**2017 Stewards Training ; March 29, 2017; 700 Basement - EHS Training Room 7:30-9:00 AM**

*Handout*: How to voucher stewards time

***P³***

**P**olitics

**P**rocess

**P**ower

And, in fact, lets add a fourth P – **P**eople

Greg Hester loves acronyms

***CRS***

**C** – **C**apture

**R** – **R**elationships

**S** – **S**ense

What’s involved in writing a grievance?

* Our contract
* Union power
* Your skills

Where does this word come from? Definition?

*Grever*: French origin – to burden

*Grevance*: Old French – compare to Old English [grieve]

*Grievance*: a real or imagined wrong or other cause for complaint or protest; especially unfair treatment

Grievance Procedure Steps:

* <Pre-Arbitration>
* First Step
* Second Step
* Third Step
* <3-1/2 Step>
* Arbitration

**First Step**:

Question: What are the 6 Ws?

**W**hat **W**hen **W**here **W**ho **W**hy Ho**w**

Let’s add a 7th “w” - **W**itnesses

In the first step, you gather and report all the facts involved using the 6(7) Ws

* There is an informal verbal statement to a supervisor: “a grievance will be filed”
* A grievance is written, filed, and given to supervisor
* A joint statement of facts is filled out – supervisor has these fact sheets
	+ Three sections to this sheet: Our facts section; Company facts section; Agreed upon facts section
* A supervisor response sheet is to follow

Notes:

After given to the supervisor, the company has TWO CALENDAR DAYS to respond. The company may ask for an extension, in which case they have SEVEN CALENDAR DAYS to respond

When writing the grievance, keep the least amount of information to state the facts of the grievance: “Just the facts, m’am.” You are looking only to state the facts, not win your case yet.

You have thirty (30) days from **when you found out** that an incident occurred to write a grievance, not from when it happened.

Time/date recording: you and supervisor mark time and date of the grievance on the first step paper, which is enough to be considered an official time stamp

When verbally presented to a supervisor, a formal grievance is fired; a fact sheet is done; then take information to your committeeman

How do you deal with member concerns that are NOT grievances? This is where you use your skills and good rapport that you’ve built – and go to the supervisor and try to discuss and iron out a solution.

After the 1st step has been completed, a committeeman takes over.

At the first step meeting, you can take the person involved; it is best practice to bring your committeeman, too.

**Second Step:**

Question: If the company hasn’t violated anyone’s rights, is it a grievance? True/False/Maybe?

* It’s based on side letters, safety issues, federal and local laws, past practice, and other things.

Second step meetings may include up to three people from each side; Company and Union

On rare occasions, grievances can be referred back/kicked back to a previous step

Transfer/time limits: once we both pick parties to be at the 2nd step meeting, we have 14 days to register; we then need to set a meeting with a rep (which is not on a time schedule)

At a second step meeting, be sure that you have talked to your committeeman beforehand. You need to fully describe the facts and discuss everything with them if they don’t bring you along, which might also happen. They need to completely understand what is going on and the details of the situation.

**Third Step:**

Question: What are the things you should know before you get to your third step meeting?

Know the facts; be businesslike; take positive positions – not negative; maintain your position and don’t waver; be prompt; know parts of contract that have been violated; dates and times; notes; conversations; the Union’s stance on the nature of the grievance; recommendations/resolutions/suggestions/corrective actions; keep emotions out – it’s a business transaction

The third step is the final step of the grievance process between the Union and the Company before arbitration. The union is represented by the Chair of the Bargaining Committee and the Company is represented by the GE Union Relations Negotiator.

In general, ten (10) third step grievances are handled per meeting session

The time constraint between the 2nd and 3rd step meeting: 14 days

3-1/2 step meeting: Between Chair of Committee (and may include other persons on the committee) and someone above the Union Relations Coordinator

**Arbitration:**

Question: What’s needed to generate a grievance? Example: a contract violation

1. Attendance
2. Discrimination
3. Subcontracting without notification
4. Overtime bypass
5. Incorrect assignment of work
6. Physical working conditions
7. Violations of union rights
8. Violations of labor laws/local laws/federal laws

At arbitration, the grievance goes to an NLRB mediator or an arbitrator or a judge (rarely)

Who pays for an NLRB mediator? The cost is split evenly. In addition, the union will incur lawyer costs

Who picks arbitrators? Each side has a say in who they’d like.

Once it reaches this point, the Bargaining Committee will discuss the matter and recommend if we should proceed. If they think we should go forward, it gets put up before our membership for a vote (as it does cost money to do this).

We can either go to an NLRB negotiator [for labor law disputes and violation of the contract] or arbitration. Once they decide, the result is final and over.

A mediator or arbitrator is used in cases of things like questionable member actions, undeserved time off, etc.

These decisions may be used and treated like past practice (for and/or against us).

Arbitration

3 1/2

3

2

1

Pre-arbitration

3 1/2: before it goes to arbitration; usually a discipline issue – try to talk & get it resolved

GUIDING RULES:

1. Our Contract
2. Our Constitution