way been abridged.

(b) Supervisor Stoney Hudson is using park laborers to perform gardeners' work without compensation at the gardener's rate of pay.
2. (a) On Saturday, February 19, Gloria Fall was chosen by a supervisor to perform overtime work. At that time, eight employees were ahead of her on the overtime list. A number of these employees had the same classification as Ms. Fall. None of them were asked to do the work. In selecting Ms. Fall for the overtime work, the supervisor displayed favoritism.

(b) Management assigned the ninth person on the seniority list to perform overtime work on Saturday, February 10.

3. (a) Management acted unjustly by imposing a two-day suspension upon Freddie Bolt when he refused to perform a potentially dangerous electrical testing operation without an assistant. By ordering Freddie to perform the operation alone, management demonstrated its total disregard for both the contract and the safety of the employees. In suspending Freddie for two days because he showed respect for his own safety and for the contract, management performed a punitive and unjust action.

(b) Freddie Bolt was disciplined without just cause when he was given a two-day suspension for refusing to perform an electrical testing operation without an assistant.
4. (a) The grievant, Bill Brown has been abused and discriminated against by his supervisor, Vic File. If higher management took a look at the work assignments Brown has had and talked to his fellow workers, they would agree with the Union on this.

(b) Management has violated the collective bargaining agreement, specifically Article 7 governing rotation of work assignments, in those assignments given to the grievant, Bill Brown.
5. (a) Management will not allow Ms. Richmond to transfer to the day shift which she wants so that she can stay home with her children in the evening. Since Ms. Richmond has seniority over certain other workers who have been transferred to the day shift and since children should have their mothers home with them at night, it is unfair to refuse her this transfer.

(b) Management has violated the collective bargaining agreement and past practice by refusing Ms. Richmond a transfer to the day shift.
6. (a) The water truck at the main corporation yard is unsafe to drive because it has bad brakes and doesn't steer very well and hasn't been maintained for over a year. They are making Sue Gillette drive it because she is a new driver and afraid to complain.

(b) Management at the main yard is assigning drivers to vehicles which have not had proper maintenance.
7. (a) Jennie Hall was home on legitimate sick leave because she had the flu when she got a call from her supervisor wanting to know what was wrong with her. The supervisor said she'd been using too much sick leave and there was now a policy of calling to find out what was wrong when people were off sick. This is treating Jennie different from other people because they think she's not a good employee.

(b) Management performed a discriminatory action against Jennie Hall by phoning her while she was home on sick leave to inquire about the nature of her illness.

Remember, fight the grievance at the meeting and not on paper.

VI. VOCABULARY FOR GRIEVANCE WRITING

The following are some words and phrases commonly used in a grievance writing.

Violated the collective bargaining agreement and/or just practices
Performed a discriminatory action
Discipline (discharge, demote, suspend, transfer, fine, reprimand)
Failed to comply with laws or regulations
Obstructed due process
Jeopardized health or safety
Reinstate
Make whole
All rights and benefits
Article_____ governing_____

Past practice
Consideration
Letter of warning (reprimand)
Verbal criticism
Transfer from station to station
Upgrade in classification
Violation of contractual rights
Interference in the performance of duties
The rights of employees to effective and fearless representation
The workstation
Matters affecting the terms and conditions of her/his employment
Without just cause
Arbitrarily
Entitled to
Incidental to his/her duties as steward.

VII. WRITING THE GRIEVANCE

◆ POOR WORDING

Nature of Grievance: I think I should have been promoted to Mechanic's Assistant. On January 20, 2009, the Job of Mechanic's Assistant was filled by Pete Jones who has less seniority than me and who has not been doing the job as I have. I feel that this is unfair. I want to be promoted to that job. I have been required to do the work on this job most of the time.

Contract Involved: Section 7 (Seniority Clause).

Settlement Requested: That I be classified as Mechanic's Assistant.

◆ SATISFACTORY WORDING

Nature of Grievance: On January 20, 2009, supervision assigned Pete Jones to the job of Mechanic's Assistant. I am (John Smith) the senior qualified employee entitled to the job, which pays \$.25 per hour more than my present job of Laborer.

Contract Involved: Section 7 (Seniority Clause).

Settlement Requested: That I be promoted to Mechanic's Assistant and paid all loss of earnings caused by the Company's action.

◆ BEST WORDING

Nature of Grievance: On January 20, 2009, supervision assigned a junior employee to the job of Mechanics Assistant (Job #128). As the senior qualified employee I should have been assigned the job.

Contract Involved: Section 7 (Seniority Clause) and all relevant clauses of the agreement.

Settlement Requested: That I be promoted to Mechanic's Assistant and be paid all earnings and benefits lost resulting from the incorrect assignment.

VIII. **Check the Grievance**

The final product should:

1. Include all essential facts.
2. State the case clearly and accurately.
3. Be brief and to the point.
4. Be submitted in the appropriate format.



GRIEVANCE FACT SHEET

Date _____ Grievance Number _____

Type of Grievance _____ I.D. Number _____

Grievant _____
(if applicable)

Address _____ Phone _____

Seniority Date _____ Social Security # _____ / _____ / _____

Job Title _____ Department _____

Immediate Supervisor _____ Superintendent _____

What happened? (Describe incidents which gave rise to the grievance.) _____

When did it occur? (Give day, time, date(s).) _____

Who was involved? (Give names and titles.) _____

Where did it occur? (Specific locations.) _____

Why is this a grievance? (What is management violation? e.g., contract, rules and regulations, unfair treatment, past practice, local, state, or federal laws, etc.) _____

What adjustment is required? (What must management do to correct the problem?) _____

Additional comments (Include the position of the union.) _____

Supervisor's statement (Include the position of the company.) _____

Signature of Steward _____ Date _____



Note: A copy of this form is to be completed by the steward filing the grievance and is to be placed in the grievance file along with a copy of the grievance and disposition. Additional facts may be enumerated on attached sheets.

Advantages of Writing Down the Facts

Whether or not the steward is expected to fill out a grievance form, there are advantages for all concerned in writing down the facts.

1. The facts are put down on paper while they are fresh in the steward's mind.
2. Writing down the grievance helps the steward clarify thinking and aids determining whether it is a legitimate grievance.
3. A written record of the grievance can be used by the Business Representative and Negotiating Committee. By referring to the file, the Committee can see what clauses in the contract needs to be improved.

How to Keep Records on Grievances

As a handy reference, the steward will find it useful to keep a brief record of **all** grievances and complaints brought up.

The **Steward's Complaint Register** is a notebook where the steward keeps brief notes on all complaints and grievances. Notes should include the worker's name, type of complaint, date, and action taken.

How Your Lodge Can Keep Grievance Records

The lodge will find it helpful to file grievance records in an orderly fashion. A copy of every written grievance presented to the employer should be kept on file. The following procedure has proven useful.

1. A classification system

The lodge can work out a system for classifying grievances under various headings such as "seniority," "wages," and "vacations." This makes it easier both to file grievances and refer to them.

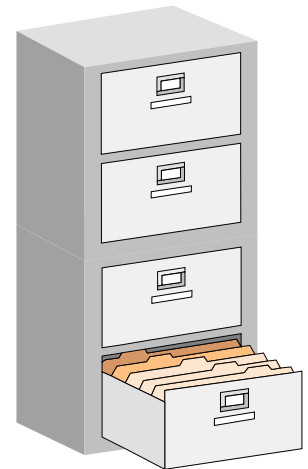
2. A lodge or district grievance file

This is a central file of all written grievances coming under one contract. By referring to it, the lodge can determine how a certain clause of the contract has been interpreted. The file will also show what clauses are causing trouble and should be revised.

3. A case file

A **case file** with information, forms, correspondence, arbitration briefs, etc. on one individual case can be kept for cases that are particularly useful as examples or are important or complicated.

4. Scanned into a computer



Suggested Reading for New Stewards

The IAM and the Labor Movement

IAM Constitution. This is easy to keep with you and refer to. Available from your Local Lodge.

The IAM Journal, a quarterly publication. Available from the IAM Communications Department.

Have you Heard? Available from the IAM Communications Department.

An Illustrated History of Canadian Labour, by Edward E. Seymour. Full of pictures and easy to read. Available from the Canadian Labour Congress, Education Department, 2841 Riverside Drive, Ottawa, Ontario, Canada K1V 8X7. \$3.00.

New Member Kits - Available from IAM Purchasing Department for \$2.00 each.

IAMAW Website. www.goiam.org

I-Mail - sign up for the IAM's electronic newsletter by registering at www.goiam.org

Winpisinger Center Website. <http://winpisinger.iamaw.org>

AFL-CIO Website - www.afl-cio.org

On Learning Your Job

Officers Guide. How stewards and officers work together. What the stewards system means to the Lodge. Duties of officers which stewards need to know. Available from the IAM Purchasing Department.

Other Suggestions

Winpisinger Lending Library. The Winpisinger Center offers many resources & tools to help you meet the challenges of tomorrow. The substantial resources of the library are continuously updated. These include a collection of more than 3500 titles that are specific to the labor movement. These materials are available through the Winpisinger website at <http://winpisinger.iamaw.org>. You must be registered on the "Members Only" section of the website to check out materials.

Books on Labor. The public library is another place to look. The number of the labor book shelf is 331.8. If the library does not own the book you want, ask the librarian if it can be borrowed from a larger library, or purchased.

William W. Winpisinger Education and Technology Center

24494 Placid Harbor Way
Hollywood, Maryland 20636
(301) 373-3300
<http://winpisinger.iamaw.org>

