

Steward Manual

It's Your

SGEU

WORKING
TOGETHER FOR
SASKATCHEWAN



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Introduction



The Saskatchewan Government and General Employees' Union (SGEU) is committed to ensuring all stewards receive the proper education and support needed to represent their coworkers. This requires understanding the provisions of a collective bargaining agreement (CBA), workplace policies and procedures, SGEU policies, and the information outlined in this steward manual, as well as how to go about accessing other union resources and representatives.

Steward training is designed to ensure you are able to perform the following key functions:

- Present arguments clearly, assertively, and respectfully
- Actively challenge inappropriate behaviour in the workplace
- Speak out when members' rights are being violated
- Listen effectively
- Research complaints, questions, and workplace issues
- Weigh conflicting information; and
- Maintain clear, dated records that accurately document the entirety of issues.

We want to ensure you have the information and tools you need to fulfill the responsibilities of a steward. Use this manual as a resource for dealing with workers' issues, and when in doubt, always contact your labour relations officer (LRO) for assistance.

About SGEU

Mission

SGEU is a democratic union, through which we strive for healthy, productive work environments as we provide quality public services and representation for all interest groups.

Values

We value respect, co-operation, dignity, equality, justice, and diversity.

Vision

Our vision is a structure that ensures democratic and equitable representation. It will accommodate the diversity of our members and allow for accountable leadership and effective communication.

What is a steward?

SGEU stewards are workplace leaders that not only handle grievances, but also build unity and promote involvement among membership in the workplace.

As a steward, you are the first person workers should speak to when they have questions or concerns about their workplace and are seeking the help of their union. While you are not expected to solve every problem instantly and completely, being able to provide your coworkers with useful information and assurance is a good start.

Effective SGEU stewards are:

- **Problem-solvers.** Stewards should be able to identify the various aspects of conflicts, and the steps needed to resolve them.
- **Credible and reliable.** Stewards must possess a high degree of integrity, be open and honest, and respect the privacy and confidentiality of each member.
- **Assertive.** Stewards are assertive (not aggressive) and decisive, and able to deliver difficult and unpopular) news.
- **Respected.** An effective steward possesses a strong work ethic and is a positive, motivated, enthusiastic, and energized supporter (and promoter) of the union.
- **Diplomatic.** Stewards must demonstrate commitment to the principles of justice, equality, security, fairness and democracy.
- **Compassionate.** Stewards should be compassionate and able to develop a rapport with the members. They should make members feel comfortable, and provide them with supportive encouragement.
- **Communicators.** Stewards need well-developed communication skills, including the ability and willingness to give their undivided attention. They must be thorough and well organized, and empower members to help themselves by providing them with information and support.

Working as a steward

Stewards are elected to two-year terms. Some steward duties can be performed on work time, and in other cases the union will compensate the steward for their time. Stewards may also be required to perform other tasks on their own time. Some employers may try to challenge your role, but your chief steward, other stewards and labour relations officers are there to provide you with advice and support.

Representing Members

We all have opinions and beliefs that are typically shaped by our cultural backgrounds, schooling, and life experiences. As stewards, however, we have to make sure that these perceptions do not interfere with our ability to represent members fairly.

Be honest with yourself

Do you have strong religious and/or political beliefs that may cause you to view people or their behaviors in a particular way? What about any negative experiences you may have had that may cause you to see certain people in a bad light?

Be mindful of how your beliefs, experiences, or prejudices can cause you to be biased against your coworkers.

Identify anything that you think could cause you to treat someone differently.

Avoiding bias

To make sure you are not being biased, do the following:

- When investigating a complaint, review your notes and ask yourself if you have misunderstood the situation or rejected some of the facts because they are outside of your own experience.
- When a member asks to meet with you about an issue, ask yourself if you can listen with your full attention and do not pre-judge the outcome because of the member's past behaviour.
- When asking for members' feedback or spreading the word about upcoming union meetings or conferences, think about who you typically contact and whether some groups are regularly left out.

Confidentiality, privacy and documentation

Members need to feel confident that any personal issues they raise with their steward won't end up in the coffee room the next day. Maintaining confidentiality means only discussing details of a member's concern or grievance with others who have a legitimate need to know: your chief steward, other stewards, bargaining unit leaders, your labour relations officer, employer representatives, and fellow employees who may be negatively affected.

To maintain the member's privacy, the steward's notes and all related documents are submitted to the SGEU office as soon as a grievance has been filed.

SGEU thanks all stewards for their hard work on behalf of members and the union. We hope that this manual will help you feel confident and better prepared in your role.

***It's a rewarding experience to help others
and be part of a larger union family!***

Role of a steward

Congratulations on being elected as steward for your section or work area. With your new title comes the important responsibility of defending the union and its members.

All too often stewards are thrown into the thick of things before they have the proper training. Since steward training is not available on a regular basis, here are some tips for the new stewards.

First of all, remember that as a steward of the union you have the support of your local, SGEU's staff and officers, and the collective resources of the approximately 20,000 members who comprise the union. If you don't know the answer to questions or are not familiar with procedures, ask SGEU's support staff.

With your position comes a huge responsibility, and you need to be able to provide the right answers to members and follow the correct procedures in your dealings with management. Your members will respect you for following this simple advice:

Take your time. Listen carefully. Write things down.

Buy yourself a spiral notebook and begin to document your activities. If you investigate a grievance, write down the 5Ws in your notebook or on the grievance investigation sheet that SGEU provides with the grievance form.

Be on your toes. You may be tested by management the moment you become a steward. Act professional at all times and be aware of your rights. SGEU will acquaint you with your rights through steward training.

Know these rights. You are management's equal in all matters relating to the contract and the union-employer relationship. Your contract may outline some of your rights as a steward, but much of it has a legal basis. If you are denied rights which make your defense of a member impossible, make sure your SGEU staff advisor is aware of this situation, immediately.

You are a representative of SGEU and its members. Introduce yourself and greet new hires. Be the strongest advocate for the union on the property. Pass along information from your local. Squelch any rumor before it spreads. Work together with your local's officers. That means the politics of the past union election, if there was one, are over. You are part of the team.

If a member comes to you with a complaint that could be grievable, investigate it quickly and professionally. Resolve the issue in the quickest and fairest way. Don't make the member wait unnecessarily for an answer. Tell him/her that you will get back to them with an answer and then get back to them. If the issue is not grievable, see if there is a way to resolve it.

If there is no grievance, be honest with the member but explain why the issue is not grievable under your agreement. Work with other stewards so that they are aware of the

issues you have been presented with. You don't want a member going behind your back to another steward because he/she did not agree with your decision not to press a complaint.

Read everything you can about your work - your local's webpage, the SGEU website and newsletters, steward updates, the daily newspaper, and labour books. Make sure education is part of your regular union business.

Establishing yourself in the role of steward

For new stewards, the first few days on the job as a union representative are critically important. You have to demonstrate to the membership that you can get the job done. Your members must feel comfortable coming to you to resolve work-related issues. At the same time, your supervisor and other management personnel are going to watch you and probably test you.

Establish your position

As a Steward, you cannot assume that the membership will automatically respect your abilities. Respect must be earned by showing the members that you will apply your skills and knowledge of the contract to represent all the members to the best of your ability.

***Keep the lines of communication open between yourself
and other union representatives.***

Management's test

Remember that if you are a new steward, management will often test you to see how well you represent the members. That test may come in the form of denying you reasonable time to do your job, or refusing to give you an extension of a time limit on a first step grievance.

Your supervisor may try to interfere with your investigation of a grievance by denying access to records. Or the supervisor may simply say "no" at your grievance meeting, even though your member's grievance is a clear case of injustice and a breach of the agreement.

Expect to be tested. Don't get angry or frustrated. Supervisors are often trained to incite a steward so that they will blow the grievance meeting. Don't lose your cool.

Establish the union

When they are hired, new workers are often given extensive orientation from management, but may not be exposed to the union view. Not realizing the struggle that went into winning these gains, many new workers may believe that the wages and conditions they enjoy come from the goodness of someone's heart.

Get to those new members early. Even if they are on probation, a friendly piece of advice and support will be long remembered.

Represent the rank and file

Always treat the members with respect and dignity. Work with the members. Working together is a sign of empowerment and shows the strength of the union as a collective force. The operative word is always *we*, not *me*. The word *they* is always reserved for management, not the union. If you truly believe that the union is not simply a servicing center for the membership, then these terms should become second nature.

Always tell the truth. Sometimes you will have to say *no* and then try to convince the member that you are right. Have a reason for the decision and provide an alternative strategy for the member if the situation merits it.

Keep favoritism out of the grievance procedure, and avoid letting your personal feelings about a member cloud the way you represent him or her. When one group of members is pitted against another and small advantages for a favoured party may seem like they are worth fighting for, remember that everyone loses when representation is flawed.

Fair representation is a basic principle of unionism because:

- It is right and the members are right to expect it.
- It works to the benefit of all.
- When it is missing, or someone thinks that it is missing, there are likely to be legal difficulties for the union and its officers.
- Time and money spent on legal defense would be better spent in building the union.

Build solidarity

Being situated right in the middle of the labour relations structure - amid the union staff, management, and the rank and file - the grievance representative can do a lot to build unity. In everything you do, you are setting an example to the rank and file that they have power and that power is in the union. Your actions every day build the union.

Know Your collective agreement

A collective bargaining agreement (CBA) is a legal contract negotiated, agreed to, and signed by your employer and the union. The parties, both employer and union, are bound by law to abide by its terms and conditions. It is like a rule book that defines working conditions and sets out the rights and responsibilities of the employer and the workers.

Read your collective agreement each time a question or problem arises. Remember that a collective agreement violation (or breach of a work-related law) is the basis for almost all grievances.

Role of a chief steward

You are a workplace leader who represents SGEU, coordinates stewards, and enforces the collective bargaining agreement. You work collectively with stewards, elected leaders, and SGEU staff in your workplace, bargaining unit, and sector. You also deal with management on behalf of the union. As chief steward, you fulfill the duties of a steward, but also work with other stewards in your zone to do the following:

Communication

- Encourage stewards to approach you with questions about processes and contract interpretation, and with reports of workplace conflicts and issues.
- Advise stewards and members about union activities and advise bargaining unit and sector leaders about workplace developments.
- Ensure new member orientations are occurring as needed.
- Ensure you have a strong relationship with the assigned SGEU labour relations officer.
- Inform stewards and members of changes in the collective agreement or in the interpretation of the collective agreement, and of relevant arbitration decisions.
- Be accessible to your stewards by telephone, by email, or in person.

Conflict Resolution

- Assist in resolving conflicts between members and stewards or between members and the employer.
- Be knowledgeable about both workplace and union harassment policies and procedures.

- Encourage stewards to talk to you when they encounter harassment in the union or in the workplace, and work with stewards and/or the SGEU labour relations officer to resolve the problem.
- Hold regular meetings of all stewards. Topics should include current workplace issues, barriers facing equity-group stewards, discrimination/harassment of stewards in the union and the workplace, and strategies to address issues.
- Work to dispel, not encourage, rumors.

Grievance Co-ordination

Assign complaints and grievances to stewards in your zone, taking into account:

- Stewards's specialized knowledge
- The chance for new stewards to gain experience
- The need to prevent steward burn-out.
- Respect members' rights to work with the steward of their choice.
- Assist stewards, as needed, in writing and investigating grievances properly, and in judging whether a complaint is a grievance.

In communications with your labour relations officer, keep track of filed grievances and ensure the necessary tasks are completed. Be sure to:

- Inform stewards that all grievances are to be fully investigated, in order to identify any violations of the collective agreement and/or any laws, before being filed.
- Educate stewards on the internal appeal processes.
- Ensure contract enforcement by:
 - . Not agreeing to any deal that violates the collective bargaining agreement or other rights defined by law.
 - . Challenging violations of the collective agreement and other rights defined by law.

Leadership

- Promote maximum involvement by members in union activities, especially within the collective bargaining process.
- Delegate duties to stewards (and to panel representatives where relevant)
- Call and chair regular steward meetings to share information, identify best practices, and review grievances and other workplace issues.
- Chair other meetings when necessary, such as membership or union-management committee meetings.

Recruitment

- Actively recruit new stewards with the goal of achieving a representative steward body in SGEU.

Mentoring and Training

- Ensure you are familiar with your collective agreement, related legislation, workplace policies and procedures, SGEU policies, this steward manual, and union resource people.
- Complete training as set out in SGEU policy.
- Orient new stewards, and support them to meet the expectations set out in the steward job description.

Educating new stewards

- Encourage stewards to take appropriate training, such as LD 10, LD 11, LD 20, LD 30, and conflict resolution training.
- Update stewards about education opportunities.
- Encourage stewards to set appropriate limits to prevent stress and burn-out.

Administrative duties

- Ensure elections are held for stewards and for occupational health committee members.
- Ensure that stewards are registered with SGEU membership records after each election.
- Ensure distribution and posting of union information within your zone.

Steward Rights and Responsibilities



If you are a steward, committee-person, delegate or other union representatives, you are part of an extraordinary group within six sectors across Saskatchewan. Union stewards represent departments, shifts, and work sites. They monitor collective bargaining agreements, advise employees on contract provisions, confront employers over safety issues, and represent employees in grievance proceedings.

A steward's job is important and exciting. You protect the jobs and welfare of your fellow employees and use your leadership skills to build the union.

Your position, however, is not without perils. To be effective, you must protest management actions that violate the collective bargaining agreement, are arbitrary or unfair, or threaten the health or safety of employees. In response, management may try to intimidate, manipulate, or discipline you.

To prevent reprisals - and to gain management's respect - you must be well prepared. Your most valuable tools are your ability to anticipate perceived reprisals and maintain union solidarity, and your understanding of contract and labour law rights.

Stewards' rights are determined by three basic factors:

1. **Union solidarity.** This is the cohesion and determination of employees you represent. A Steward backed by a unified group, willing to act if the steward is targeted, has significant freedom of action.
2. **Contract rights.** A strong collective agreement forbids discrimination against union activities and guarantees time for union business.
3. **Labour law rights.** Federal and provincial labour laws prohibit interference with legitimate union activities, protect stewards in presenting grievances, force employers to supply grievance information, and require employers to bargain before making changes that affect employees.

The Duty of Fair Representation

The Duty of Fair Representation (DFR) does not mean that unions have to take every grievance through to arbitration. It means you must judge a grievance on its merits, not on your opinion of the grievor.

When reviewing a decision or action of the union, labour boards use three standards to decide if the duty of fair representation has been violated:

1. Is it **arbitrary**?

A steward's actions are arbitrary if he or she:

- Does not consider the merits of the grievance or complaint
- Does not conduct a meaningful investigation
- Ignores relevant information or takes into account irrelevant factors

2. Is it **discriminatory**?

- Discrimination occurs when a steward or the union treats a member differently than others, without valid reasons for doing so.
- Treating one worker differently from another because of race, age, national origin, religion, sex, sexual orientation, or union membership is discrimination.

3. Is it in **bad faith**?

~~%~~Bad faith may be proven if the steward:

- Acts on the basis of hostility or ill-will, or deals dishonestly with a member
- Conceals information or lies to a member
- Acts on the basis of a grudge or a personal dislike, or to get revenge.

*All members have the legal right to fair treatment
from the union and its representatives.*

“Fair representation” means that as a steward, you should:

- Represent all union members fairly and honestly. Not only must you do this, but you must be seen to do it.
- Keep in mind that issues that seem unimportant to you may be extremely important to someone of another culture, race, sexual orientation, gender, or ability.
- Investigate every complaint thoroughly. Keep accurate records of complaint or grievance investigations and meetings with management.
- Keep to the timelines for filing and advancing grievances that are set out in your collective agreement.
- Keep the member informed. If the union proceeds with a grievance, update the grievor about the steps that the union is taking to handle the case. Involve them in collecting information and ask them to be with you when you talk to other workers who may have relevant information regarding the case.
- Notify the grievor if the union is thinking of withdrawing a grievance. He or she has access to an appeal process.

***When you are unsure of something,
always contact your labour relations officer!***

Code of ethics

All elected officers, including stewards, are expected to follow the union's code of ethics when carrying out their role. The code of ethics forms part of the SGEU constitution.

Unions today play a vital role in the improvement of living and working conditions for all Canadians. Much of our present standard of living and many of the social benefits we all enjoy have come about from organizing and educational work done by our predecessors in the union movement.

Trade unions are the legitimate voice of Canadian workers. In this context, trade unions have an extremely difficult and controversial role in today's society. As such, unions are subject to more scrutiny of actions taken by our elected officers than any other democratic organization.

Officers of this SGEU have a responsibility to protect the members' rights and promote solidarity by keeping the membership informed and united.

SGEU expects a high standard of conduct from its elected officials and in return will, at all times, support and protect them in the performance of the duties of their office.

SGEU guarantees its elected officials (including stewards) that it will take swift action when they face retaliation or harassment.

In order to ensure that these standards are upheld, SGEU has adopted the following standards for its elected officials.

Policy for elected SGEU officials

Officials shall be elected or appointed as provided for in the bargaining guidelines, sector/local bylaws, the constitution and the Policies of The Saskatchewan Government and General Employees' Union and accept the Oath of Office as provided for in the SGEU constitution.

All elected SGEU officials shall:

1. In all aspects of union activity, conduct themselves in accordance with union policy and in a manner which reflects well on SGEU and its membership.
2. Become knowledgeable about the internal structure of the union and the applicable collective agreement.
3. Enforce the collective agreements of the various bargaining units in SGEU, and shall not accept less than the negotiated provisions for the members.
4. At all times represent the members without personal bias or discrimination, and observe confidentiality when dealing with sensitive matters regarding membership servicing.
5. Attend all functions, meetings and training when called upon by the union, as directed by the bylaws, bargaining guidelines, policies and constitution.

6. Reflect the official union policy at all times when dealing with management. Co-chairpersons of Occupational Health and Safety Committees, and the membership of any other committees sanctioned by the union, shall be elected.
7. Not participate in management committees other than those sanctioned by the union, irrespective of the name or intention of said committees.
8. Discharge their duties in the best interests of the membership, without consideration for personal gain, and shall refuse all gifts, gratuities, favours or other considerations, which might be perceived to influence decisions on union policy.
9. Administer the records and assets of the union in a responsible manner, consistent with the union's policy as developed from time to time.
10. Shall work at all times within the union structure when expressing disagreements or criticisms about the internal workings or policy of the union, other union members or the paid staff of the union.
11. Take swift action when they become aware of incidents of retaliation and harassment experienced by other elected officials and, if they themselves face harassment, report to it the designated union representative.

***Failure to comply with these rules of conduct
will be grounds for disciplinary action
as provided for in the SGEU constitution.***

Objectives

As a steward, your three main objectives are to:

1. **Build a strong union** in your work place;
2. **Resolve disputes** when you see or hear about them, and;
3. **Handle grievances** as needed

You have a strong union behind you. Your attitude and the effort you put into this role is what counts. Being a %know-it-all+or overbearing is not conducive to being an effective steward. If you do not know something just say %don't know. I will look into it for you.+

Like most vitally important roles, that of a steward is very difficult. In fact, it may seem like a steward is expected to be all things to all people at once. Of course that is impossible, but by understanding the various roles of a steward and doing your best fulfilling them, the steward will contribute greatly to the strength of the union.

The roles of the steward can best be described as that of a negotiator, leader, educator, communicator, organizer and political activist.

Know Your Collective Agreement!

This is the primary responsibility of the steward. Your fellow workers don't expect you to know everything, and they respect you a lot more if you don't try to bluff your way out of things. But they do expect you, as their leader, to be well informed. To educate workers so they understand and cooperate with union policies, you must first educate yourself.

To know if the company and the union are living up to their agreement, you must know what's in it. Unless you know what it says, you cannot tell a worker if he's right about it. As a steward, you should:

- Read the entire Collective Bargaining Agreement (CBA).
- Discuss it with other union officers or your assigned labour relations officer.
- Become familiar with the provisions of the CBA and understand how they apply to special conditions in your department

As steward, you'll have to deal with a lot of your workplace's day-to-day issues. If you are a good leader, you'll get cooperation from your fellow workers and other union advocates as well as from management. This helps make the job easier.

You will have headaches, but you will also get breaks. Stewardship gives valuable experience. From adjusting office grievances you may come to represent labour in industry-wide conferences, policy-making conventions or even government agencies. Your work with the local union locally may be the stepping stone to greater union leadership.

Five specific roles of the steward

1. Negotiating

The primary negotiating task of the steward is the handling of grievances. Listed below are the things that a steward should do to fulfill the role of negotiator, and suggestions as to how to handle them:

The steward as the negotiator:

What you do:	What you need to know:
Settle grievances	Proper grievance handling
Screen complaints from grievances	How to analyze a grievance
Police the contract	Meaning of contract clauses
Monitor working conditions	Health and Safety hazards
Enforce labour legislation	Federal and provincial labour laws
Keep written records	All settlements reached

To be a negotiator, you must:

- Check all available facts before taking an issue to management.
- Prepare your case so that it is clear, complete and to the point.
- Be careful to observe all contract requirements on grievance handling.
- In dealing with your supervisor be businesslike, polite and firm.
 - . Don't bully or threaten.
 - . Treat the other person with respect, and expect to be treated in the same manner.
- Keep the grievor(s) informed as to the status of the grievance.
- Follow through all the way to the final settlement.

2. Leading

The steward must take the leadership role in his/her department. He/she must set an example for other workers to follow. The steward must make decisions which uphold the terms of the collective bargaining agreement and the union constitution and bylaws. Listed below are the things the steward should do to fulfill the role of leader, and suggestion as to how to do them:

The steward as a leader:

What you do:	What you need to know:
Work for the group welfare	The long-range goals of the union
Fight for what is right	The consequences of your actions
Act promptly and decisively	That actions speak louder than words
Establish friendly relations	That the other person also has a point
Hold no grudges	That you can't win them all
Discourage factional bickering	Why people disagree
Lead instead of drive	That adults respond to sound reasoning

To be a leader, you must:

- Know the facts, write them down, and talk them over.
- Keep the people who are being affected informed on the course of action.
- Give credit where credit is due.
- Ask for advice and help. You can't know everything.
- Keep your word and deal fairly and impartially

3. Educating

The steward has the responsibility of educating the members in his/her department, both the old and the new, about the collective bargaining agreement, union policy, and why changes occur. Listed below are some of the things that the steward should do to fulfill the role of educator, and suggestions as to how to do them

The steward as an educator:

What you do:	What you need to know:
Keep members fully informed	That informed members are loyal members
Discuss and explain policies	What your union is doing
Clarify union objectives	Union history
Explain legislative issues	How laws are made and their impact on unions
Stress registering and voting	Responsibilities of membership
Tell economic facts of life+	How our system functions

To be an educator, you must:

- Make person-to-person contact daily. Tell your story. Ask for ideas.
- Distribute union periodicals and literature.
- Enlarge your own knowledge by attending classes whenever available and share this knowledge with your fellow members.
- Keep your communication lines open - invite criticism, suggestions, and full discussion.

4. Communicating

The role of communicator runs throughout every other role of the steward. As a democratic institution, a breakdown in communication can seriously damage a union. Listed below are some of the things that the steward should do to fulfill the role of communicator, and suggestions as to how to do them:

The steward as a communicator:

What you do:	What you need to know:
Keep members informed about union policies and activities	Union policies, activities and their rationale
Detect and stop rumors	Where the rumor started and why

Keep members informed on employer proposals and policies	That members should look to you for workplace information
Direct problems through the proper channels	Who has responsibility over the area in question
Use several different methods of communicating with the members	That communication methods may differ according to the message
Encourage members to contribute to your local newsletter (if there is one)	That the newsletter is the voice of the members and the union
Urge attendance and participation at union meetings	That the union meeting is democracy in action

To be a communicator, you must:

- Make sure your local has its own newsletter and that everyone receives it.
- Talk to the members daily about the union, ask questions, and listen to the responses.
- Become an active listener. Active listening is one of the best methods to build solidarity in your union.
- Keep the union bulletin board updated. Use eye-catching flyers whenever possible.

5. Organizing

Organizing the unorganized is the charge of all unionists, whether they are an international officer, a local union officer, or a steward. A major task of the steward is to organize the members in his/her department. Listed below are the things the steward should do to fulfill the role of organizer, and suggestions as to how to do them:

The steward as an organizer:

What you do:	What you need to know:
Organize the unorganized	Real objections of non-members
Greet new employees	Who works in the department
Urge attendance at meetings	The democratic nature of unions
Develop membership participation	Various committee needs
Combat anti-union activities	Who is dissatisfied with the union and why
Make daily contacts	That the union must be visible
Keep a list of non-union members	To never give up on your goal of organizing 100% of employees

To be an organizer, you must:

- Respect the sincerity and opinions of every worker.
- Treat all alike regardless of age, ethnicity, sex, race, sexual orientation, or political beliefs.
- Protect the interests of the non-union worker as diligently as you defend the interests of union members.
- Recognize that your union is a voluntary association of free men and women. Solid support can only be won through reason, persuasion and effective representation.
- Be sure to *meet each new hire on their first day* and go through the contents of the Leadership Development 5 kits, which can be obtained from your LRO or chief steward.
- Be consistent and persistent.

Steward Obligations



Goals

The following 23 items will serve as a checklist for you

Refer to them as a guide in fulfilling your obligation as a union Steward.

1. Keep yourself informed on union affairs.
2. Serve as an example to your members.
3. Keep the members informed on union policies and union activities.
4. Attend union meetings and union events. Encourage and bring the members from your department. Don't chide members for missing meetings. Think of other ways to communicate with them.
5. Meet the new members early, inform them, educate them, and help them become members. Make them more than dues payers.
6. Get your location to act as a union - have them stick together.
7. Act as a leader - do not let personal likes or dislikes prejudice your actions as a grievance representative.
8. Challenge discrimination, whether it is overt or very discreet. Discourage prejudice of any kind.
9. Keep accurate and up-to-date records. Write everything down.
10. Do not promise if you cannot deliver.
11. Be active politically. Encourage members to exercise their right to vote, and to vote for labour-friendly candidates.
12. Know how to refer to the union contract, by-laws, and international constitutions. If you are not sure how, seek help so that you can become familiar with these documents.
13. Encourage and support the union's efforts to organize the unorganized.
14. Inform the membership of union services. Encourage them to take advantage of not only the services the union sponsors outright, but those that the union helps subsidize.
15. Be informed about, being dedicated to, the labour movement.
16. Do not hesitate or stall. If you do not know, admit you do not know. Then try to get the answer from your SGEU resources team.
17. Keep your colleagues informed about sources of information. Give pertinent information whenever a worker requests it.
18. In dealing with the management, remember that you are the elected or appointed representative of your fellow members. Never consider yourself to be inferior to management representatives. You are always their equal.

19. Be proud of your position. Remember you are a representative of your union local, which has the full support of 20,000-plus members, and the support of millions of other union members across Canada.
20. Wear your union button and encourage your coworkers to wear it.
21. Investigate every grievance as if it were your own. Keep the member informed. Make sure you keep to your deadlines. There is no excuse for missing a time limit. Research every grievance as if it were going to arbitration, but try to resolve it at the lowest possible level.
22. Attend and encourage attendance at any labour education program that might be available to you and your members.
23. Remember your goal is to be the best union representative you can be. Always strive for this goal.

Listening to others

Listening is a skill. Unfortunately, we are far better talkers than we are listeners. But you can be a good speaker without being a good listener. One skill relies on the other.

Stop talking —you can't listen while you are talking.

In grievance handling, the steward needs to be able to listen and watch the member and the supervisor. Much of what you need to know may be conveyed to you through body language or by inference, not in direct speech.

Here are some pointers on how to become a better listener and observer.

- **Empathize with the other person.** Try to put yourself in his/her place so that you can see what he/she is trying to get at.
- **Ask questions.** When you don't understand, when you need further clarification, or when you want to show you are listening. But don't ask questions that will embarrass or show the other person up.
- **Don't give up too soon.** Don't interrupt the other person; give him/her time to say what he/she has to say.
- **Concentrate on what is said.** Actively focus your attention on the words, ideas, and feelings related to the subject.
- **Look at the other person.** The other person's face, mouth, eyes, hands will all help to communicate with you. Looking helps you concentrate, too, and makes the other person feel you are listening.
- **Leave your emotions behind** (if you can). Try to push your worries, your fears, and your problems outside the meeting room. They may prevent you from listening well.

- **Control your anger.** Try not to get angry at what is being said; your anger may prevent you from understanding what is said.
- **Get rid of distractions.** Put down any papers or pencils you have in your hands; they may distract your attention.
- **Get to the main points.** Concentrate on the main ideas and not the illustrative material. Examples, stories, or statistics are important, but usually are not main points. Examine them only to see if they prove, support, or define the main ideas.
- **Share responsibility for communication.** Only part of the responsibility rests with the speaker; you as the listener have an important part.
- **React to ideas, not to the person.** Don't let your reactions to the person influence your interpretation of what is said. The ideas may be good even if you don't like the person.
- **Don't argue mentally.** It is a handicap to argue with the other person mentally as he/she is speaking. This sets up a barrier between you and the speaker.
- **Consider the difference in listening/speech rate.** You can listen faster than the other person can talk, so use this rate difference to your advantage by anticipating what he/she is going to say next, thinking back over what he/she has said, or evaluate new developments.
- Speaking is done at a rate of about 100 to 150 words per minute, while thinking is done at 250 to 500. **Listen to what is *not* said** - sometimes you can learn just as much by determining what the other person leaves out of a discussion as you can by listening to what he/she says.
- **Listen to how something is said.** We frequently concentrate so hard on what is said that we miss the importance of the emotional reactions and attitudes related to what is said. Attitudes and emotional reactions may be more important.
- **Don't antagonize the speaker.** It may cause the other person to conceal their ideas, emotions, and attitudes. Try to judge and be aware of the effect you are having on the other person. Adapt to him/her.
- **Listen for their personality.** One of the best ways of finding out information about a person is to listen to him/her talk; as he/she talks you can begin to find out what he/she likes and dislikes, what his/her motivations are, what his/her value system is and what makes him/her tick.
- **Avoid making assumptions.** They can get you into trouble. Don't assume that the speaker uses words the same way you do; that he/she didn't say what he/she meant, but you understand what he/she meant; that he/she is avoiding looking you in the eye because he/she is telling a lie; that he/she is distorting the truth because what he/she says doesn't agree with what you think; that he/she is unethical because he/she is trying to win you over to his/her point of view. Assumptions like these may turn out to be true, but more often they just get in the way of your understanding, and keep you from reaching an agreement or compromise.

- **Avoid classifying the speaker.** Too frequently we classify a person as one type of person and then try to fit everything he/she says into what makes sense coming from that type of person. For instance, if you label him or her as a conservative you're your perceptions of what he/she says or means will all be shaded by whether you like or dislike conservatives. People are unpredictable and often do not fit neatly into classifications.
- **Avoid hasty judgments.** Wait until all the facts (or at least most of them) are known before making any judgments.
- **Recognize your own prejudices.** Try to be aware of your own feelings toward the speaker, the subject, and the occasion, and allow for these pre-judgments.
- **Identify the type of reasoning.** Often it is difficult to sort out good reasoning from faulty reasoning when you are listening. Nevertheless, this is so important a job, that you should make every effort to learn to detect faulty reasoning.
- **Evaluate facts and evidence.** As you listen, try to identify not only the significance of the facts and evidence, but also their relative importance to the argument.

Mistakes

Nobody's perfect. We all make mistakes. We're human. Even stewards make mistakes. Some of these mistakes are particularly serious.

Here is a list of 20 mistakes that shop stewards may make

Read them over. If you make one, try not to make it again!

1. Always wait until a member comes to you with a grievance, rather than approaching those you suspect have a valid grievance.
2. Walk around the worksite with a chip on your shoulder.
3. Pretend to know all the answers to all problems.
4. Give out false information or spread rumors.
5. Fail to keep members posted on disposition of grievances.
6. Violate company rules.
7. Violate the contract.
8. Always try to talk members out of filing grievances.
9. Present a grievance that isn't really grievable.
10. Forget to investigate a grievance thoroughly before proceeding with it.
11. Blow up when dealing with the supervisor or workers.

12. Use profane language to intimidate the boss.
13. Argue a grievance by taking personal issue with the supervisor and directing personal remarks.
14. Miss membership meetings.
15. Bawl out a member in front of co-workers or in front of a supervisor.
16. Stall when workers call you.
17. Keep all the information to yourself.
18. Permit workers to push you around.
19. Enhance the supervisor's prestige by permitting the supervisor to use you as means of doing his/her dirty work, such as enforcing company rules or calling the workers down for minor abuse of certain privileges negotiated by the union.
20. Manage the workers.

Ten mistakes a steward should never make

1. **Miss your deadline.** You know what the contract says, but somehow you forget to file the grievance within the specified time. The grievance, in almost every case, becomes history. Two pieces of advice: keep a calendar diary with dates clearly marked so you don't miss deadlines. If you need more time, ask for an extension from management and get it in writing.
2. **Never get back to the grievor.** This usually happens when the steward determines that the member has no grievance. Rather than be the bearer of bad tidings, the steward disappears. This is irresponsible. If the issue is not grievable under the contract, see if it can be resolved in another manner. If not, tell the member that the issue cannot be written as a grievance, and give him/her the reasons.
3. **Bad-mouth the union.** If you have a problem with the way things are done or with your leadership, discuss the issue(s) in a rational manner. Get off the soapbox and see if the difference can be resolved. There's plenty of room for discussion and disagreement. But when disagreements spill out on the shop floor or at a meeting when management is present, they can permanently weaken the union. A house divided against itself cannot stand.
4. **Drop the routine fly ball.** You are a steward, with responsibilities outlined by the constitution and bylaws. You should try not to make basic technical mistakes. Grievances should be written correctly. Information should be shared. You should know your rights. If you are unsure or don't know the answer, ask.
5. **Sit down and shut up at meetings with management.** In your role as a steward you are the union advocate. This role is an active one. You are the equal of management. You may ask questions, ask for and get records to process grievances, and even raise your voice at meetings when necessary.

6. **Lose control.** A major no-no. You or a member may be baited at a grievance meeting so that you will get angry. A steward who argues based on anger and not facts will lose the grievance. Period.
7. **Write long grievances.** Grievances should be short and sweet. Managers are being paid big salaries to supervise. Don't do the work for them. Your grievances should identify the grievor, outline the problem in a sentence or two, state what article of the contract is being violated, and indicate how you want the problem to be remedied. Save the arguments for the meeting. A good poker player never tips his/her hand.
8. **Meet the grievor for the first time at the grievance hearing.** If this is the first time you've met the member, you are inviting trouble - big time. You should talk to the grievor face-to-face when you investigate the grievance. You should also talk to the grievor prior to the hearing to familiarize him/her with the process. When they walk into the room, they should feel as comfortable as possible. They should know that yes, no, and I don't know are acceptable answers at a hearing. Describe the room to them, and tell them who will be there and what they will be asked.
9. **Wait for the member to come to you with the problem.** If you do this, you will never gain the respect of the membership you represent or the managers you must deal with. Problems can often be resolved before they explode into grievances. And members may not be as aware of contract violations and grievable issues as you are.
10. **Forget to take a breather.** This is intense work. Stewards work a full-time job and then take on their union responsibilities. This kind of existence is rewarding but is fraught with burn-out. Take time for yourself and your family.

***Ensure members ask for a union steward
when questioning by the boss could lead to discipline!***

Make sure members know that ...

When management begins to ask you questions that could lead to your being disciplined, you don't have to face it alone. If you have a reasonable belief that answers you give could be used by the boss to discipline you, you can refuse to answer any questions until the union steward is on the scene and has had a chance to talk things over with you.

It's your right to have the steward present during the questioning to advise you, ask supervisors for clarifications, and provide additional information at the end of the session. If you are called at home and asked the same kind of questions, you have a right to insist on waiting to answer them in the presence of a steward.

Once your union representative is allowed to participate, you are required to answer the questions truthfully.

You have to know your right to a steward and ask for it

Unless your collective bargaining agreement (CBA) clearly states otherwise, the boss is under no obligation to tell you about the right to have a steward present. Check your CBA!

Once you've asked for the steward, any attempt by management to continue asking questions before a steward gets there is illegal. If supervisors pressure you by telling you that you're only making things worse for yourself by asking for a steward, that's against the law too.

What to say if management asks questions that could lead to discipline

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I request that my union representative, officer, or steward be present at the meeting. Without representation, I choose not to answer any questions."

Better safe than sorry

The steward can serve as a witness to prevent supervisors from giving a false account of the conversation. Many people find it hard to talk under pressure. The steward can help you explain things. If you're hot-headed, the steward can help you keep cool.

Stewards have often dealt with similar situations before and can help you figure out what you should and shouldn't say. You do have to answer the questions, but stewards can help you figure out the best way to do so. They can also provide information to management after the questioning is over that can help explain your situation.

If you don't insist on having your steward present, you can't later challenge discipline taken against you on the grounds that you didn't have a steward with you.

Know the limits

Just as it's important to know what your rights are, it's also important to know the limits of those rights.

You are not entitled to have a steward present every time a supervisor wants to talk to you - for instance, about how to use a certain tool or what your assignments are for the day. But if the discussion begins to change into questioning that could lead to discipline, you have the right to ask for your steward before the conversation goes any further.

If you're called in to the supervisor's office for an investigation, you can't refuse to go without your steward. All you can do is to refuse to answer questions until the steward gets there and you've had a chance to talk things over.

Answers to myths and objections about joining a union

Objection: %don't believe in unions.+

Possible answers:

Point out what unions have done historically. Describe how things were in North American industry before unions. Workers were fired at the whim of management or arbitrarily fired at the age of 40. Describe the extremely low wages, the long hours, and the lack of fringe benefits, unemployment compensation, social security, and workers' compensation. Stress not only the contract gains, but also the efforts of labour to enact better laws and create better communities.

%Unions are just associations of people banded together for mutual protection and benefit. Everyone - farmers, merchants, bankers, lawyers, utility companies - everyone joins together today to increase their effectiveness. Why not workers?+

%The newspapers do their best to make unions look bad, and this is understandable since employers spend a lot of money on ads. But see things for yourself - join us, come to our meetings, and then decide whether unions are good or bad.+

Try to find out the specific reason behind this objection, and then try to correct the false impression the employee has.

Objection: %am only going to be working here a short while (on a temporary or part-time job).+

Possible answers:

%Whether you stay here six months or thirty years, you'll get full benefits and full protection while you are employed.+

%Who knows, you might decide to stay on, or you might decide to return a year or five years from now. You know that we have a leave of absence and job return policy.+

%While you are with us, we want you to be one of us. We want you to fit in with the group and be an equal. You will enjoy it more and we will enjoy having you.+

%Even if you do leave within a few months, you are receiving all the benefits that all the rest of us pay for while you are here, and we think it only right that you pay your share while you remain on the job.+

Objection: ~~%The union doesn't~~ do anything for you (as in, grievances are not settled satisfactorily).+Or, ~~%I don't~~ like the people who are running things in the union.+

Possible Answers:

Insist upon specifics · the specific grievance the non-member has in mind. Check out the problem, obtain the facts, and report back to the non-member. Concede that the union can make mistakes, but point out that many grievances have been won, again being specific.

~~%Our~~ officers and stewards do their jobs the best way they know how. If you or someone you know has not been treated fairly, tell us about it so that it can be remedied.+

~~%Our~~ local officers and stewards work for this employer just as you and I do. They need lots of training, experience, and help from you to do the job well. Your signature on this card will give you the right and the opportunity to help in running this union better.+Point out that the members have an obligation to replace those officers and stewards who continue to do their job poorly.

~~%You~~ are the union. You can get involved and run for office to help change the things you ~~don't~~ like.+

Enumerate the contract benefits · choice of hours, vacations, sick benefits, etc. Remind the non-member that these ~~didn't~~ come automatically.

Discuss the need to use the grievance procedure properly. Many of the complaints the union receives about grievances occur because the proper procedure was not followed.

~~%H~~undreds of grievances are settled satisfactorily. But with 100 percent membership, we could do an even better job of investigating and processing grievances.+

Objection: ~~%I can't~~ afford to strike. How can I be sure I ~~won't~~ be out on strike? I ~~don't~~ believe in strikes.+

Possible answers:

~~%It's~~ up to the members to decide whether to strike. Of course, if you~~re~~ not a union member you will have no say whatsoever in the matter.+

~~%W~~hen unions are weak, employers force them to strike or else accept low wages or poor working conditions. But if unions are big enough to hurt the employer in a strike, management will offer more and thereby avoid a strike. In short, if workers are unified, a strike is less likely.+

~~%S~~trikes are very infrequent in this union.+

~~%D~~o you know about the union's defense fund? If workers are forced out on strike by an impossible employer position, this fund exists to assist members in meeting their more important bills. We now have millions of dollars in the defense fund so that no one will go without or be badly hurt if we are forced to strike.+

%Year after year, less than one-fifth of one percent of all working time is lost by strikes. This is only a small fraction of the time lost through layoffs or industrial accidents or other sickness. You read in the newspaper about strikes because, of course, strikes are news. You never read in the newspapers about the hundreds and thousands of negotiations that are settled without the necessity of a strike. What I'm trying to say is that strikes are really very unusual.+

Objection: %I can handle my own affairs. I can take care of myself. I'll make my own decisions. I don't intend to stay on this job forever; I'm looking for a promotion.+

Possible answers:

%This may be true, but the chances are that you might need help somewhere along the way. Besides, all your fellow employees aren't as fortunate. They need help. They need your help.+

%You are working in a large industry and necessarily are a cog in a very large machine. Unless you fit into this machine, you are not a desirable employee, so your future depends in large part on your ability to get along with everyone, including your fellow workers.+

Objection: %My boss doesn't believe in unions. I've seen what happens to union members.+

Possible answers:

%The law, the contract, and public policy guarantee you the right to join and engage in union activity.+

%Most managers actually find unions helpful in negotiating collective agreements for a group or groups of employees. It saves them time and money over having to negotiate agreements with each employee individually.+

%At one time, supervisors were virtual dictators with power to hire or fire you on the spot. Now they must live up to the provisions of the collective agreement.+

Objection: %I don't want anything to do with unions. They're all corrupt.+

Possible answers:

Show the non-member a copy of SGEU's constitution and point out how the constitution assures democratic procedures and membership control of the union.

Point out that membership in the union gives you a right to choose your own officers and to correct abuses.

Objection: %don't know enough about SGEU or the union movement.+

Possible answers:

%The officers of the union local and I will be glad to sit down with you any time to tell you everything you might want to know about SGEU and answer any questions you might have. After you've learned some of the history of the union and how it operates, I'm sure you will want to become a member of SGEU.+

%What do you need to know about SGEU? SGEU is a large union; it is honestly run; it is efficient; and it is democratic.+

More myths

1. Unions just want your money

Like all major organizations including churches, sporting clubs and other associations, unions require funding to powerfully and effectively serve members. Union dues pay for many services. Hiring qualified staff representatives to assist members and unions in collective bargaining, grievance handling, arbitrations, WSIB and sickness benefit claims, wage compensation and travel expenses for workers in representation before government tribunals and member participation are a few of those valuable services. Union dues are tax deductible, and members vote to increase or decrease dues as it is set out in the union's constitution.

2. Unions have outlived their usefulness

Employers are guided by employment standards, and yet the number of Canadians living below the poverty line has not decreased. Unions create higher standards for workers. Without a union the employer holds all the power. Workers without a union have no recourse. Unions have driven powerful advances for workers over the last 100 years including improved wages, benefits, and labour organizations have shone the light on the problem of favouritism in the workplace. Many current employment laws have arisen as a result of unions lobbying for their implementation.

3. Companies close because of unions

Unions do not close workplaces, owners do. Companies close for other economic reasons. When a unionized workplace is closing, it tends to get a lot of media coverage. The main reason for this is because the union is in the forefront advocating for its membership and fighting for proper severance or close-out packages for members.

4. Unions force the workers to go out on strike

Members have to vote whether to accept the employer's final offer. This is what constitutes the collective agreement. Members only strike after collectively voting to do so. Striking is always seen as a last resort, and statistically most contract negotiations, currently an estimated 97 per cent, are successfully settled without strike action. When workers do decide to strike, they are taking a stand for important issues including fairness, dignity, or health and safety provisions.

5. Unions destroy the work environments

Current health and safety laws preventing injury and death for all workers are the result of the work of labour unions. Unions promote harassment-free and healthy workplaces, help to decrease employee turnover and increase efficiency and bring democracy to the workplace.

6. Unions make unreasonable demands

Union members vote on the issues most important to them. The bargaining process aims to achieve the best conditions for all workers through a give-and-take dialogue between workers and their employers in which all members are invited to stay actively engaged.

7. If a new union is formed, workers risk losing current benefits and pay raises

It is illegal for an employer to freeze or cut previously scheduled raises to discourage workers from forming a union. Once organized, current wages and benefits are locked in, and further negotiations are based on further amendments. All members review all proposed contracts before voting on them, so can insure no loss to current wages and benefits through the voting process.

8. A union is a third party that will cause divisiveness in the workplace

Unions are made up of workers working for workers. Unions are democratic, member-run organizations. When you form a union, you work together to govern your own organization and every contract is reviewed and approved by all members through the voting process.

9. Unions prevent direct contact between workers and supervisors union.

More often than not, unions strengthen employer-employee relations and improve all communication, including direct communication between staff and management. Unions encourage one strong and clear voice of employers in what can otherwise be challenging situations where workers report otherwise they are often unheard by upper management where key decisions about work conditions are being made.

10. Unions are a thing of the past and not needed anymore

The above line was first used in a Globe and Mail editorial in 1886. Since then, unions have fought for and achieved pension plans, medical plans, disability protection, minimum wages, health and safety programs, education programs, pay equity, the 40-hour work week and countless other benefits raising the bar of all workplaces for all employees everywhere, unionized or not. Without a formal and organized voice of employees, decisions affecting the quality of everyday life at work are made according to what benefits shareholders, owners and profit margins.

Meeting the new hire on the first day

What do you think the new hire wants and needs to know the first day on the job? Do you remember your first day on the job?

Put yourself in the new hire's shoes! That plant or office, department, job, and everything about it is going to be *new*, strange and just a little bit *unreal*. Remember? The new hire is going to want to know, and will be thinking about, many things. If you were the new hire, would you be thinking:

1. Should I really be here?
2. What's expected of me on the job?
3. How much break-in+will I have before I'm on my own?
4. Can I do the job?
5. How will the other workers accept me?
6. Where did they say the rest rooms and vending areas are?
7. What should I remember about what the boss told me? The union rep?
8. By the way, I wonder what a union rep really looks like? After all, I don't know much about union leaders.

That first day is so rough that most people remember it for the rest of their lives! The first day is when the new hire needs a friendly welcome. Remember?

Tips for Face-to-Face Meetings

- **Introduce yourself.** Make eye contact. Make contact at the right time. Do not contact an employee during normal work hours - catch them during break, lunch, or before or after work.
- **Be yourself.** Smile, relax, and use the kind of language you use every day.
- **Give them the Leadership Development 5 kits** or leave them with the worker to break the ice. Invite them to SGEU's online New Member Orientation Program.
- **Be polite.** If a worker refuses to talk to you, don't get into an argument. Tell the person you'll catch them another time (do follow up).
- **Be frank.** If you get a question that you can't answer, don't try to bluff. Tell the person you will try to get the answer.
- **Don't preach.** You should talk about the issue to help lead the person to his or her own conclusion. This is a much more effective approach than a hard sell.
- **Listen.** Listen to what the worker says - it will give you insight into their particular concerns and objections. Sometimes the best way to convince a person is just by listening and letting them know that the union cares what they think.

***You can find steward speaking notes in the
Steward Resource section on the SGEU website.***

Grievance Handling



What is a grievance?

Too often, a steward does not know the answer to this basic question. A member comes to you with a problem. They spell out an incident, an event, or an issue and then tell you to file their grievance.

If you tend to respond immediately, in the affirmative, you had better keep reading.

Stewards and union officers are vested with the responsibility of enforcing the contract for everyone in the bargaining unit. That is a right we demand as a union when we organize workers. To enforce the contract, the union negotiates a grievance procedure which is one way, but not the only way, we can get justice for our members. According to one survey, some 91 percent of surveyed union contracts include a grievance procedure.

The first question we need to ask ourselves when a member comes to their steward with a problem is, ~~is~~ this issue a grievance?+

Strategically, we are asking: ~~is~~ there any way we can deal with the issue through the official grievance network?+

The textbook definition of a grievance is: that which violates the terms, interpretation or application of the contract.

This is a rather vague definition of a grievance that you may not find very useful as a union representative. But, as we all know, textbooks are not the final word on anything. So let's develop this definition a bit further.

A grievance is more than likely a violation of an employee's rights on the job, a right that is usually, but not always, defined by the contract. In seeing a grievance in this way, we can better understand that the best place to look for a way to defend the member is in the language of the contract.

If you have any doubts as to the contract's importance on this fundamental issue, think about how your employer may attempt to chip away at the contract - not just during contract negotiations, but every day. The employer knows that if all else fails, it is the contract that protects employees.

So for all practical purposes, every union officer must first go back to the contract when a member comes to them with a complaint or a problem. The contract provides us with the strongest ammunition in resolving the issue for our member.

That is why it is so critical to know your agreement and use it as creatively as possible when writing grievances. Many local officers have surprised themselves by grieving issues on language in the agreement which is close enough to the problem to get a positive response from management.

Is the contract the only means to resolve members' grievances? Of course not. But it is probably the strongest leg you have to stand on.

A grievance may exist if the employer violates the law. In almost every case, contract language or employer practices cannot violate the law.

Also, there is the issue of past practice. Most new stewards rely on the concept of past practice far too often. Past practice is roughly defined as a practice that has been repeated over a period of time. It's not something that has happened once or twice or that has been in place for a week. It is a practice which has been going on for enough time and so frequently that it appears to a reasonable person that both sides have agreed informally to conduct their business in this manner. The contract must also be silent on the practice. (See next section: *Past practices*).

The best advice is that stewards should not take it upon themselves to grieve on the basis of an employer violating past practice. Discuss the issue with your LRO. There may be language in the agreement that proves the opposite of your argument, or the union may lose too much by challenging the change in practice.

Lastly, there are many grievances that fall into a large category which we say are discipline-related. The union can challenge certain rules or their application. We may argue that a member is being disciplined without *just cause* or that he or she is suffering from disparate treatment. The two expressions are simply an arbitrator's or lawyer's way of saying the member is being disciplined unfairly.

So the best advice that can be offered in handling a member's problem is to check the contract first. If there is any reasonable way of dealing with the issue as a contract violation, you ought to use it.

You and your union are only limited by the contract, the skills of the grievance representatives, and the power of the union.

Can employers change the rules in the middle of the game?

Past practices

What makes something a past practice? The practice must be a customary way of doing things in your workplace that, while not spelled out in the contract, had been done consistently over a long period with the knowledge and acceptance of both your boss and the union.

Example 1: For years, your employer has allowed you and your co-workers to play radios while sorting packages. But, one day, your boss says: *No more radios!* Your contract does not say anything about radios. Can your boss make this change?

Example 2: Until recently, your boss has allowed you to stop work a few minutes early so you can wash up. Now, she says you have to stay on the job until your finish time. The contract is unclear about whether you have *wash-up time*. What can you do?

Example 3: You've always been allowed to use three sick days each year to stay home with your children if they are sick. Now your boss says you can't stay home unless you

are sick. The contract specifically says sick days can only be used if you are sick. What happens?

In some situations like these, you can fight the actions of employers who change the rules on their own - thanks to a legal principle called ~~past practice~~.

You won't find mention of past practice in any labour laws. The tradition of giving weight to how things were done in the past has been developed by arbitrators who rule on disputes over the interpretation of union contracts.

In the ~~radios~~ and ~~wash-up time~~ examples, the employer knows about and has allowed those activities for years. There's nothing about playing radios, one way or the other, in the first contract. In the second example, the contract is unclear as to whether or not wash-up time is allowed.

In both these situations, you would have a strong case if you filed a grievance against your boss. It would be much more difficult to win this kind of grievance however, if the contract clearly prohibited the activity.

Take the third example listed above - the practice of using sick days to take care of sick children. Here, the contract was clear. It specifically said you could only use sick days for your own illnesses. So, it would be hard to win a past practice grievance.

Cases involving employee benefits or privileges make for strong past practice grievances. But, in most situations, it's much harder to argue ~~past practice~~ when employers change methods of operations or introduce new technology. Other contract language may be helpful (like a requirement to give the union notice about changes), but the argument that ~~we've~~ always done it that way probably would not work in those cases.

Being aggressive - and timely - in defending your contract can help stop management from using past practice as a defense against a union grievance. If workers wait years to file a grievance against a new management policy that isn't directly addressed in the contract, management may argue that it has become a past practice. This is why it is very important to challenge management actions right away when you think they may violate your rights.

Many situations aren't cut and dried, and this area of labour law can be very complex. But this should not stop you from discussing the problem with coworkers and seeking advice from your LRO if you think your employer has violated your rights by changing the rules in the middle of the game.

Get it in writing

SGEU has a comprehensive grievance form that must accompany all grievances. As stewards we spend a lot of time talking - preaching unionism; communicating important information about our job; educating members about critical legislative issues; or just telling members what they missed at the monthly union meeting.

We live in a talking culture. We forget to put things down in writing.

That's not what they teach in business school or in law school. Supervisors and lawyers have been trained to put everything down on paper.

It allows them to control what is called the record. If you go into a grievance meeting and your supervisor takes notes, chances are those notes will form what is called the record of the meeting. Your memory and their memory can be faulted. Notes cannot.

That is why it is important to get into the habit of keeping a small notebook and using it in all of your capacities as a steward. Most important, use it while you are handling complaints and grievances.

When a worker comes to you with a complaint, the first thing to do is to get the facts. Only then can you decide if it's a grievance or not. Use SGEU's Issue/Grievance Preparation Form to make sure you're covering all bases and to keep your information organized.

Interview the worker with the complaint. Listen to their story patiently. Then ask specific questions. Don't be satisfied with glib statements like, "The supervisor's picking on me," or "They're giving us too much work."

Sometimes workers take it for granted that you understand their jobs, and forget to give you vital facts. Make it a point to ask about their work routine. Find out how they work, what processes or machines or shifts there are and how they operate. Sometimes the worker will skip the part of the story that might weaken their case. If you're to deal successfully with their complaint, you need to know the full story, good and bad.

Have the member write down their story in their own words (in addition to the notes the steward makes when interviewing the member). They should include names, dates, places, and actual quotes of things they have heard or were told. Have them date it and sign it.

Investigate promptly and document thoroughly. If your collective agreement or workplace practice requires you to get your supervisor's permission to stop working to investigate, do so. Or make arrangements to talk to the member the first moment you have some free time.

Memories fade quickly as time passes. If this issue is a grievance, it may take months to move through all the steps in the process. Other stewards and union staff may become involved. They will rely on your notes and research to understand the situation. Make sure you are creating a record that is easy to read and easy to understand.

Collect statements from all available witnesses. If you can, get statements in their own handwriting which are signed and dated. If not, prepare statements yourself after the interviews, and have the witnesses sign and date these.

Interview not only the witnesses who support the member with the complaint, but also those who don't. You need to do this in order to find out what really happened. And you need to know what you are up against. It is also helpful in the event that the matter ends up at arbitration: you will know if a witness testifying for the employer changes their story and can take steps to undermine the evidence.

Gather other relevant information. If necessary, take a look at the work area and draw a diagram of the placement of workers, equipment, managers, members of the public, and so on. Collect other related documents. Get the member's written permission to look at their personnel file (or payroll file if applicable) and have the employer give you copies of the documents you want for the union's record.

Relevant documents may include:

- Seniority list
- Pay stub
- Vacation or other leave requests/approvals
- Performance reviews
- Disciplinary letters
- Job posting
- Time sheets
- Employer policies
- Any written notes the member has from previous meetings with management.

In your interview step with the member, write down what he or she says. Don't worry about spelling. Just get it down. Use your grievance interview sheet to help write down the story.

The very act of writing the member's story down conveys a professional image of your role to the member. And just as important, the member will be more truthful in giving you the whole story - warts and all.

Sometimes members think they are helping the steward by embellishing a story to make it more convincing. Our role as steward is to get the truth and get the member justice. The act of writing contributes to that goal.

Taking notes in the grievance meetings conveys a sense of no-nonsense and professionalism to your employer counterparts as well.

The employer's paper trail

Let's take this issue of writing a step further. How many of us have been in a situation where the employer has created a paper trail in order to build a case against one of our members? Verbal warnings and letters may be indicated on some kind of disciplinary sheet in the member's personnel file.

What does the member usually do if they are assessed a verbal or written warning? In all too many cases the member does nothing. Stewards and the union itself must counsel all members never to accept discipline that the member and/or the union feels is unjust.

That doesn't mean every letter of warning has to be arbitrated. In many cases, it is sufficient to challenge that letter with the member's and/or union's version of what happened. This challenge should be put in writing and attached to the record or it should be properly entered directly on the discipline sheet, if possible.

If these warnings are not challenged in writing, they stand as accepted. Management has made an art form out of progressive discipline. The union needs strong ammunition in any disciplinary situation, because the next incident could trigger time off or termination.

Inequality and harassment

Employer harassment

There are times when a member comes to his or her steward with a complaint about a supervisor who seems to be picking on the member. He or she gets the worst assignments. Or the supervisor always seems to be breathing down the member's neck.

Issues such as employer harassment (sexual harassment is a different matter which we will deal with in another section) are ones which usually boil down to the member's version of the story versus the supervisor's version.

Before you advise the member on the best way to try and resolve their complaint, you have got to tell the member to document each and every incident in which it occurs. Just as management builds disciplinary cases against our members, we have got to build the case against the offending supervisor.

Tell the member to write down the incident, when it happened, what happened, and whether or not there were any witnesses. By putting together a record of the harassment, the member is directly involved in the grievance process and the union will have the necessary documentation to make the best case. Remember; get into the habit of writing down everything!

Equality and harassment

Unions were formed and developed historically on the basic principle of fighting for equal treatment for all members in the union based on collective action. This basic goal has not changed. The most effective tool to attain our goal of equality is the elimination of **racism, ageism, sexism, ableism, homophobia, heterosexism, and other forms of personal harassment.**

Ableism is defined as discrimination toward a person based on a physical or mental disability.

These discriminatory forms of behaviour weaken the union. All too often members of our union are perpetrators as well as victims. This destructive behaviour must stop.

The practice of any form of harassment by anyone negates our ability to achieve equality, and stands in stark contrast to everything positive that unions have come to represent.

Practicing any form of harassment in our union meetings/events, workplaces, or communities weakens us as individuals and weakens our union's ability to be a vehicle for social justice.

Anti-Harassment provisions

All bargaining units should negotiate anti-harassment clauses in their collective agreements to include:

- Mechanisms to resolve disputes,
- Protection for the complainant, and
- Education awareness sessions on harassment for everyone in the workplace.

Know your workplace harassment policy

The Saskatchewan Employment Act (SEA) requires all employers to develop a written policy to prevent harassment in the workplace, in consultation with the Occupational Health and Safety Committee. Employers must implement that policy and post it in the workplace.

More on personal harassment

Personal harassment is not necessarily rooted in a particular group characteristic and the power imbalances that result, the way that racism or sexism is. Personal harassment means negative, differential treatment of an individual for no work-related purpose, which abuses or humiliates them, interferes with their work performance, or creates an intimidating or hostile working environment. It may include the following:

- Verbal or written abuse (such as yelling, name-calling, or threatening e-mails)
- Insulting or degrading comments, jokes, or gestures
- Interfering with or vandalizing personal property
- Unwelcome physical contact
- Personal ridicule or gossip that damages reputations
- Refusal to communicate, work, or co-operate with a person
- ~~%~~Work sabotage+

To qualify as harassment under the Act, the behaviour must be or do all of these things:

- Adversely affect a worker's psychological or physical well-being; and
- Any behaviour that a reasonable person knows would cause a worker to be humiliated or intimidated; and

- Be a threat to the worker's health and safety; and
- Be repeated, or be one single but serious incident that has a lasting or harmful effect on the worker.

Day-to-day managerial activities such as work assignment, performance management, and progressive discipline are not in and of themselves considered personal harassment, unless they are unreasonable and designed to ridicule and humiliate. (Note the difference: harassment on the basis of one of the prohibited grounds, such as disability, has no such exception for reasonable managerial action.)

To prove that personal harassment, or bullying, has occurred, the affected person must provide some evidence that they have experienced adverse effects. This does not have to be medical evidence, although that may be required to prove that a single serious incident caused lasting harm.

Impact versus intent

Whether something is harassment (demeaning, belittling, and threatening) or not is determined by the person on the receiving end of the statement or action.

But I didn't mean it+does not get you off the hook. It's not your intent; it's the impact of your words or actions on another that count.

It's also harassment if the person offended is not the one you were directing the comment or action toward.

The safest and simplest strategy is % in doubt, don't. If you're not sure if someone will be offended by your words or actions, don't say or do them.

The grievance interview

The key to good grievance handling is a proper investigation, and that process should start with interviewing the member who comes to you with a problem. Based on this key interview, you will make a number of important decisions such as what to do with the problem, whether to investigate it further, and how to resolve the issue.

We all know that most work problems are not very simple. In order to get at the heart of the matter, the steward has got to speak with the member and find out exactly what happened.

That means we have to develop three critical skills: interviewing, listening and writing.

If a steward is going to follow-up the problem, he or she has to be sure what happened. We must use the same interviewing skills that any investigator - be it an insurance claims officer or a police officer - uses. We ask and answer the **"five Ws"**:

- **Who** is involved? Name(s) of the worker(s) and the basic work information about the member(s) such as department, shift, job title, seniority, employee number. Most of this information will also be needed on the grievance form. You also need to find out

some other information: Who witnessed the incident or who else was involved? Who from management was there?

- **When** did the incident or condition occur? Get dates and times as accurately as possible.
- **What** happened or didn't happen? **What** did the worker(s) do or not do? **What** did management do or not do? What happened in the past?
- **Where** did the incident take place?
- **Why** did the incident occur? In answering this question, you may have to sift through conflicting opinions to get at the facts.

More tips

Do it in person and spend time. Asking the five Ws may not be difficult. Getting useful answers is another story. Your member may be so hot under the collar that you may have to wait a few minutes before he or she can settle down and tell you the whole story accurately and factually.

Take notes. Always take notes. You can't remember everything and taking notes conveys to the member that you are taking this issue in a serious manner. The member may also take your concern more seriously and give you more facts and less opinion if he or she sees that their words are being written down. Some statements or facts may not seem important at first, but take it all down. Later investigation may make this unimportant information crucial to your case.

Use the grievance investigation form. The sheet will help you interview the member and help you complete a full investigation of the matter. You will be one step ahead if you pursue the complaint as a grievance. Additionally, the worksheet will remain in the union files so if the grievance is appealed to a higher level of the grievance process, your investigation work will be preserved for other union grievance officers.

Let the member tell the story. Make sure that you take enough time with the member. Listen to what the worker says without giving an opinion or making empty promises. Have them tell the whole story and make notes as you go along so that you can follow up on specific details later.

Follow up. Steer the interview back to the specific issue and ask for greater detail.

Keep in mind two other questions:

What else do I need to conduct a proper investigation? What further information is needed? The success of any investigation means you start with the member but you must also consider other sources of information.

How should the issue be resolved? A solution to the problem or complaint may arise in the course of the interview. Give the member a chance to help resolve the issue. Use your knowledge to guide the worker by making sure he or she understands the effect of

any suggested solution. Lastly, prepare yourself for the possibility of a full-blown grievance. Begin to think about the remedy you will seek to correct the injustice.

There is no magic to interviewing a member. Just make sure that you have the time to conduct a full interview, listen carefully, and write things down.

Handling grievances

There is no magic to handling grievances. Your membership expects you to represent them in a fair manner. That is one of the many functions of the union.

Your ability and credibility are the strongest attributes you possess for doing your job in a fair and professional manner.

To help you keep your eyes on the process and gain justice for your member, here are 23 key points in grievance handling. Read them carefully and then read them again.

1. Know your membership.
2. Encourage your members to submit all grievances to their representative.
3. Discourage members from shopping around for a representative to file their grievance.
4. If the member has a complaint, not a grievance, take the time to explain why it cannot be processed as a grievance.
5. Do not make promises you cannot keep.
6. Know your collective bargaining agreement. Read and reread it.
7. Get all the relevant facts about a grievance and record them.
8. Make sure the grievor knows what the issues are.
9. Be honest with the grievor.
10. Separate personal vendettas from real grievances.
11. Plan your case and prepare at every stage.
12. Keep the grievor informed at every stage.
13. Try to settle the grievance early on.
14. Discourage the member from discussing a grievance with management.
15. Try to retain your members' confidence at all times.
16. Discourage your members from processing their own grievances or settling privately with management.
17. Listen to the grievor. Know when he/she is telling the truth.
18. If a worker has an obvious grievance and won't file it, find out why.

19. Do not take bad grievances.
20. Keep written records of all conversations. You will need them.
21. Set up a filing system that works for you.
22. Know your grievance procedures. Every collective agreement can have a different process. Make sure you know yours and review it regularly. Grievance procedures escalate in ~~6~~ steps+ from early discussions with first-level managers all the way up to arbitration.
23. There are time limits for filing grievances and for moving them on if the employer doesn't agree to settle or doesn't reply. Work hard to meet the time limits at each step. Otherwise, the grievance could be lost just because it is ~~out~~ of time+.

Remember: A grievance is a violation of one or more workers' rights on the job by the employer or their representative. It can be a violation of the collective agreement, of provincial or federal law, or of the employer's rules or policies.

Here are some examples of grievance issues:

Money

- Wrong wage or salary rate
- Annual or scheduled increment missed or delayed
- Shift differential not paid
- Overtime or pay for work performed on days of rest or holidays not paid
- Call-in or standby pay not paid

Discipline

- Penalties without just cause
- Unfavourable performance evaluations
- Firing (discharge, termination)

Staffing

- Violation of seniority clause through improper transfer or promotion
- Improper lay-off or recall
- In-scope work being posted as an out-of-scope job
- Temporary assignment or performance of higher duty

Physical working conditions

- Unsafe or unhealthy working conditions

Harassment

- Harassment based on sex, race, ethnicity, sexual orientation, union activity, etc.

Violation of union rights

- Failure to allow members to have union representation
- Retaliation against stewards for performing steward duties

Violation of a federal or provincial law

- A violation of any law touching the workplace (such as human rights legislation or the Saskatchewan Employment Act) can be grieved

Once a grievance is filed, decisions about the handling of the grievance are made by SGEU, not by the grievor(s).

What does “No” really mean?

Many stewards hear the word “no” more often than they would like. It might happen like this: suppose a member comes to you with what seems like a clean grievance. They have been bypassed for overtime and according to your investigation they were at the top of the list, but were never asked.

You then decide to meet and discuss the issue with management because it appears that the supervisor committed some oversight here. But when you get into the supervisor’s office, he begins to talk about emergency work and needing to assign an available employee without going to the list.

Your jaw begins to drop, the muscles tighten and it takes all your effort not to explode. You have just entered the world of grievance denial.

What happened?

Bad decisions

Chances are the supervisor on duty made a poor decision and management is now using the emergency work excuse as a cover. Of course the member has been wronged, but management doesn’t like to admit it made mistakes. So it compounds the mistake and gets the union members angry.

Here’s another scenario: your shop has enjoyed a practice for many years. There is nothing in the contract that deals with the practice but a new supervisor decides to end it. You protest through the grievance procedure and are told the grievance is denied. When you ask why, the supervisor reads you the management rights clause of the agreement.

Don’t take No for an answer

We have to live with bad answers and grievance denials but that doesn’t mean the process ends. Your first move is to explain to the grievor what just happened and make it clear that the union will not allow management to play games with his/her grievance.

Next, you must research and document the grievance thoroughly, if you have not already done so. Make sure that your notes of the first-level meeting go into the union’s file in case the second-step appeal is handled by a different union officer. Insure that record is complete. Talk to the chief steward or labour relations officer so that the proper person can make the strongest case on appeal to the next step.

Always consider the reason for the denial, but don't necessarily make your rebuttal the primary argument. If a member is passed over for overtime and there was no real emergency, stick to your guns about the bypass. If the supervisor hides behind the management rights clause - and they often will - insist that the employer consider the practice as part of the unwritten agreement between both sides. Show that the practice has been ongoing for a long enough time period that it appears to reasonable people that this is the way both sides conduct their business.

What about no answer?

Let's take a variation of this case. Suppose the supervisor doesn't answer your written grievance within the time limits set out in the agreement. The union must then choose to move the grievance up to the next step.

When a supervisor does not reply to a grievance, it is usually because he or she is overworked, negligent, can't make a decision, or won't make a decision. Senior management sometimes complains that its worst nightmare in the grievance process is to see it progress to arbitration as a result of other managers not responding to the grievance. Most of the time, management will try to settle the grievance to save face.

Employers will go to the issue of time limits first when responding to a grievance. And the language that justifies a rejection of the grievance on the basis of missing the time limit is usually found in the labour agreement. Good grievances - grievances with merit - can be lost when management sees that the union has missed time limits.

Keep appealing

The key is not to let management control the grievance procedure through denial or refusals to reply. Their hope is that denial or silence might make the grievance go away.

As frustrating as these tactics are, they cannot be allowed to divert the union from its primary task of defending members' rights on the job.

Points to keep in mind when meeting with the employer

When you and the employer representative meet to discuss a complaint or grievance, you are of equal status. Before the meeting, decide how to structure your argument or lay out your case. Make a note of what you will say for each of the steps below:

- The impact of the problem for both sides.
- The part of the collective agreement that's been violated.
- Your preferred course of action (the settlement sought).
- Next steps (including deadlines, who is to do what, upcoming meeting dates, consequences, etc.).

At the first employer meeting, always ask the employer why the action was taken. Invite them to explain why the action they have taken is correct. Listen carefully and record in

writing what is said. The employer may have information about the situation that the union doesn't have, no matter how carefully facts have been collected.

Separate the points and facts you agree on from the ones you don't, and then explore carefully the issues on which there is disagreement. Check the facts raised by management before attempting to respond to them. When the facts contradict one another, talk to witnesses or do the research needed to get the story straight.

Know your case and set it out clearly and accurately. Use your judgment and decide if you withhold pertinent information until a later meeting. On the one hand, you may want to keep some information for a later meeting with an employer representative who has the power to offer a settlement. And you might hold off revealing the strengths and weaknesses of the union's case until you have learned more about the employer's. On the other hand, if withholding information only delays reaching a settlement, doing so would be counterproductive. Consult with your labour relations officer beforehand about what information should be disclosed and what is internal, private union information.

Stick to your point. The employer may try to sidetrack you by leading the discussion off onto another issue. When he has finished, bring him back to the facts of the individual grievance at hand and, when you talk, stick to the issue.

Ask for full disclosure. In other words, ask that the employer share all information and documentation he or she has related to the case.

Never meet with management representatives alone. Take another steward or member along to be a witness to what the employer actually said.

The grievor has the right to attend any discussions. But use your judgment. If the member is excitable and prone to outbursts, consider if this is a situation where antagonizing the employer will be to the member's and union's benefit. Or if the member is timid and may cave in, you may also recommend that they not attend. If the grievor does attend, brief them beforehand on what to expect and only call upon them for factual information.

Speak calmly and confidently. Don't be timid or convey the impression that you really don't want to be filing this grievance or talking about this issue.

Act professionally. Treat the employer as you expect to be treated. That means they should behave professionally and calmly too. Insist the employer speak respectfully about the member(s) involved. Challenge any discriminatory language or actions of the employer during the meeting, and record any behaviour which would show forms of discrimination are factors in the case you're dealing with.

Don't lose your temper or bluff. Few people can think straight when they are mad. Union representatives should stay calm. If you or someone on your side is getting angry, adjourn the meeting or ask for management to leave for a short time, then caucus with SGEU representatives to regroup.

Keep a united front when you meet the employer. That means not arguing or disagreeing with another union representative in front of the employer. Decide on the union's position before you meet with the employer. If problems arise, ask for a break to

caucus or meet away from the employer's eyes and ears to collectively decide how to move ahead.

Check the time limits in the grievance procedure carefully and stick to them. Time limits can be extended if both sides agree. Get the employer's agreement in writing to any extension you request.

Settle the grievance at the meeting if possible. If you can achieve what the grievance calls for, get a written proposed settlement agreement from the employer and forward it to your labour relations officer, who will issue the necessary documents. If you are successful, don't gloat or rub it in, but instead build good relations for the next time you need to meet with the employer.

If the employer proposes a compromise, check with the grievor and your chief steward or labour relations officer before agreeing to it, particularly if the employer says they want any allegations of discrimination dropped from the record. All agreements will be made ~~without prejudice~~ to another member's right to grieve a situation.

If no resolution is reached at the step one meeting, advise the employer representative that you will be forwarding the grievance form and file to the SGEU office and that the next correspondence they receive will be from that office.

Keep records of everything. If a settlement is reached verbally, the steward should put it in writing and have the employer's representative sign. Keep this written record for the union's file. We can refer to it later if the same or a similar situation arises.

After the meeting, evaluate how things went for you. Base your future behaviour on what you learned. Keep the grievor informed about what the union is doing on her or his behalf.

Mail the grievance form, SGEU issue/grievance preparation form, and other relevant documents to your nearest SGEU office. Don't believe that it is unprofessional to grieve an issue. It's not. All a grievance does is ask that the employer hold up their side of the collective agreement they bargained and signed.

Discourage workers from trying to handle their own grievances

When workers file and present their own grievances, they are at a disadvantage because:

- They may not have the experience and knowledge you have, or that the employer representative does.
- The issue is important to them, perhaps personal. They may use an emotional approach, instead of a logical, well-reasoned one based on the collective agreement.
- Stewards have additional protections that workers do not have. The employer suffers additional consequences if it tries to intimidate or pressure an employee who is also a steward.

- If the employer rejects the grievance and the worker turns to you for help, your efforts will be hampered by any mistakes or admissions that the member has already made. You may not find out about these immediately and the employer, having already denied the grievance, might not be willing to reverse its position and lose face.

Check your CBA to determine who can file a grievance!

Understanding collective agreements

Keep in mind the need to read the contract from two perspectives:

Bird's-eye: The collective agreement needs to be read as a whole document, including the Letters of Understanding (LOUs). So it's good to get into the habit of looking through the whole contract each time you have a question. Something might not stand out for you until you're reading it with that specific topic in mind. And you need to identify all the clauses that are related to the particular question.

Close-up: Each relevant clause is made up of different phrases that describe what, when, and how. You need to be able to break down the clause to identify all of the factors that determine if the clause applies to the question at hand or not.

Interpreting collective agreements

Contract clauses can be interpreted in different ways, so check with other stewards, your chief steward, or your labour relations officer if you're dealing with a clause for the first time.

Words and structure have meaning. They provide the context for interpretation. The following guidelines are not firm rules for interpreting a contract, but they summarize the most common ways that interpretations are made. There will always be exceptions, but most of the time these guidelines will help you correctly decide whether you have a grievance under the collective agreement.

Definitions are good starting points

Definitions in the agreement show the specific meaning that the union and employer agreed to give to certain words. Definitions which appear at the beginning of the collective agreement can be used to interpret any provisions in the body of the agreement, unless a specific definition or exception is noted.

Some definitions are contained within a particular section or article (at the beginning or the end) and are intended to apply to just that section or article. Look for words like, *%for the purposes of this section+or %for this article.+*

***Give words their ordinary, every-day meaning
if they are not defined.***

Pay attention to order, links, and limitations

- Look for clauses in an article that specify how that particular article is to be applied. For example, *%An employee must obtain permission of the manager before taking leave.+*
- Some clauses and sub-clauses must be read together. Look for words like *%Subject to Article 3.2. ò +Read the agreement as a whole. One piece does not stand alone.*
- If there is a potential conflict, provisions that come first override provisions that come later. If there is a potential conflict, specific provisions override general provisions.

These things are assumed:

- Every word was included to help with the meaning. Otherwise, the union and employer would not have included it.
- The union and employer would not agree to something that leads to absurd consequences.
- The union and employer did not intend for anyone else to read in or add in other words to the collective agreement.

Individual words carry meaning:

- The same word must have the same meaning everywhere it is used in the agreement, unless specifically noted. Different words have different meanings. (E.g., *%job+and %classification.+*)
- If there are two possible meanings, look to see where else the word is used and try the two meanings in the other section. Which makes sense?
- *%May+means optional; %Shall+and %must+mean mandatory; %And+means both/all; %Or+means either.*

Writing a grievance

One of the most difficult jobs of any grievance representative is writing a grievance. Many of our contracts provide for the steward or representative to write the grievance on behalf of the member. By having the steward write the grievance, the union is better able to track the issue and control the grievance procedure. The member is better represented and the process is used to build solidarity in the union.

Your grievance form

The first step of the grievance process is an informal meeting and discussion involving the member, steward, and first line supervisor. Your goal is to settle issues early. In order to be effective towards this goal you must make advance preparation. Use your investigation form when interviewing the member, and follow the steps in the %Grievance Interview+section. Review the section %A Dozen Points on Grievance Presentation+

Take a pad and pencil with you when you meet with the supervisor for the first step grievance meeting, and take notes of each participant's statements. If you are unable to resolve the issue at this meeting, let the supervisor know that you will need a verbal response by the second working day after the grievance was presented.

If your complaint/grievance is dismissed at this informal stage, then it is time to write a grievance. Depending on your collective agreement, filing the grievance is considered the first step, or %Step 1+. Complete the grievance form and submit it to the out of scope manager to be signed. They are to receive the original, the steward keeps their copy, and the other copy is sent to the union office for processing.

The out of scope manager must respond to this grievance in writing within the allotted days stipulated in your Collective Agreement. The assigned labour relations officer will respond to the employer requesting a %Step 2+meeting to discuss a potential resolution to the grievance. Be aware of timeliness issues and mark deadlines on your calendar for follow-ups.

Be timely

You must be timely in the presentation of your grievance. That means you should file within the proper amount of time that is stipulated in your contract. Be careful of contract language. Working days and calendar days are different. Filing a grievance after gaining knowledge of an incident is different from filing after the date of the incident.

When you write the grievance, limit the statement to basic information. Provide only enough information to identify the grievance so that management understands what the basic problem is, what violations have occurred and how the problem should be fixed.

Be brief

You are not obligated to tell management in a grievance all of the results of your investigation. Don't do their work for them.

Omit the union's arguments, evidence and justification for its position. You should save that for the grievance meeting. You don't need to tip your hand before you get to that grievance meeting. Avoid personal remarks. State the position of the union, not opinions. Opinion phrases include "I think," or "I believe." Avoid them.

When stating why there is a grievance, use a phrase such as "management's action is in violation of the contract including Article VIII, Sections 4 and 5." The use of the word "including" allows for the possibility that there could be other violations.

The remedy

You need a remedy in every grievance. By filing a grievance you are demanding that management right an injustice. Management will not give you anything. You've got to tell them what you want.

When you write your remedy, don't limit it. In grievances that involve money, benefits, or protests of discipline, use the phrase "the grievor should be made whole in every way including" Then ask for what you want.

The general phrase "made whole in every way," means that the grievor should receive any and all losses due to management's action. The word "including" allows you to add specific remedies later on in writing or in oral discussion with management.

Just because you use the phrase "made whole in every way," does not mean that management or even an arbitrator will search out the specific benefits management has denied your grievor. It is up to you to list verbally or in writing any remedies not noted in the original grievance.

Keep the grievor up to date on the process of the grievance. Your job doesn't end when the form is filed.

Grievance wording samples

Sample 1

- **Statement of grievance, including but not limited to:** I hereby grieve that the employer suspended me for three days without pay.
- This is a violation of my rights under the Collective Agreement, including but not limited to Article: [(number and name of relevant article(s))].
- **Settlement sought, including but not limited to:** Full redress including removal of any mention of the suspension from my personal file, payment of all wages and benefits lost as a result of the employer's action, **and to be made whole in all respects.**

Sample 2

- **Statement of grievance, including but not limited to:** I hereby grieve that the employer refused to pay me the shift differential for time worked including on June 3, 4, and 5 of this year.
- This is a violation of my rights under the Collective Agreement, including but not limited to Article: [number and name of relevant article(s)].
- **Settlement sought, including but not limited to:** Full redress including payment of the shift differential as required under the Collective Agreement **and to be made whole in all respects.**

The grievor(s) must sign the grievance form once the steward has prepared it. (If there is not enough room to list all grievors' names and contact information on the form, make sure that a complete list of names and contact information is attached to all copies of the form.)

Make sure the grievor understands that, by signing it, they also agree to give the SGEU representatives access to his or her personal file as needed to successfully take action on the grievance.

Resolving issues early

It's good to try to resolve problems early and informally. Informal problem solving allows stewards to address problems quickly, especially when they are small and local. Keep in mind what the time limit is for filing a grievance under your collective agreement. If the informal approach seems to be working, you can seek the employer's agreement to extend the time limits for filing a grievance. Make sure to record that agreement in writing.

Here is the problem today for a union steward. A member comes to you and asks you why their grievance has not been solved. % amounts to a few hours overtime, + they tell you. % Why does it take four months to get settled? + Good question, you say to yourself. Why must it take so long?

An experienced steward understands the grievance process and his/her key role in making the procedure work. It begins and hopefully ends with the steward and member. No Step 2 or 3. No arbitration.

This might sound like heresy but it is common sense. Few grievances should ever go up the grievance ladder and even fewer should go to arbitration. When a large number of grievances go up the grievance ladder, there is a serious problem with the procedure and its use. And that often signals a poor relationship between the employer and the union.

Why should issues be resolved early?

- Members see results quickly. Minor issues should be tackled and resolved immediately. This shows the member that the union can deliver. Needless delay over a resolvable issue demonstrates weakness not strength.
- Justice delayed is justice denied. This is an old saying which rings true today. How does it look to a member when a resolvable issue has to be processed in a way that takes months?
- Resolving issues at an early stage builds up a relationship with your counterpart in supervision. When an issue doesn't go downtown or off the property it makes the supervisor look good. This can also serve as the confidence-building process which allows for other issues to be tackled.
- Reducing the issue to a written grievance often forces both sides to posture and become inflexible.
- Issues that could be handled by discussion can turn into costly grievances.

This does not mean we shouldn't file grievances. On the contrary, we should treat every grievable issue as if it will go to arbitration. Stewards should perform a thorough investigation and advocate in the strongest possible terms if a written grievance is merited and a step one meeting is necessary.

Let's also go through a reality check here. Your intentions may be the best. Supervisors may not see early issue resolution as in their best interest. They might view sitting down with you to discuss issues as ceding over some of the little power that they have. They may also not be in a position to resolve issues informally. Usually, these are the same supervisors who must call labour relations to get an answer on your first step grievance. And then there are supervisors who are hostile to any kind of reasonable request.

But there is still a strong case for an informal discussion with management on workplace issues.

Where they can feel comfortable, stewards should take advantage of "open door" policies to meet and discuss issues with supervisors. There is no reason why a steward cannot schedule a pre-grievance meeting with his/her counterpart in management. We already do some of this "meet and discuss" when we go into the supervisors' office over the nonpayment of overtime or problems with work scheduling.

If we can begin to meet and discuss, we can also begin to carve out areas where we can successfully resolve bargaining issues. And by doing so, we can spend more of our time on other key Steward roles, such as organizing and political action.

When is a complaint not a grievance?

Not all problems can be resolved through the grievance procedure. If the employer has not violated anyone's rights under their collective agreement or legislation, there is no grievance. But that doesn't mean that the union should ignore the problem. It just means that we have to use other tools to address it.

These types of complaints are not considered grievances:

- **Complaints against the management not covered by a workplace right.** There may be cases which do not violate the contract or a piece of legislation or a policy. It still may be possible to remedy these complaints by informal discussions between the union and the employer or through collective action.
- **Complaints about government agencies and local bodies.** If the complaint affects several people in your workplace, community, or bargaining unit, there may be a role for the union to play in working for changes in laws and regulations. Bring these complaints to the attention of the union leadership and to other community and labour bodies. Or, if it is an individual issue, you can help by referring the member to a community agency or advocacy group.
- **Complaints about fellow workers.** Encourage members to first express their concerns directly to the co-worker they have the complaint with. These situations require a lot of tact and diplomacy on your part. This sort of complaint may become a grievance if harassment is taking place and if the employer fails to act or to follow the harassment procedure.
- **Complaints against the union.** A member may be unhappy because their complaint can't be dealt with through the grievance procedure. Or they may object to a decision or action by the Steward or by an individual union representative. It is up to you to explain to the member what their rights are under the union's constitution. Remember your obligation to treat each member fairly. Don't dismiss complaints out of hand. To be on the safe side, discuss any complaints with your chief steward or labour relations officer.
- **Personal troubles and requests for advice.** You may find that people want to confide in you. Treat them sympathetically and with confidentiality, and try to refer them to the appropriate professional or community service. Become familiar with your Employee and Family Assistance Plan, if you have one, and know the names of local agencies that provide counselling, addiction treatment, and other social services.

Not sure if it's a grievance? Check with your chief steward or labour relations officer if you have any questions about grievances. Please don't file a grievance without consulting with them first.

Here's what a SGEU general grievance process may look like

Informal Discussion: Steward meets with employer representative to try to resolve the problem, explaining what right has been violated, how, and what the desired resolution is.

Step 1: Steward presents (or files) the completed grievance form for signature to the out-of-scope employer representative. The steward explains the union's position and its proposed solution; asks for full disclosure of relevant information; and asks any other questions to gather information. (Steward gives one copy of the grievance form to the supervisor, keeps another copy, and forwards the third along with the Issue/Grievance Preparation Form to the SGEU office.)

(Internally, within SGEU): The SGEU office sends a letter to the employer requesting a formal response. If no response or no favourable written response is received, the SGEU office sends a letter moving the grievance to step 2 and requests a meeting.

Step 2: In a formal meeting, union representatives review details of the case with higher level employer representatives who are asked to put their position in writing.

(Internally, within SGEU): If no written response is received or if the grievance is denied, the labour relations officer and the bargaining unit's grievance or negotiating committee review the grievance and agree on a recommendation whether or not to proceed with the grievance. (Before the employer is ever told that the union is withdrawing a grievance, the member(s) involved has opportunities to appeal that decision. (Obtain an SGEU Issue/Grievance Preparation package for a detailed description of the full process along with the mandatory preparation and claim forms).

Arbitration

A neutral third party hears arguments from the union and the employer, and makes a final, binding decision.

Grievance Presentation

Many stewards do the basic work of grievance preparation. They listen to the grievor, investigate the issue and then decide whether the problem is grievable under the contract.

Once the decision is made to go ahead with the grievance, the steward usually requests a meeting with his or her counterpart in management. The grievance is then presented in an oral or written form.

Here are some hints on what to do prior to and at that meeting:

1. **Prepare the case beforehand.** Have your facts down in writing. Organize and understand your notes to guide your presentation. Be confident. Anticipate the

company's argument and have your answers ready. Make an effort to talk to the worker alone before you meet the supervisor. Talk the case over, if necessary, with other representatives, your committee people, or others who might help you.

2. **Avoid arguments among union people in the presence of the company.** Once you are in the meeting with management, maintain a united union front. If you have a difference of opinion during a meeting, take a recess and iron the problem out in private. It does not look unprofessional to call a short recess. If the grievor looks as if he or she is damaging the case, stop the meeting and ask for a short break until things calm down.
3. **Stick to the point; avoid getting led off on side issues by the company.** Insist on discussing the issue raised by the grievance only, nothing else. Take notes during the conference.
4. **Get the main point of the company's argument.** Try to narrow the area of difference between union and company. Listen intently and look for solutions to the problem that the company may feel it can only reveal by subtle implications, hints, indirect suggestions, or body language.
5. **Disagree with dignity.** Avoid getting excited, angry or hostile. Keep yourself under complete control - losing emotional control can mean losing the advantage in a debate. Do not get goaded into anger. When the company has no case at all, they may try to provoke you. Only on rare occasions, when you are sure it is the wisest course of action, should you let yourself become excited or angry.
6. **Avoid unnecessary delays. Justice delayed is justice denied.** If the company asks for more time, try to determine whether it is an attempt to stall or it is based on a sincere desire for more facts needed to settle the case. If the company is not trying to stall, you should grant a reasonable extension. You may need to go back to the company on another grievance and ask for more time. But when company delays are intentional, the more time that passes, the cooler the grievance becomes and the less support you will get from the worker or workers involved. The more grievances that are piled up in the procedure, the more likely that the company will try to horse-trade the settlement of a few grievances for dropping of others.
7. **Settle the grievances at the lowest possible step of the grievance machinery.** But make sure they are properly settled. It helps to build better relationships in the department. The union representative will feel like the vital part of the union that he/she is. The union representative also wins respect from the members of his/her department. Don't pass the buck. If you can settle the grievance in the first step, do so.
8. **The burden of proof is on the supervisor.** In discipline cases, this is true. In money grievances, you might try to apply the same strategy. Let the supervisor try to justify and prove that the action he/she has taken is correct. Don't try to show where he or she is wrong. Let the supervisor first carry the burden of proof in telling you how he/she is right.

9. **Avoid bluffing.** It is only a matter of time until your bluff is called; it is wiser in the long run to develop a reputation for honesty.
10. **Maintain your position on a grievance until proven wrong.** Avoid hasty conclusions that you were wrong. Take time to give the matter considerable thought.
11. **Be prompt and follow the grievance through.** Refer the grievance to the next step when not settled. Give the representative above you all the facts, and the arguments used in your discussion with the supervisor. Don't allow the grievance to lie around. Delayed grievances mean delayed justice. Keep a constant check on the progress of the grievance and what step it is at. Report back to the grievor and the department - they're concerned too.
12. **Enforce the contract!** Contract administration is a day-to-day activity and should involve the stewards and the rank-and-file. The best contract in the world has no value if the workers and the union representatives do not require the company to live up to its terms.

Ten rules for preparing witnesses for the grievance hearing

Last week you went to a disciplinary hearing in which you presented the case for the union. Your case rested on the testimony of another member who you brought to the hearing. Then management questioned the same member. All of a sudden he got flustered and backtracked on the story. The witness no longer sounded credible, even to you. What happened?

A disciplinary case will be judged on the facts and you must present those facts through documents and witnesses. When you use a witness you must make sure of the witness's story. A solid grievance investigation including good interviewing techniques are basic to this process. But there is more.

A good grievance is only as good as the witnesses and the grievor. You must ensure that the story they tell is consistent and they stick to it. That means you must adhere to the following rules in preparing your witness.

1. **Know what your witness will say.** Once you have interviewed the witness, sit down with him or her and tell them the questions you will ask. Plan those questions according to the information the witness has offered.
2. **Go through a dry run of your questions ahead of time.** The questions and answers at this stage are meant to increase their comfort level, not to put words in their mouth or get them to memorize their story. Anyone can see through a concocted story or one too-well rehearsed.
3. **Tell the witness what they can expect in their cross examination by management.** Give them some possible company questions ahead of time and see how they respond. Tell them you will make sure that the company does not go off base on their questions.

4. **Answers should be brief and non-technical.** Tell them not to argue.
5. **Witnesses must not be evasive.** If they cannot remember or do not know, they must say so. %don't know,+or %can't remember+are perfectly reasonable answers. They do not necessarily weaken a witness story, despite what they might think. %No+and %Yes+are also respectable replies to questions.
6. **When the company questions the witness on cross-examination, answers should be as short as possible.** Do not let your witnesses do the work for the company. Make the company prove their case.
7. **If the witness is sure of the facts, tell them to use words like "I remember."** Words like %think+or %believe+are weak and do not necessarily indicate facts.
8. **Don't let witnesses get shaken by cross-examination.** When you have a particularly strong witness, management may try to get the member excited, make them lose their temper or get careless with an answer. What they are trying to do is destroy a witness's credibility. Step in to prevent this. Don't let your witnesses be hounded or badgered. Don't let anyone put words in their mouth.
9. **During your interview with the witness, walk them through the entire hearing.** They have to know ahead of time what to expect. Describe to them the physical layout of the room, who will be there, and what will happen. The more they know ahead of time, the more comfortable they will be.
10. **In any proceeding, tell the witness to admit, if asked, that they have spoken with you ahead of time.** Don't let them think that the interview conference isn't part of the process. If they are asked, %What did your union representative tell you to say at the hearing?+the proper reply is, %He/she told me to tell the truth.+

Disciplinary hearings are uncomfortable and stressful events for members and witnesses. Once you realize this fact, you must try to do everything in your power to make your people more comfortable. Following these 10 simple rules will help.

Losing a winning grievance

What's worse than losing a grievance? It's losing a grievance that you and everyone else knew was a 100 percent sure winner.

Losing %sure winners+happens every day - not because of the quality of the grievance, but because of the way the union handles it. Making a fundamental error or forgetting a basic detail can snatch defeat from the jaws of victory.

Here are seven sure-fire ways to lose even the best grievance:

1. **Miss a deadline.** If you were management, would you give the union a little slack if they filed an appeal too late, especially on a case that was going to cost the employer either a lot of money, authority, or embarrassment? No way.

If you have to do something within a certain time frame, get it done. It could be filing a document, preparing for a hearing, submitting a brief, or filling out a form. It

makes no difference. The longer you wait, the greater the chance that you'll miss the deadline and lose your case.

2. **Wait until somebody brings the issue to you.** Just because nobody brought a problem to your attention earlier doesn't mean the union shouldn't have known about it. If it started happening a year ago, and nobody made it an issue until recently, it may be too late to do something. That's why somebody, preferably a group of stewards, needs to examine changes in the workplace as they are happening. Can management do that under the terms of the contract? Does it hurt employees? Is it legal? If you wait until someone complains about it, it may be too late.
3. **Fail to arrange for witnesses to attend hearings.** You may have a fantastic eyewitness who will verify everything the grievor alleges. But if you wait until the last minute to notify the eyewitness about a hearing date, you may find that he or she is out of town, in the hospital, or just plain unreachable. Then where will you be with no corroborating testimony?

Be sure your witness knows when and where the hearing is, too. Witnesses aren't much good if they show up at the wrong place or time to testify.

4. **Don't prepare your witnesses.** There's nothing like the sinking feeling you get in a grievance session when a grievor or witness says something that destroys your case. Go over every question you will ask beforehand. Witnesses shouldn't volunteer information. Their answers should be short, factual, and to the point.
5. **Fail to cite the most compelling section of the contract.** Some people routinely add the words "other related sections" to the part of the grievance form that asks you to specify the contract section that was violated. Later in the grievance process, somebody may figure out that some other section of the contract provides a stronger argument. Always check the full contract first. Talk it over with someone else who knows the agreement. Cite all the articles that reasonably seem to apply. But if you can hold open your options (by listing "and other related sections") until you are asked to be more specific, you may buy some time to strengthen your case.
6. **Get personal.** It lessens your victory if management drags out the grievance process needlessly. If they stall things because they think they can win, there's not much you can do. But when they do it just out of spite and personal animosity, maybe you could have prevented it by keeping the grievance process strictly professional and not letting it become a grudge match between two individuals.

Winning is its own reward. You were right and management has to acknowledge it. Don't give them an unnecessary reason to postpone the final resolution.
7. **Figure out what winning really means after it's too late.** Winning is not always as clear as it seems. Sometimes winning means getting redress - that is, undoing a wrong or winning some sort of compensation for the member. In other cases, winning means setting a precedent for the future. In yet other cases, winning may be seen as holding management accountable for its actions - an apology, public acknowledgment that they were wrong, or embarrassment of a particularly

authoritarian boss. Know what kind of win you want when you start the process, because these goals may be competing · or even exclusive of each other. You may win the grievance, in the formal sense. But if you didn't demand the right resolution, it probably won't feel like much of a victory.

When the member doesn't have a grievance

For most stewards, the process of handling grievances is pretty routine. We are out there on the property, every day, making sure that management holds to the agreement.

And when a member comes to us with a problem, we check it out. We do the proper grievance investigation to determine whether the issue is really grievable under our agreement.

But what happens when we do all we can but the problem is not a real grievance? It's happened to all of us. Your co-worker · someone you've worked with for ten years · asks you to file a grievance that just isn't a grievance.

What do you do?

Let's start with what you shouldn't do. Don't file the complaint or issue if you know it isn't really a grievance. If you do, you are transmitting three pretty poor messages.

Wrong messages

First, the member thinks you can actually achieve something with the grievance procedure that it isn't designed to do. The member gets the impression that the grievance is a lottery and every entry has equal weight. That simply isn't true and it isn't fair to the member or to other members. Besides, you raise expectations which you can't fulfill.

Second, it damages your credibility with management. Part of the goal of grievance handling is to resolve problems, and grievance resolution needs the cooperation of both sides. If you go to management with lousy grievances, you will quickly lose the company's respect. Your judgment will be called into question when you present other issues which might be very legitimate grievances.

Lastly, filing frivolous or poor grievances can make management retaliate and poison the relationship with the union on even larger issues.

What should you do?

Tell the member straight out that the problem isn't grievable under the contract. Explain why. Don't take for granted that members understand the union's role in handling grievances and what the repercussions are for filing frivolous ones. Explain what the process can achieve and what it can't. Talk about the bottom line issue of justice for all members.

- **Don't procrastinate**

Don't procrastinate; instead, deliver the news directly and sympathetically. Expect some emotional heat at this discussion, but listen sympathetically so long as you personally don't have to bear the brunt of any outburst.

Also keep good notes as to your decision, and if there is a stewards meeting at the local, make it part of your report so that the member does not go shopping around for another steward to file the grievance.

- **Try to resolve the issue**

See in what other ways you can resolve the issue. There is no reason why you can't go with the member to discuss the issue with supervision. If the issue is serious enough, discuss it with your officers to come up with a strategy to deal with it.

If the problem is a personal one, direct the member to a union counselor or other appropriate services that are available to the members.

Saying no to the member about filing a grievance is one of the toughest responsibilities you have as a steward. Some members will never be satisfied with the answer. But for most members, some demonstration of concern, and an effort to resolve the issue by other means, will go a long way in building the union.

Disciplinary Action



The art of the interview

When any union examines the number of grievances filed in a year, they usually report that most of the paperwork deals with the issue of discipline.

While we don't often challenge the right of management to issue rules, we are more likely to challenge the manner in which management enforces the rules.

In most cases of discipline, members have a right to a fair investigation and a hearing on the alleged infraction.

While details and procedures may differ in certain contracts, there are some basic rules which apply to all disciplinary hearings.

The member should always ask for union representation.

First and foremost, if a member is called into any labour-management meeting in which he or she feels that discipline may be assessed as an outcome of the meeting, they should ask for a union steward to be present. This is a right that a union must make clear to its members.

Contracts and laws may differ as to how that right should be exercised, but the bottom line is that no member should go into this kind of meeting without union representation.

Few members are well-versed in their contractual rights, work rules, and limitations on management's rights as a union officer. A steward has protected rights at any labour-management meeting when acting as a union representative. A member does not. That means a steward can say things and act in the kind of advocacy role that a member cannot. And that role is protected, usually by law and/or the contract.

A steward has two key roles at any disciplinary hearing: (1) to protect the member, and (2) to protect the union and the contract. These roles are inter-related.

What should the member do if the meeting is not a formal one? Unfortunately, many meetings which result in discipline do not appear to be formal hearings when they start. A member might be pulled aside by a supervisor who asks, "Would you mind stepping into my office for a minute?"

A member should always question the nature of the meeting. "What's up?" is the usual response. A better answer might be, "I will comply with your request if you tell me what the nature of the meeting is" or "Sure, just tell me what this all about."

If the supervisor's answer in any way indicates that the supervisor may be investigating an incident, reviewing a record, or if the member feels that the meeting or its outcome in any way will take the direction of discipline, the member must ask to have a union representative present.

If the member is unsure of the content of the meeting, he or she should still ask for a union representative to be present. Denial of that request under certain laws and contracts is grievable and can (although does not always) mitigate the discipline assessed over the alleged offense.

What should the steward do if the meeting has already started?

There will be times when the member does not exercise his or her right to representation at a disciplinary meeting. If the steward finds out and sees the supervisor's door closed, the steward should knock at the door and request that the supervisor inform the member that a union officer is outside waiting to sit in at the meeting. If the request is denied, document the denial in writing and ask the supervisor to sign it. What you are doing is creating a record that the supervisor is denying the member his or her rights to representation.

What should the steward do if you are asked to represent a member at a disciplinary meeting right now?

You will not have time to prepare for the meeting, but you can still play an important role. Attend the meeting and do these three things:

- Don't let the member make the situation worse by becoming abusive to the employer.
- Don't let them sign anything until it's been reviewed by you and the chief steward or labour relations officer.
- Take good notes.

Do you let a member admit to wrong-doing? It depends on: the charge; the likely punishment; mitigating factors; the need for caution versus the impact of a prompt apology or confession as a sign of goodwill and trustworthiness; your sense of whether management is sincere in hearing all sides of the story, or whether their mind is already made up; and the impact of the incident on the work unit or beyond.

If the issue has the potential to be a criminal offense, advise the member to seek outside legal advice before making any admission.

When in doubt, caucus. You could advise management ahead of time that you might be caucusing during the meeting. Then, if you do need to meet separately, it does not look like a sign of panic or guilt.

Don't let the member sign anything that admits wrong-doing or gives up something unless you have seen the document in advance and reviewed it to determine if it is appropriate. Otherwise, tell management that you will review the document and get back to them. Check with your chief steward or labour relations officer right away if in doubt.

Keep the conversation respectful on both sides, but especially by management toward the member and you.

Take breaks if the member appears emotional or fragile or likely to break down (in tears or rage). This lessens the chance of outbursts or sudden capitulations.

If management has not told you in advance what the purpose of the meeting is (in cases when they have called it), don't let the member say anything until management comes clean. Then, if needed, caucus before responding. Prepare members for the emotional impact of hearing critical things said about them. Again, this will help avoid emotional outbursts or unhelpful confessions.

Preparing discipline cases

A majority of all grievance cases handled by unions concern some form of discipline - for alleged absenteeism, poor job performance, insubordination, or inappropriate work behavior. The percentage of disciplinary cases can range as high as 70-80 percent of all grievances. This means that stewards and labour relations officers must spend a lot of time handling these cases.

In the long term, they must also develop strategies to handle management at the local level to prevent such cases from even arising.

In the cases of discharge, advise the grievor to seek employment while awaiting the outcome of the grievance procedure. An arbitrator can reduce any settlement amount if it is clear that the grievor did not actively look for other work.

Credibility is key

For the union, discipline cases deal often with the issue of credibility - whether the member's version of what happened can be reasonably believed. The issue must be handled by the union in such a way that if the case was to be submitted to arbitration, the union side would be believed by the neutral.

This means that the grievor's story must be constantly tested to determine exactly what happened. It's human nature to be emotionally involved in an incident. A grievor might describe what happened to them but their choice of words might give an inaccurate description of the chain of events.

Or they may stretch the truth in order to get you to believe them. Details of conversations might be invented. The member might mistakenly place a witness closer to the incident than they actually were.

Check the story

A steward must constantly go over the story, checking every aspect of it. Challenge the story as you would expect management to challenge it. Explain to the member that you are not doing this to undermine him or her, but to help put forward the strongest case.

Try to find other credible witnesses who support the grievor's story. Different witnesses see the same event differently. Don't be surprised at this. Also, talk to the supervisor or company witnesses beforehand. Check out their story and write it down.

You may need to refer back to these conversations at the disciplinary hearing or grievance appeal. If you can show that the supervisor said one thing to you at your meeting and then he or she contradicts this story at a hearing, you begin to build a case that questions the supervisor's credibility.

Check records

As a representative of the union, you have a right to the member's personnel record. Employers may have specific procedural policies about getting the record, but you need it prior to any meeting with management.

If you can't get it in time, request a postponement of the meeting without prejudice to the negotiated time limits on hearings or grievance appeals. In most cases management will be reasonable about postponements because they may at some other time come to the union with a similar request.

Make certain that the member's record is accurate. If there are entries on the record which should have been removed after a certain time period (some contracts have time limits for adverse entries), hold the employer to those time limits.

Employers use personnel records to build their case against a member.

Check the contract and policy

Hold the employer to the same standard that they hold union members to refer to the contract and policy to see if there was a violation. Even if there was a violation of the policy by the member, the rule must be reasonable and known. Ignorance of the employer's rule is not a strong defense, but there may be some mitigating circumstance such as poor communication of the rule by the company.

If the rule is not reasonable or related to the work being done, the safety of others, or the company's image, you may be able to argue that the grievor should not be held culpable.

Is the employer consistent?

Compare the member's actions with others. Make sure that he or she did not do things any different or worse than others who were not disciplined at all or received a lesser penalty. You may be able to argue that the company is being arbitrary or discriminatory.

Look for motive

In cases of insubordination, check to see if the grievor was provoked or tried to defend themselves. Consider the supervisor's motive. Was the member being set up?

The steward's role at a disciplinary hearing

The nature and procedures of disciplinary hearings are governed by law, contracts, and/or procedures.

In general, the steward should follow these guidelines at a hearing:

1. Speak to the member prior to the hearing. If it is a formal disciplinary hearing with a notice, check the notice and proceed with an investigation of the alleged infraction. If you are called in at the last minute, seek a postponement so that you can make a proper investigation. If the meeting is informal, make sure the member has time to talk with you ahead of time or take a recess to get some understanding as to what happened.
2. Prior to the hearing, inform the member who will be present, how the meeting will be conducted, and what he/she should expect.
3. Get as much information as you can beforehand. Do not let the employer withhold information. If they do, speak to your union. Document any denials of information in writing and get it on the record.
4. If there are any witnesses at the meeting or hearing you should question them as you see fit. In most formal hearings, the process of questioning the company's witness is called cross-examination. You have a right to ask these witnesses questions to determine the accuracy of their testimony and their biases. Your rights to questioning should not be interfered with by management. If you are denied that right, make sure that such denial is entered on the record.
5. It is perfectly proper for members to answer questions with, %~~Yes,~~ %~~No,~~ or %~~I don't know.~~ Once the member has answered a question, he/she is under no obligation to elaborate.
6. At most hearings the steward can take as active a role as he/she sees fit.
7. You can stop the meeting at any time to speak privately with the member.
8. Take notes or bring in a second person to take notes.
9. Do not rely on the supervisor's notes.
10. The written record is important. It documents what actually was said, not what was allegedly said. Cases have been won and lost on the accuracy of the record.
11. The bottom line is to make sure that the member is treated as fairly as possible under circumstances that are heavily weighted against them. You must handle all disciplinary cases as if they will go to arbitration. Remember, even if the investigation does not go the way you had hoped, you can challenge the discipline,

how management conducted itself through the process, or the ~~%~~just cause+section of your contract by appealing through your grievance procedure.

12. Remember, your role is to build the strongest case for the member and that means making a believable case. You must consider the employer's explanation of ~~%~~just cause+for discipline. You must consider the grievor's employment record (good and bad, long or short), any extenuating circumstances, the severity of the discipline, future consequences, and whether or not a union representative was present at all disciplinary meetings.

Documenting discipline: What the bosses do

For those stewards who question why documentation in their grievance work is necessary, consider some information which is put out by human resource managers. These are the folks who counsel supervisors how to enforce the infamous rules our members must live by. This material is from their training.

According to one source, their primary reason for documentation is to avoid lawsuits. By logical extension, in a unionized environment, they use documentation to weaken our challenges in the hearings or the grievance procedure.

1. **Outline only the critical facts.** Disciplinary memos should have no opinion, only facts which can be verified by documentation and interviews.
2. **The 5W's.** Just as we use the 5W's for grievance investigation, so should supervisors use this form of investigation to assess discipline. Who is involved in the rule violation, when did it occur, what rule was violated, where did it occur, what discipline should be imposed, and why is it appropriate?
3. **Identify the rule.** The clearest case for discipline is a specific rule violation. If the supervisor cannot come up with one and is disciplining on some subjective standard such as ~~%~~poor judgment+he/she needs to match that charge against what is understood to be an accepted standard of behavior or performance. The less precise the write up, the stronger the challenge we have in the grievance procedure.
4. **Show that the policy was communicated to the employee.** This clearly comes under the topic of just cause. Employees cannot be expected to follow rules if they do not know what they are. Supervisors are told to show how the rule was conveyed to the employee.
5. **Bring out the record.** Major violations aside (fighting, insubordination, theft), disciplinary action can involve repetitive violations such as lateness, poor work performance, or poor attendance. Managers are counseled to produce the record showing previous related violations including discipline and/or counseling.

The key for stewards is that the record must be related to the alleged violation and it must be timely. Check the time limits spelled out in the contract. If there is a two year limit, then violations beyond the two year limit should be pulled. Also, we often are presented with an entire work record which the employer then uses to characterize the member as ~~having~~ a poor work attitude. ~~+Don't~~ let this happen.

6. **Document the record.** Managers should attach any record related to the rule violation to the disciplinary memo. This is important. It is used to justify progressive discipline. Attach copies of the rule violation record itself, or incorporate it into the memo.
7. **Describe the business reason for enforcing the rule.** Clarify for all concerned why the rule exists. This is particularly important in a non-union setting when an employee chooses to go to court to challenge discipline.
8. **Make future expectations clear.** Again this is legal cover so that discipline is not viewed as punitive. The expectation can simply be a restatement of the rule.
9. **Show how the employer will help.** This goes to the issue of reforming inappropriate behavior and showing reasonableness on the part of the employer. One management document states: ~~%~~judges and juries like to review disciplinary documentation which indicates that an employer is willing to help the employee solve the problem. ~~+The~~ memo might mention additional training or more frequent employer evaluation of work performance.
10. **Date the document and identify the author.** If a supervisor ghostwrites the memo for a manager's signature, the manager must be apprised of the content of the document he/she is signing.
11. **Get the employee to sign the document.** This is to indicate receipt of the memo. It does not mean agreement with the substance of the memo. Refusals to sign must be noted for the record to indicate that the employee was presented with the memo.

Our contention is that there are often two sides to a story and we want the record to reflect it. This is the time we should try to get our version of the story on the record. If you can get your version on the same form, fine. But some managers will not allow this. So you should get them to attach a statement to the form or letter. If this is rejected, make a copy of the union statement and file it with the union. It will then be included in the union record if the discipline is grieved.

12. **Keep records confidential.** Only those managers who need to know should have a copy of the memo.

Advice for the steward. Hold the company to this policy.

By understanding how managers think and why they respond to alleged disciplinary infractions in a specific way, we can be prepared to respond in an appropriate manner.

Insubordinations – A dozen questions to ask

One of the most troubling and difficult issues for the steward is the issue of insubordination. Many contracts say in clear language that an employee can be disciplined and discharged for insubordination.

For employers, insubordination is considered one of the deadly sins, right up there with theft and violence. They will be hard-nosed and unforgiving on the issue. That is why for almost every discipline case involving insubordination arbitrators hold to the rule %obey now, grieve later.+

But in the heat of an argument or in situations where a member may be provoked beyond all common sense, the thought of filing a grievance over the issue may be furthest from their mind.

Let's go over some of the basics here. First, insubordination is usually defined as the failure by an employee to perform a task or comply with an order given to him or her by a supervisor. An arbitrator will usually look at an employee's compliance with a reasonable order as basic to the conduct of the employer's business. Arbitrators take the issue of insubordination very seriously and consider it a major infraction, one beyond the rules of progressive discipline.

Simply put, refuse a reasonable order and you can be discharged.

Life, however, is never that simple. There are a number of issues which must be taken into consideration in any insubordination case. Ask yourself the following:

1. **Was the employee given a direct order?** Mere instructions, suggestions, and/or advice are not the same as a direct order. A smart supervisor will say in no uncertain terms, %am giving you a direct order to complete that job.+
2. **Was the member aware that he or she was given a direct order?** A member may not have understood that the language used by the supervisor was a direct order.
3. **Was the language clear?** For example, a member might be told to stop smoking. As part of their job, they may go to another location in the facility, and light up another cigarette while there if the member is caught smoking a second time, the supervisor might discipline them for disobeying an order. But how clear was the original order? The member might have thought that he had to stop smoking at his original work location only.
4. **Was the order audible?** Many of our members work in very noisy locations.
5. **Was the member given forewarning of the consequence of a refusal to follow the order?** A smart supervisor will use words that clearly indicate a disciplinary consequence will follow the refusal to obey the order: %If you do not comply with my order, I will take you out of service.+
6. **Did the employee willfully disobey or disregard the order?** Most cases demand that the refusal to follow an order be willful. A member may say that she was provoked by a supervisor, by abusive language for example. If a member comes to

you with that kind of defense, you must dig down deep to find out why. In most cases, provocation is viewed by an arbitrator as a way of lessening the discipline, but not overturning it. An exception to this might be if the order was an affront to the basic dignity of the member. Racist or anti-union comments in the form of an order, for example, have no place in the shop and should be reported immediately to the union for action.

7. **Was there an ongoing dispute between supervisor and member?** If this can be documented over a period of time, the issue may be harassment. But to prove harassment, you need clear documentation from the member of instances where he or she was treated unfairly.
8. **Was the supervisor being unreasonable?** The supervisor may have had a tough deadline to meet for production and let a small incident set him or her off. The likely target becomes the member who just happens to appear in the crosshairs.
9. **Was the order reasonable and necessary to the safe, orderly and efficient operation of the business?** Did the order violate the contract, work rules, past practices, past arbitration decisions, or the law?
10. **Did the member feel that complying with the order would endanger themselves or their coworkers?** The right to refuse dangerous work is upheld by the 2013 *Saskatchewan Employment Act* and the 1996 Occupational Health and Safety Regulations. You must make your members aware that they are covered by this language. If the work is unsafe, a member must report it and ask that it be made safe. Rather than an outright refusal, safer language might be, "I will comply with your request when the unsafe condition is corrected."
11. **Was the member set up?** This has happened often enough to make us suspicious of employer motives. If you are suspicious of the situation, make a thorough investigation. Check for witnesses and motive. Recreate the incident as accurately as possible.
12. **Did the charge of insubordination arise out of the member executing his/her role as a union officer?** If the member is a shop Steward and got into a shouting match with the supervisor at a grievance meeting, the Steward's conduct is protected. In cases of union duties, the Steward or officer is an equal of management in labour-management issues and cannot be disciplined for exercising that role.

As a steward, you need to thoroughly investigate all charges of insubordination. In certain cases, you may be able to lessen the punishment, particularly if the employer is inconsistent in applying standards of behavior to your unit. But that means your local needs to keep excellent records. Also, a good work record may mitigate punishment in borderline insubordination cases.

The bottom line is that as a communicator, you must tell all members never to refuse a properly worded direct order. Check with a union officer before considering disobeying the order, including those that may violate health and safety laws. Lastly, a member can safely obey most orders and grieve later.

How can they make my life miserable?

There are many ways a supervisor can make your life miserable. Let's take a look at some of the ways management can try to wreck the grievance procedure and what you can do to counter them.

1. **The stall.** This strategy is designed to make you wait. Your supervisor never replies to your request for a meeting or worse, never answers the first step grievance. It is used for a variety of reasons, but the bottom line is that your request for some action is ignored. The tactic is frustrating and demeaning. Your response should always be businesslike. If the request for a meeting goes unheeded, make it again. If it is ignored a second time, put the request in writing with a copy to the union and the supervisor's boss.

If the issue is a response to a grievance, chances are the boss is trying to get you to miss your time limits. Never let that happen. If you do not get an answer within the time limits set out in the contract, appeal the grievance to step two with a note that the first step grievance was not answered in a timely fashion. Document your action and make sure the union is aware of the problem. The second step appeal is made by a union officer so follow your local's procedure, and don't miss your deadline because of the stall.

2. **The blow out.** In this scenario, the boss wants you to lose your cool, usually at the grievance meeting. You could be ridiculed, ignored, yelled at - anything to get you hot enough so that your emotions, and not your intelligence, rules. When you get angry, you forget your game plan and the meeting ends as a shouting match.

Sometimes the boss will aim the strategy at the grievor. Have you ever been at a meeting when the supervisor turns to your member and says something like this: "Did you really think you could get away with that?" Or "Are you old enough to know better?" Lines like this are designed to get the member angry enough to say something they should not. The member might disclose something on record which does not even belong in the meeting or they might lose their cool and become insubordinate.

At the grievance meeting, do the talking. Tell the member what to expect and not to get flustered or angry with any question which is asked. Educate the member before you go into the meeting. You can stop the meeting at any time to regroup and cool things down.

3. **The trade.** Formally called horse-trading, this tactic has nothing to do with ponies. It is an attempt by management to get something before they give something. You may be asked to give on one grievance to get a settlement on another. Never fall for this ploy. Decide all grievances on their merit. Horse-trading is an area in which the union can incur liability.
4. **Divide and conquer.** A house divided against itself cannot stand. And neither will a union. Never allow any member to be played off against another. Never air disagreements in front of management. Have your discussion outside the room, out of earshot.

5. **Raising side issues.** Here, the supervisor will bring up extraneous issues, other grievances, or the latest new company rule. If the meeting has been called to discuss a grievance, redirect the conversation back to the issue at hand, over and over again. Don't get sidetracked. Keep control of the meeting.
6. **Shifting the burden of proof.** This is often used in a disciplinary hearing or appeal. Management is charging the member with some kind of infraction. Under the general rules of discipline, they must prove their case. Let them speak and prove their case. This doesn't mean you stay stone silent during the meeting. You should play a very active role in defending the member, but it is the employer's job to carry the burden of proof.

These are six tactics that are used by management at the grievance meeting. They may be used to test the new steward; or to take control of the procedure back from the union which has been successful in using it. Don't be fooled. Be forewarned and prepared.

Arbitration

Arbitration is the final step in the grievance procedure. Not all grievances go to arbitration. It depends on the issue involved and the chances of success. The steward's investigation, notes, and reports are very important when it comes time to decide to go to arbitration or not.

Arbitration is a formal legal hearing before an impartial third party (the arbitrator) chosen by the mutual consent of the union and the employer. Some collective agreements will list agreed-upon arbitrators. In most cases, arbitrators are labour lawyers.

Grievances can be heard by a single arbitrator or by a three-person arbitration board. Which is used depends on your collective agreement language and the issue involved. An arbitration board is made up of one nominee chosen by the union, one nominee chosen by the employer, and the mutually agreed-upon chair.

Arbitration hearings

At the arbitration hearing, each side takes turns presenting its case. Except when it is a disciplinary matter, the union goes first. Evidence is presented through the testimony of witnesses, through documents that the witnesses have produced or received, or through statements of fact that the two sides have agreed upon before the start of the hearing. Both sides make opening and closing statements, cross-examine one another's witnesses, and may make procedural objections. The arbitrator (and other board members, if applicable) may ask questions from time to time. But it is up to the union to present its evidence; the arbitrator cannot take into account facts which are not presented at the hearing itself.

Although collective agreements may specify when an arbitration hearing must be held after a grievance has been moved on, or when the arbitrator must issue a decision, in practice these deadlines have little effect.

After a hearing ends, the arbitrator reviews the evidence and issues a written decision. In the case of a three-person board, the two nominees express to the chair of the board their opinions about which evidence is most significant and which contract interpretation is most reasonable.

The arbitrator or board only has authority to interpret the collective agreement as written. They are not allowed to change, add to, or take away from the agreement.

At the end of the day, though, it is the chair who writes the decision. The nominees are asked to sign in agreement or to submit a written dissent; this forms part of the written decision which is binding on the parties.

Written arbitration decisions are sent to the labour relations officer, who then advises the grievor and the chief steward or steward. When the union wins at arbitration, further work is often required to make sure that the decision is implemented properly. For example, the arbitrator may agree with the union that the grievor be reinstated or compensated, but may not set out the exact details. The labour relations officer and stewards may need to meet with the employer to work out the arrangements. Sometimes the two sides aren't able to agree. Usually the union will have concluded its presentation at arbitration by asking the arbitrator to keep the case open (remain seized), just in case implementation problems arise. If they do, the parties refer the disagreement back to the arbitrator for a final decision.

A steward's role in arbitration

In almost all cases, your role is limited to the beginning of the grievance process:

- Thoroughly investigate and document the complaint
- Write legible and complete notes of any interviews and meetings
- Write a crisp, inclusive, legible grievance form
- File the grievance with the employer within the time limits set out in your collective agreement

In some cases, stewards may be asked to help prepare for an arbitration hearing or to take part in the hearing itself. This decision will be made by your bargaining unit and labour relations officer.

Here are the 5Ws when investigating a complaint or grievance. Remember to get answers to:

1. **Who** is involved in the grievance? Provide all pertinent personal and work information about the grievor, the supervisor or manager, and any witnesses.

2. **What** happened to cause this violation of the collective agreement? And what is the employer's story?
3. **Where** did the violation occur?
4. **When** did the violation occur?
5. **Why** is this a grievance? What part of the contract or what law or right has been violated?

For each of the common grievance types below, make sure the following points have been researched and recorded on the SGEU Issue/Grievance Preparation Form.

Overtime

- Overtime, work on statutory holidays
- Grievor's shift or work group
- Date and shift when overtime was scheduled
- Classification scheduled for overtime
- Name, seniority, and classification of employee who did work overtime
- Actual work performed
- Articles violated

Job posting

- Grievor's previous classifications
- Date of promotions (if any)
- Grievor's experience in vacancy applied for
- Name and seniority of employee awarded job
- Number of posting and grievor's application
- Articles violated
- Panel rep's name and report (if applicable)

Temporary promotion

- Grievor's qualifications and exact details of present work
- Classification of temporary promotion
- Time of promotion
- Availability of grievor at time of promotion
- Name and seniority of employee promoted
- Instructions to grievor (if any)
- Articles violated

Demotion

- Grievor's qualifications
- Classification demoted to
- Articles violated

Vacation

- Dates and amount of time requested
- Grievor's vacation allocation
- Reason for denial or cancellation

- Names and classifications of junior employees granted vacation (if any)
- Number of employees in work group
- Articles violated

Discipline and dismissal

- Employer's explanation of just cause for action
- Was a steward present at meeting(s) where discipline was discussed and handed out?
- Complete statement of events leading to discipline
- Dates and times of relevant events
- Grievor's record (good or bad? long or short?)
- Did the steward ask if grievor is having any personal or health problems?
- Did the steward probe about any extenuating circumstances?
- Did the steward assess the personal characters of all the people involved?
- Did the steward discuss the consequences of the penalty?
- Did the steward consider whether or not the punishment fits the crime?+
- In cases of dismissal, did the steward advise the grievor to seek employment while waiting for an outcome of the grievance procedure?

Conducting and documenting an interview: Do your homework

Familiarize yourself with the story as you know it so far. Review relevant collective agreement articles and written policy. Think about what information or explanations you would like to get from the interview. Prepare a list of questions. Think about whom else, besides the member in question, might have information and prepare to talk to them, too.

Prepare for the interview

Select a quiet, private place for the interview. Plan to have plenty of time for the interview. When appropriate, use a team of one interviewer and one recorder (especially in high-importance cases, like harassment).

Don't tape interviews unless you have a disability that makes note-taking difficult, and then remember to tell the interviewee up-front that you are using a tape recorder. Be prepared for someone to refuse to talk to you if they are being recorded.

Turn off your cell phone and ask the member if they will do the same.

Keep an open mind

- Be prepared to hear and record evidence that disproves the member's story as well as proves it. Check your own assumptions and biases. Make sure you don't misunderstand the situation or reject some of the facts because they are outside of your own experience.
- Think about whether employment status, literacy levels, gender, race, age, or disability is playing a role in this situation and how.

- Analyze all statements critically. Look for exaggerations, inconsistencies, and issues that the interviewee seems to be avoiding, and ask further questions.
- People routinely leave details out, sometimes on purpose. Be alert for this and be prepared to re-interview or do more investigation to fill in any gaps.

Note-taking

Taking good, easy-to-read notes is important because:

- Someone else may need to read and use them in the future. For example, a labour relations officer may handle Step 2 hearings and will handle any arbitration.
- With the passage of time, things not (clearly) written down are forgotten. You might not be around to interpret your handwriting or abbreviations.

Good notes contribute to successful problem-solving and arbitrations and help the union represent members fairly and effectively. One way to take notes is to leave a wide (2+ or so) margin down one side of each page. Use this space to make notes to yourself about the discussion, such as issues to follow up, points to discuss in caucus, and points that need clarification.

Label what the meeting or discussion is, the date, time, and location. Make a list of who was present in what capacity (full names, not just first names or initials). Afterwards, use initials to record who said what.

Take accurate notes. You don't have to write down everything you hear, but be alert and attentive to the main points and try to write these down in the speaker's own words. Use quotation marks to indicate exact words.

If you use your own words, don't change the meaning. If you include your assessment of the situation or a gut reaction, make sure you label it as your opinion. (E.g., "My opinion: The manager is hiding something.")

Use a system of punctuation and abbreviation that makes sense to you. Here are some examples and tips:

- Don't worry about missing a point. Leave space and try to pick up the material later, either through reading, questioning, or common sense.
- Don't erase a mistake and don't black it out completely. Draw a single line through it. This saves time and you may discover later that you want the mistake.
- If you're not sure what someone meant, ask for clarification. Record the question and the clarification.
- Don't keep notes on oddly shaped pieces of paper. Keep notes in order and in one place.
- As soon as possible after taking the notes, read them over. Fix errors, fill in blank spaces, and make necessary elaborations while the event is still fresh in your head. Remember, we forget quickly. If you spot something you should have asked but didn't, follow up and ask.

- Call attention to important words or phrases by underlining or circling them, or by putting a symbol, such as an exclamation mark in the margin.
- To connect related issues or points, use symbols to flag points for yourself, such as:
 - . (??) Needs clarification or verification
 - . (*) Needs follow-up

Commonly used symbols and abbreviations for note-taking:

&	and
#	number
=	equal to, is the same as
b4	before
w/	with
w/o	without
>	greater than
<	less than
i.e.	that is
vs.	versus, as opposed to
e.g.	for example
etc.	et cetera
Q.	question
b/c	because
CA or CBA	collective agreement
ER	employer
EE	employee

Conducting the interview

- If the interviewee seems nervous, try to put them at ease by beginning with a general or easy question.
- Explain that you need to take notes so that the union can work effectively on the members' issue.
- Start off by asking open-ended questions. ~~%Tell me what happened+~~is better than ~~%Did the supervisor threaten you?+%Tell me what you heard then+~~is better than ~~%And you didn't hear anything else at that point?+~~Once the member has had a chance to tell their story, you can ask more specific questions (such as those needing only a ~~%yes+~~ or ~~%no+~~ answer) to confirm details.
- Always ask if there is a way to corroborate the story, such as a witness or document. Be prepared to check out any leads and re-interview people if necessary.
- Avoid asking questions which cover more than one topic in a single sentence. For example, ~~%Do you know Bill, and does he work with you?+~~The person being interviewed can misinterpret, forget, or inadvertently only answer parts of the

question. And if they answer the entire question with the single word "yes," you cannot be sure if that response was meant for either parts or just one.

- Don't worry if you don't precisely follow your list of questions. Go with the flow of the interview. Use the list to remind you of questions to return to.
- Don't be afraid to ask the person to pause speaking until you've finished writing down what they've just said. Don't be afraid to take a moment to return to your list of questions or to think before asking the next question, if that's what you need to do to stay on track.
- Listen! Let the subject talk when they want to talk.
- Don't lose your temper and or allow the interviewee to "get under your skin."
- When the member has finished telling their story and you have finished asking questions, ask the interviewee if they have anything they'd like to add or that they've just remembered about the situation.
- Give a verbal summary of what you have heard to ensure accuracy. Invite the interviewee to make corrections.
- Let the member know that you may need to call them later for more information, and be sure to get their contact information.
- Ask the member or potential grievor to also write out their story. Say that once you have their written account, you will be able to begin work on their case. Providing a written account is a means of involving the member in solving their own problem.

Documentation

Keep all pertinent information in a file in a secure place. If you need to prepare a report of your investigative activities or just to give yourself a clear picture of what happened when, consider creating a chronological sequence of events or timeline. A timeline could look like this:

Date	Nov 3	Nov 4	Nov 5	Nov 6	Nov 9
Member Says	Called in sick	Called in sick	Called in sick	Back at work	Called in sick
Employer Says				Worked at second job at night	Worked at second job all weekend causing injury
Documents					Pay stub from second job

Or:

Date	Statement or document
June 12	Member says she advised supervisor that machine not working properly; copy of e-mail from member to supervisor
June 13	Member and witness John Doe say machine broke while they were using it; copy of e-mail from member to supervisor reporting breakdown
June 14	Letter of reprimand from supervisor to member alleging undue care in use of machine

Every workplace will be different, but your employer may have a website (both internal and external, in some cases). This could include links to information about the workplace's:

- Policies and procedures
- Human resources manual
- Employee and Family Assistance Program (EFAP)
- Long-term disability (LTD) plan (if other than the SGEU Plan)

Accommodating Illness and Injury



Long Term Disability (LTD)

What stewards need to know about LTD

A steward needs to know the following **basic information about the LTD Plan**. Please share it with your members, especially anyone who is unable to work because of illness or injury. Advise them to call one of the numbers listed below. LTD Plan forms and the LTD Plan text are available at **www.sgeu.org/LTD**

Please advise your members that if they are suffering from a short or long-term illness they should immediately speak to a LTD Plan Advocate for advice and processing.

To contact an LTD Plan Advocate, call:

Regina 1-800-667-5221 or 522-8571 ext. 213

Saskatoon 1-800-667-9791 or 652-1811

Prince Albert 1-800-667-9355 or 764-5201

What happens if and when the member is able to return to work after a disability?

If and when the member's doctor determines that it is possible to return to work, even on a part-time basis, this is what happens:

- The doctor provides a letter stating that the member can return to work and outlining any limitations on work duties or length of the work day or work week.
- The employer reviews the letter and the work that needs to be performed in the workplace, including what accommodations it can make to address the medical restrictions.
- The employer meets with the member and union representatives (including LTD Plan vocational rehab counselors) to make an offer, which specifies the duties and any accommodations.
- The member reviews the offer with their doctor, to make sure it meets any limitations, and with LTD Plan staff, whose priority is to see the member returned to their previous job or a job in the same workplace.
- Once all parties agree to a return-to-work program, the member returns to work, keeping their doctor and the employer informed of any difficulties or improvements. If the return-to-work job is part-time, LTD benefits continue but are reduced accordingly.
- A permanent return to work may require temporary or permanent changes to the workplace and/or to the duties that the member performs.

What does the steward need to do about a disabled member returning to work?

As a steward, you need to understand that the employer and the union have a legal obligation called the **Duty to Accommodate**. When a disabled employee's doctor determines that they are able to return to work, the employer is required by law to bring that employee back, with any necessary modifications to tasks, equipment, or work schedule identified by the doctor, unless it causes the employer an undue hardship.

Conflict can arise in the workplace if co-workers do not understand why the disabled employee does not have to do as many duties or work as long a day or week as they do. The steward's role is to educate the rest of the workplace before the disabled employee's return to minimize backlash, and to address any bad behaviour or harassment that occurs after the return to work.

SGEU's vocational rehabilitation counselors will work out the details of a disabled employee's return to work. If you, the steward, see that the employer is violating the terms of that return-to-work agreement, have the member get in touch immediately with their vocational rehabilitation counselor or a labour relations officer most importantly, the steward can serve as a witness to the violation (or non-violation, if the employee is wrong or dishonest), document it, and grieve it if necessary.

What happens if the member returns to work and becomes disabled again?

A member who returns to work after a period on LTD benefits may become eligible for benefits again if:

- They become disabled due to a recurrence of the same disability or illness within one year of returning to work; or
- They experience an unrelated disability or illness within one month of returning to work; and they provide medical documentation to support the disability.

Duty to accommodate

It is a legal requirement, under Canadian and Saskatchewan human rights laws, for an employer to take reasonable measures short of undue hardship to accommodate the particular needs and disabilities of employees.

This typically means the tailoring of a work rule, practice, condition, or requirement to the specific needs of an individual or group. The accommodation need(s) may be associated with a worker's disability, religion, or gender. The accommodation process will involve some sort of differential treatment, which is highly individualized.

The duty to accommodate requires different treatment as a means to achieve equality of opportunity. In other words, it rejects the idea that, just because everyone works for the same employer, they must be treated the same, with no exceptions.

Examples of accommodation:

- Reassignment of duties
- Hours of work
- Ergonomic changes
- Assignment to different duties
- Shift changes
- Waiving of posting for vacancies
- Technical devices

Safety rights and responsibilities in the workplace

The labour movement has won recognition of three fundamental rights which are enshrined in Saskatchewan's workplace health and safety legislation. The *Saskatchewan Employment Act* (which replaced the 1993 Occupational Health and Safety Act), along with the 1996 Occupational Health and Safety Regulations, outline the procedures to be followed when exercising the right to:

1. Refuse dangerous work

You cannot be fired or disciplined for refusing to perform a job or task which you have **reasonable grounds to believe is unusually dangerous** to yourself or others.

2. To know about the hazards at work

The employer is obliged to provide information about workplace hazards and to show workers how to perform tasks safely. Workers have the right to ask for this information if it isn't immediately available.

3. Participate in protecting their health and safety

Every workplace with 10 or more workers must have a joint union/management occupational health committee, and the union's representatives are chosen by the union. Workplaces with fewer than 10 workers must have an occupational health and safety representative, elected according to union policy.

What happens if a member refuses dangerous work?

Workers have the right to refuse to do any specific job or task which they have reasonable grounds to believe is unusually dangerous. The danger may be to the individual worker or to any other person. A worker cannot be fired or disciplined for using this right.

When a worker refuses to perform dangerous work, there is a process they must follow:

- The worker must report to their supervisor that they are refusing to perform work because they believe it is unusually dangerous, and state why they believe the situation is dangerous.
- If the situation isn't immediately corrected, the joint union-management occupational health committee (OHC) investigates.
- The worker can resume their work if the unsafe condition is resolved with mutual agreement of the committee and the worker.
- If the condition is not resolved (or if there is no OHC at the workplace), an Occupational Health Officer is called to investigate and provide a decision in writing.
- No other worker can be assigned to do the work unless they have been informed of the work refusal and the reasons for it. (They too have the right to refuse to do the work.)
- If the Occupational Health Officer determines that the work is in fact unusually dangerous, the employer will be ordered to make necessary changes to correct the problem and then work must resume. If the Occupational Health Officer determines that the work is not unusually dangerous, the worker no longer has the legal protection of the right to refuse.

By law, employers must:

- Provide a healthy and safe work environment and have first aid and emergency arrangements in place.
- Ensure copies of the 2013 *Saskatchewan Employment Act*, and the 1996 Occupational Health and Safety Regulations, are available for workers' reference.
 - Both publications are available for free download, or a printed copy can be purchased from www.publications.gov.sk.ca/details.cfm?p=677
- Promptly report incidents to Occupational Health and Safety
- Know and follow the appropriate legislation for their industry
- Train workers in all matters that are necessary to protect their health and safety before they start work, are assigned different duties, or are moved to a new work site.
- Provide close and competent supervision until workers have been trained to do their jobs and have enough experience to perform the work safely. If a worker is uncertain, they should ask for the training they need to protect their health and safety.
- Pay employees while being training

Addictions

Our members are just as likely to suffer from addictions as the public at large. In the workplace, addictions can lead to performance and disciplinary concerns, and can damage relations among co-workers.

Stewards are not addictions counselors. But addictions can be a factor in grievances or harassment cases, so stewards should be aware of their presence and impact. If a member's addiction is causing problems for them at work, and you are being asked to deal with those problems, consult with your chief steward and/or labour relations officer. The union may need to advise the member to seek professional assistance with the addiction as a prerequisite for successful problem-solving.

Resources and Definitions



SGEU components

Bargaining units

A bargaining unit is defined in the certification order made by the labour relations board. Each bargaining unit negotiates its own collective agreement. Members of the local work with the steward to ensure that the collective agreement is enforced. When members feel that changes are needed they put forward proposals for the next round of bargaining.

Each bargaining unit elects its own bargaining committee. The election process is outlined in its bargaining guidelines.

Each bargaining committee is responsible for:

- The gathering of proposals
- The ratification process for proposals
- Negotiating the contract
- Informing members about what's happening at the table
- Carrying out ratification and/or strike action votes

Locals

The local elects people to the bargaining committee as outlined in the sector bylaws and bargaining guidelines. In most sectors, all the members in a bargaining unit form a local.

Depending on geography and member population, some locals include a number of sub-locals. In the Public Service/Government Employment (PS/GE) bargaining unit, members belong to several geographical locals. Except for PS/GE, locals elect their bargaining committee for the purpose of collective bargaining and administering the local. The PS/GE elects their bargaining committee at their bargaining conference prior to each round of bargaining.

All locals in the union look after their own affairs within the framework of the SGEU constitution and the sectors bylaws.

Each local is identified with a four-digit number. For example, local 1234-5 indicates that the local is from the sector 1 and the following three digits indicate the number of the bargaining unit. In the event that the local has sub-locals, the fifth number describes the sub-local.

Each local in SGEU is a building block in the union's structure. It is the place where SGEU members have their say in the union. Through the democratic structure and processes, local members make their own bylaws and elect their own local officers and/or bargaining committee.

A local creates a union presence in the workplace. It makes the union real for members. The local ensures that workers' rights and the collective agreement are respected and adhered to. Local officers, the chief stewards and stewards are always spreading the word on union matters. Stewards and chief stewards deal with the core tasks of complaints, grievances, labour-management relations, and problem-solving in the workplace.

The local executive works to build a relationship between members and the employer at the worksite. The local organizes itself around union campaigns and workplace issues and promotes active involvement by members in union affairs.

Sectors

Since 1998, SGEU has been organized into six sectors based upon the respective commonality of service delivery, mandated criteria or legislated structure of member bargaining units. Each sector elects its own executive, adopts bylaws for governing the sector, reports to the annual convention, and attends to all matters of local interest. Each sector is fully responsible to the union within the framework of the SGEU constitution.

The sector is responsible for:

- Ensuring that its locals bargain and enforce collective agreements on behalf of their members.
- Ensuring a structure and process for initial handling of grievances and for making recommendations to the provincial grievance committee.
- Providing education, in consultation with the education officer and the education and publicity committee, for stewards, chief stewards and elected officers.
- Maintaining a system of stewards within the sector.
- Maintaining communication and information-sharing between all bargaining units to ensure co-operative bargaining strategies and defense of collective agreements.
- Affiliating with the Saskatchewan Federation of Labour (SFL).
- Affiliating with local labour councils, maintaining a communication network among sectors in the respective council, and organizing local educational and social activities.
- Any other business which may promote solidarity amongst the union membership and the community.

Public Service Sector members work in direct government departments or for Pacific Regeneration Technologies.

Crown Sector members work for Crown corporations and agencies such as the Saskatchewan Arts Board, the Workers' Compensation Board, or local housing authorities.

Health Sector members work for regional health districts in the centre and north of Saskatchewan and for the Saskatchewan Cancer Agency.

Education Sector members work at the different campuses of the Saskatchewan Institute of Applied Sciences and Technology (SIAST), and for the province's regional colleges, the Gabriel Dumont Institute, and the Regina Board of Education.

Community Services Sector members work in community-based organizations providing social services, such as women's shelters or group homes for people with mental disabilities.

Retail Regulatory Sector members work for the Saskatchewan Liquor and Gaming Authority.

Convention

SGEU's annual convention is the supreme policy-making body of the union. The convention meets in March, and the convention as a whole makes decisions about the resolutions put forward. Each sector elects delegates to the convention based on its population. Other delegates to convention are specified in the SGEU constitution.

The convention delegates determine union policies. Resolutions from the sectors, regional councils, provincial council and constitutional standing committees form the basis for debate at convention.

The convention has the power to amend the constitution and to change the rate of union dues.

In addition, convention delegates deal with the reports of the officers, sectors, and standing committees; review the union's finances; and adopt the budget.

Provincial council

SGEU's provincial council meets quarterly (at minimum) to manage the affairs of the union between conventions, in accordance with decisions and policies laid down by the convention. At all times, the provincial council must act with due regard for the democratic right of regional councils/sectors/bargaining units to manage their internal affairs without interference.

In addition, the provincial council has the following responsibilities (taken from Article 6.8 of the SGEU constitution):

- To manage the affairs of the union between annual conventions, in accordance with decisions and policies laid down by the annual convention, and at all times to act with due regard for the democratic process which is the right of sectors/locals/bargaining units to manage their internal affairs without interference.
- To be responsible for the formation of all provincial council standing committees, as per Article 6.10.

- To decide the terms and conditions of employment of the President and SGEU Secretary Treasurer.
- To recommend to the annual convention the appointment of auditors.
- To convene emergency conventions when deemed necessary.
- To conclude interim arrangements with other parties or groups in the name of the Union, in regards to determination of bargaining unit(s), sharing of dues, representation on the provincial council and at conventions, and any other matters necessary to bringing such parties or groups within the family of the union. Such arrangements shall be subject to ratification at the next convention.
- To recommend to the Minister-in-Charge of the Public Service Superannuation Board the name of one (1) of our union members and an alternate to act as a member and representative of the Public Service on the Public Service Superannuation Board.
- To recommend to the Minister-in-Charge of the Public Employees Pension Plan the name of one of our union members and an alternate to act as a SGEU member/representative of the Public Service on the Public Employees Pension Plan. These members shall be elected at the first meeting of the provincial council following convention in even years.
- To develop policies for the good order and governance of the union, as well as policies relating to bargaining and the coordination of common bargaining issues.
- To gather and distribute information from bargaining units and keep the membership informed of bargaining issues.
- To elect/select from amongst its members a committee to direct co-ordination of all provincial recreational activities.
- To represent the union in contract negotiations with the employees union (Unifor Local 481), subject to the direction and ratification by the provincial council. The SGEU Negotiating Committee will be elected from the body of the provincial council.

The provincial council is representative of the sectors in the union. Each sector elects at least two members to the provincial council. Those sectors having a membership greater than 800 are entitled to one additional provincial council member for every 400 members or greater portion thereof.

The structure of provincial council provides for representation from all of the sectors. This forum is a vehicle for policy development and action planning for the union. Following each provincial council meeting, a synopsis of the meeting is distributed to council members and staff.

Later, the full minutes are distributed. Any steward or member can request these documents from the union office.

The standing committees

Standing committees develop policy and coordinate activities within the union. Standing committees can propose resolutions to convention, providing the resolutions relate to the mandate of their committee. All SGEU standing committees are responsible to the provincial council. In addition, all committees submit an annual report of their work to convention.

The composition and duties of committees are outlined in the SGEU constitution. In most cases, each sector, the biennial equity conference, and the provincial council all elect representatives for each standing committee. The SGEU steward pocket calendar lists the names of all standing committee members each year.

SGEU has the following provincial council standing committees:

- Administration
- Anti-Privatization
- Education and Publicity
- FAIR (Fostering Acceptance of Indigenous Rights)
- Human Rights/Equity
- Membership/Constitution and Legislation
- Occupational Health and Safety
- Provincial Grievance
- Women

The provincial council also appoints other committees and delegations as required.

Being a union – The legal context

SGEU is a legal entity certified as a trade union under the 2013 *Saskatchewan Employment Act*.

The *Saskatchewan Employment Act* establishes the legal context for the establishment of trade unions and the bargaining relationship on behalf of its members and with its employers.

The *Saskatchewan Employment Act* provides for:

- The certification and de-certification (right of representation) of trade unions.
- Guidelines for fair bargaining practices and penalties for violations of these guidelines (unfair labour practices)
- Dispute resolution mechanisms when requested
- Union security and deduction of union dues
- Duty of fair representation of union members by the union and penalties for not acting fairly.

Fiduciary duties of union officials

A fiduciary is a person who holds something in trust, being of a nature of a trust or trusteeship. Union officials have fiduciary responsibilities because of their control of or access to union funds or assets. As a certified trade union, SGEU is considered a separate entity under case law and its assets belong to the collective entity and not its individual members, locals or committees within the union.

Funds may be under the control of an SGEU sector, local or committee but these funds remain the property of SGEU and union officials have an obligation to safeguard these assets on behalf of SGEU.

The leadership development program

SGEU is proud of the education we provide stewards and members in our union. Our programs are offered in a number of ways.

Check out the education section on our website at www.sgeu.org for upcoming course offerings. Online application is available for all courses.

Terms of Reference

Ableism: Discrimination toward a person based on a physical or mental disability.

Annual Convention: The supreme policy-making body of SGEU.

Appeal: An application made after the grievance process is concluded.

Arbitration: A process in which a neutral third party hears arguments from the union and the employer and makes a final, binding decision.

Bad Faith: Examples of bad faith include: acting on the basis of hostility or ill-will; dealing dishonestly with a member; concealing information or lying to a member; or acting on the basis of a grudge, a personal dislike or to get revenge.

Bargaining Unit: A group of workers who negotiate collectively with their employer through their union and are covered under a single union contract.

Burden of Proof: The obligation to prove one's assertion.

Chief Steward: Workplace leaders that assist stewards in their duties and act as mentors and recruiters of new stewards as needed

Collective Agreement: A contract between employees and management governing wages, benefits and working conditions.

Complaint: A member's concern must be treated as a complaint, not a grievance, when the employer has not violated anyone's rights under their collective agreement or legislation.

Contract Rights: Rights laid out in a collective agreement which forbids discrimination against union activities and guarantee time for union business.

Cross Examination: Close questioning of a grievor or witness, intended to discredit them or throw a new light on the testimony they have already provided in direct examination.

Discipline: To punish or rebuke someone formally for an offense.

Disclosure: The act of making new or secret information known.

Discrimination: Treating one worker differently from another because of race, age, nationality, religion, sex, sexual orientation or union membership.

Duty to Accommodate: A legal obligation that requires the employer and union to avoid discrimination. The employer and the union must look for standards, requirements, practices, or rules that discriminate against workers, and then eliminate those barriers.

Duty of Fair Representation: The obligation of union representatives to judge each grievance on its merits, not on their opinion of the grievor.

Fiduciary: A person who holds something in trust, being of a nature of a trust or trusteeship.

Grievance: A violation of an employee's rights on the job. Grievances are usually, but not always, violations of a right defined by the contract.

Grievor: A worker who files a grievance through the union, or a worker for whom the union files a grievance.

Harassment: Systematic and/or continuous unwanted and annoying actions directed toward an individual or a group, including threats and demands.

Insubordination: Defiance of authority; refusal to obey orders.

Labour Law Rights: Refer to the laws that prohibit interference with legitimate union activities, protect stewards in presenting grievances, force employers to supply grievance information, and require employers to bargain before making changes that affect employees.

Letters of Understanding: A formal text that sums up the terms and understanding of a contract which mostly has been negotiated up to this point only in spoken form.

Long Term Disability: The SGEU LTD Plan is owned and operated by the SGEU membership and provides benefits for eligible claimants of 80% of net income.

Local: A localized branch of an organization belonging to the larger union.

Member: A person who belongs to SGEU.

Organizer: A union representative who organizes or unionizes non-union companies or worksites. Organizers primarily exist to assist non-union workers in forming chapters of locals, usually by leading them in their efforts.

Onus: Used to refer to something that is one's duty or responsibility.

Past Practice: The way things have traditionally been done in a workplace. Even if the practice is not specified in the collective bargaining agreement, the union can grieve if management attempts to make a unilateral change.

Prejudice: A preconceived opinion that is not based on reason or actual experience.

Provincial council: An elected group that meets quarterly to manage the affairs of the union between conventions, in accordance with decisions and policies laid down by the convention.

Right: A moral or legal entitlement to have or obtain something or to act in a certain way.

Return to Work: A plan agreed upon by the union, member and management to ensure a safe return from any leave of absence.

Steward: An employee of an organization or company, who represents and defends the interests of his/her fellow employees but who is also a labour union official.

SGEU constitution: The SGEU constitution is a document of fundamental principles according to which this union is governed.

Standing Committees: Groups of elected members who develop policy and coordinate activities within SGEU.

Sector: One of six divisions into which all of SGEU's bargaining units are organized, according to common employers or the type of work performed by members.

Union Solidarity: The cohesion and determination of a group of unionized employees.

Useful Links

Saskatchewan Government and General Employees' Union (SGEU): www.sgeu.org

- **Long-Term Disability (LTD) Plan:** sgeu.org/LTD
- **Steward Resources:** classroom.sgeu.org; sgeu.org/union-resources/steward-resources
- **Member Orientation:** sgeuonline.org
- **Campaign Microsites:** IfYouLoveSaskatchewan.ca; TheSaskatchewanWay.ca
- **Bursaries and Scholarships:** sgeu.org/content/scholarships-bursaries
- **Social Media Directory:** sgeu.org/social

Saskatchewan Labour Relations Board:

www.sasklabourrelationsboard.com

- **Duty of Fair Representation Guide:** tinyurl.com/nldake5
- **Frequently Asked Questions:** tinyurl.com/q7ayqt7

Government of Saskatchewan: www.gov.sk.ca

Labour Relations and Workplace Safety: www.lrws.gov.sk.ca

- **Saskatchewan Employment Act:** tinyurl.com/lz3jzqy
- **Occupational Health and Safety Regulations, 1996:** tinyurl.com/6ld6jxj
- **Saskatchewan Human Rights Code (S. 16, 17, 18, and 27):** tinyurl.com/pr29uuf

Mental Health and Addictions: www.health.gov.sk.ca

- **Alcohol and Drug Education and Prevention:** tinyurl.com/qaxpnk2
- **Problem Gambling:** tinyurl.com/mtatazk

Saskatchewan Human Rights Commission: www.shrc.gov.sk.ca

- **How to File a Complaint:** tinyurl.com/qamuwpp
- **Employment Discrimination and The Duty to Accommodate:** tinyurl.com/munouva

Treasury Board of Canada Secretariat: www.tbs-sct.gc.ca

- **The Duty to Accommodate (Federal Guidelines):** <http://tinyurl.com/l8u4wgr>

- **Workplace Well-Being:** tinyurl.com/kbkygpd

Workers' Compensation Board: www.wcbsask.com/workers

- **If You're Injured:** tinyurl.com/og5nw24
- **Recovery and Return to Work:** tinyurl.com/l5hkta4
- **Worker Appeals:** tinyurl.com/ku5p9rm

Canadian Mental Health Association — Saskatchewan Division:

<http://sk.cmha.ca>

- **Programs and Services:** tinyurl.com/lpwgqqo

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