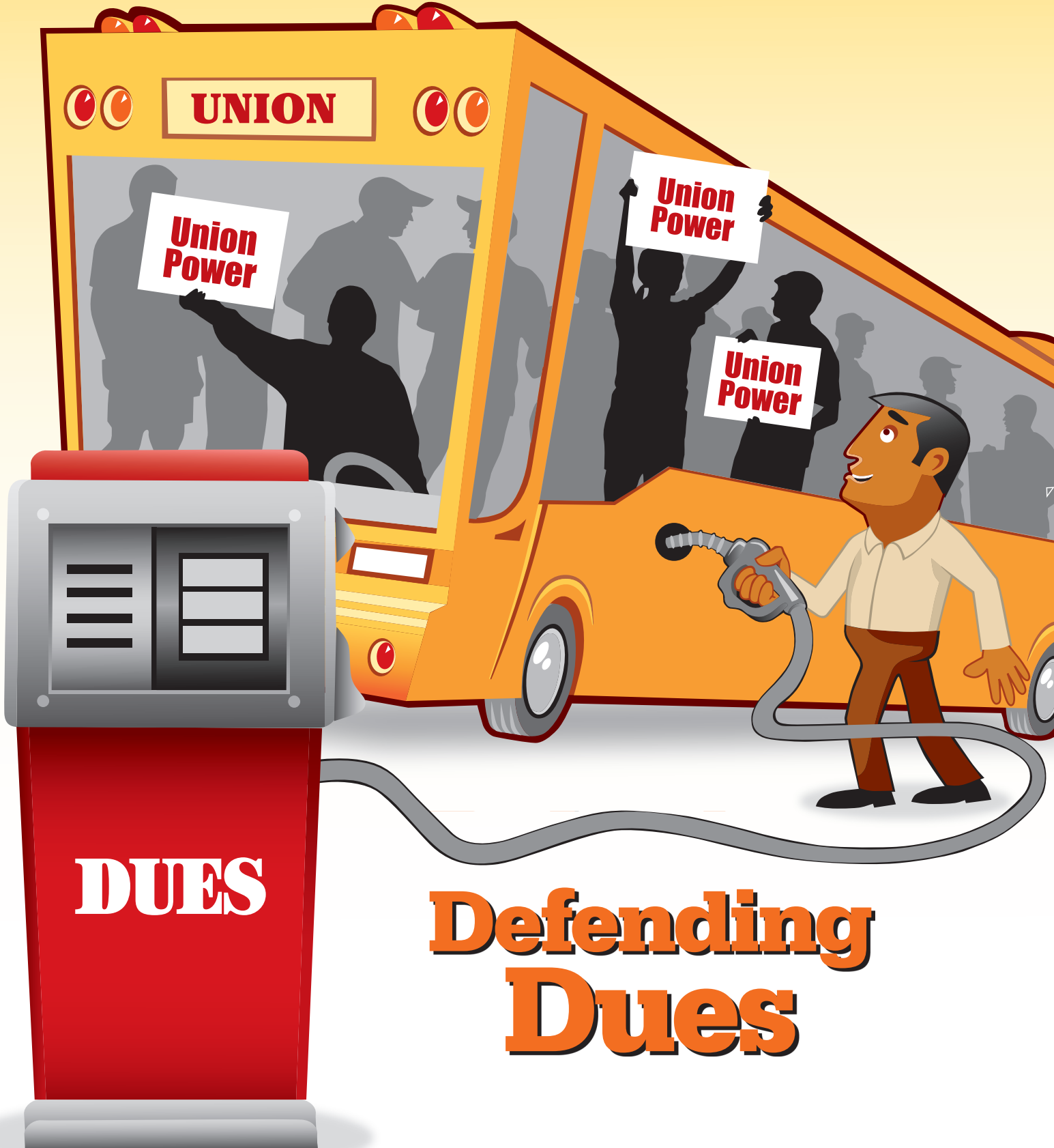


TAMM

E D U C A T O R

Update for Stewards

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Defending Dues

Defending Dues

There's no getting around it: most union members don't like to pay dues. To many, dues are just another deduction from their paycheck, no different from federal or provincial or city taxes, no different from sales taxes or use taxes or any other tax.

Of course, people who stop to think about it see that taxes pay for the highways they drive on and the police who protect them and the schools that educate their children. Taxes help assure that the water their families drink is pure and the food they buy at the market is safe to eat.

They also pay for helping people—the survivors and the families of those who didn't make it through the horror—get back on their feet after natural disasters like Hurricanes Katrina and Isabelle or manmade disasters like the terrorist attacks of September 11, 2001.

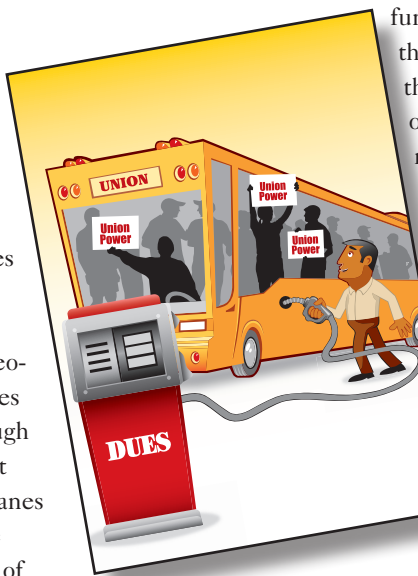
But people *don't* stop to think just as some union members don't consider how, without dues, there would be no professionals to bargain new contracts or lawyers to pursue arbitrations. Neither would there be anyone to turn to when a worker is unfairly docked or disciplined: no trained representatives to take their side when things got bad. Workers would be at the mercy of their employers—and more and more employers today are showing no mercy whatever. That's the reason fast food workers at McDonald's and Wendy's and so many other franchise operations across North America have been taking to the streets of late. They know their situation is lousy and that the only way to make things better is to act together.

So how does a steward deal with the member who pays his or her dues, but gripes about it nonstop?

You could consider offering these thoughts next time the issue comes up.

Dues and Taxes

Make the comparison between taxes and dues. People may not like paying taxes, but without them there would be no roads. People still drive on those roads, though, and couldn't



function without them. Likewise, they still count on firefighters to respond if their

Be prepared to list some of the benefits that wouldn't exist without the union.

house or apartment burns. They *use the services* that tax monies support, even though they're not crazy about taxes. Likewise, they *benefit* from the union's work, even though they might not like paying the dues that make the union's work possible.

Dues Bring Specific Benefits

If workers don't like paying dues, then presumably they don't like the very things that dues *bring*: job security, raises, vacations, health insurance and pensions, and so forth. Examine your contract, and next time someone starts on about "those damn union dues" be prepared to list some of the benefits that wouldn't exist without the union. Do they honestly believe the boss would be showering them with benefits if the union hadn't negotiated them?

Compare and Contrast

Do some legwork and study up on wages, hours and conditions at another employer—a *non-union* employer—in

your community, one that could reasonably be compared to your own in terms of the kinds of jobs people do. Be prepared to show your members what the job protections and wage and benefit differences are between the two, and make it clear that the union—and thus *dues*—are the reason for those differences. Maybe you can even get your hands on a paycheck stub from the other workplace, and show it as evidence.

Run the Numbers

Give them some statistics. In 2013, union workers' median hourly wages were \$27.05, compared with an average of \$22.08 for non-union workers. In 2013, the benefits enjoyed by unionised workers (dental insurance, extended health care coverage and legal insurance) attract and support dentists, opticians, health specialists and family lawyers whose services are available to everyone in the community. Eighty-four percent of union workers had paid sick leave, while only 62 percent of non-

union workers did. You don't have to be an Einstein to see that the dollars and benefits gained by representation far outweigh the cost of dues.

Another way to look at it would be like this: a single, union-negotiated raise of 50 cents an hour is worth more than \$1,000 a year to the recipient.

Raising the Bar for All

When unions stand up for fairness, they raise the bar for everyone. Many of the things first won by unions are enjoyed by all workers today – minimum wages, overtime pay, workplace safety standards, maternity and parental leave, vacation pay, and human rights.

—David Prosten. The writer is co-editor of *Steward Update* and founder of *Union Communication Services*.

Dealing with Shift Work

As a steward, the odds are pretty good that you've lost sleep more than once over a nagging problem or an annoying individual you've encountered over the course of your union duties. As lousy as that loss of sleep was, it likely can't begin to compare with the problems facing your members on shift work.

The good news is, as steward you may be able to help them avoid some of those problems.

Virtually everyone who's ever worked an irregular or abnormal shift knows that regular sleep deprivation can affect your mood and your health. After all, we're not nocturnal animals like opossums or bats. Our internal rhythms are designed to be in sync with the external, daytime world, and staying awake at night is disruptive to our systems.

Shift work can be so disruptive as to negatively affect a worker's ability to effectively perform her or his job, and it may also affect workers' health by causing or worsening:

- Cardiovascular problems
- Digestive problems
- Fertility problems
- Diabetes
- Cancers
- Emotional disorders like depression

Night-time drops in body temperature and hormone levels affect alertness and can cause increased errors, accidents, and poor decision-making. Fatigued workers may fall asleep on the job, even while standing up or operating machinery.

For those on the night shift, sleeping during the daytime—with its sunlight, noises, and warmer temperatures—is often intermittent and of short duration. Fewer hours of sleep mean less time for the brain to rest and repair. Attempting to “catch up” on sleep on days off won't compensate for sleep debt accumulated during the work week. “Day sleepers” may be so chronically sleep-deprived they no longer know what it's like to feel good. The resulting mood swings and fatigue can affect relationships with co-workers, family and friends.

Some people can tolerate shift work, but many shift workers struggle. Certain adaptations are possible, and this is

where the union comes in. Here are some suggestions.

The Union Can Help

■ When possible, regular, predictable work schedules are preferred. Workplace flexibility when family needs, such as child care, arise can greatly reduce stress. (Changes to shift work designs are likely to be controversial so talk them over with members before they get brought up with management.)

■ Some members simply cannot tolerate working nights. See if the union can establish a right to transfer to daytime work, ideally without loss of pay and benefits, for those who can't adjust.

■ Even though you may have members who are constantly looking to work overtime, enforce *maximum* allowable work hours. It's a health and safety issue.

■ Ideally, only *forward* shift rotations should be permitted, that is, rotations that move with the clock, not *backwards* against the clock.

■ Tasks that require error-free activity or have increased potential for accidents

should be avoided as much as possible toward the end of a 12-hour shift and in the 3 to 6 a.m. period. Errors increase as fatigue sets in.

■ Talk with the employer about providing full daylight-spectrum bright light during night shifts. This promotes the resetting of the body's sleep and wake cycles.

■ Be sure that services related to personnel, benefits, and training are available for those working nights just as they are for those working days. Try to avoid the holding of people after work or bringing them in early. This avoids disrupting people's sleep schedules (as well as child care arrangements).

■ Ask to have healthy food choices available during all shifts, including in vending machines. Work with your employer, if possible, to promote physical exercise by offering discounts to gyms or exercise programs.

Workers and their families alike need to know the effects of shift work. Ask your Employee Assistance Program or health and safety department to offer a seminar to all concerned, including their families.

Health Tips for Shift Workers

Union stewards can suggest to shift workers ways they can reduce the negative impact that working nights can have on their lives. You might consider posting some of these examples:

- Eating meals or snacks at the same time each day may promote better digestion.
- Avoid caffeine near the end of shift or near sleep time; as a diuretic it interrupts sleep.
- Avoid alcohol, which produces lighter sleep and can cause headaches.
- Maintain a regular sleep schedule all week, including days off. Ask family and friends to respect your need for peace.
- Schedule personal appointments for times that do not disrupt sleep routines.
- Block noise from reaching the bedroom; keep the room cool and pitch-dark.
- Try relaxation techniques, like meditation and yoga, to promote sleep.
- Regular exercise may enhance the deep sleep that is physically restorative.
- Naps can improve alertness, but should be limited to 45 minutes to minimize the chances of entering deep sleep; waking from deep sleep can leave you feeling groggy.

Even if the shift workers you talk to seem dismissive about exploring these measures to improve their tolerance for working nights, give them the information anyway. Chances are that they, or their spouses, will eventually be looking for these tips in order to get the rest that their minds and bodies crave.

—Nellie J. Brown, MS, CIH. The writer is director of workplace health and safety programs at the Worker Institute, Cornell University's School of Industrial and Labour Relations.

The Duty of Fair Representation

Quick quiz: How should you react when the biggest complainer in the bargaining unit comes to you demanding a grievance be filed on his behalf—his fourth such demand, each on a different issue, over the last ten weeks?

Answer one: Tell the complainer he's just that—a complainer—and say you refuse to go through yet another wild goose chase only to find, again, that there's no basis for the complaint that even *approaches* the level of a real grievance.

Answer two: Tell the complainer you'll check into it—and do. As unlikely as it seems, and as much as you're tempted to tell this chronic pain-in-the-butt to go away, maybe *this* time there really is a case.

The correct answer to the question is, of course, number two: check out the complaint. If you don't, you could be opening yourself, and the union, to a Duty of Fair Representation (DFR) complaint. Under law, every worker in your bargaining unit must be treated equally by the union and its representatives.

Three Essential Points

You have to know what this “Duty” requires of you, and why following it actually makes unions stronger, more effective workers' rights organizations. Here are the essential points you need to understand in order to be sure you do, in fact, comply with this obligation:

■ Treat every member's actual or imagined grievance similarly, if not exactly the same. Do not discriminate against someone because they are a jerk, because everyone dislikes them, because of their personal characteristics (such as race, religion or sexual orientation), or for any other reason.

■ The courts have warned against being “arbitrary or capricious” (meaning, you had better have a good and consistent policy that explains why you did differently for Paul than you did for Susan), but

has also said that a union member does not have “an absolute right to have his grievance taken to arbitration” as long as his case was handled in good faith and with a sense of reasonableness.

■ Recently, an arbitrator who threw out a DFR

suit against a union for not taking a member's case to arbitration explained that, “A union's conduct can be classified as arbitrary only when it is...without a rational basis or explanation.” Mistakes and simple negligence are serious errors, but won't necessarily result in a finding against the union in a DFR case.

So what do these cases tell us about how to comply with the law? There are a few simple, straightforward things you need to do that will not only protect you as a steward, and your union, but will also make you a better trade unionist.

Outlining Your Steps

First, each steward must keep a careful record of every incident that a member reports, regardless of whether it appears to be a gripe or a real grievance. This written or electronically kept record may be brief, but should include the worker's name, time of reporting, possible witnesses, and a concise description of what did/did not happen that upset the member. At least every two or three days, stewards should report and discuss these incidents with whoever in the union hierarchy is the appropriate person.

Second, you must fully and fairly investigate each reported incident in as thorough a manner as the facts justify. A careless member who has been warned by the safety committee about her unsafe behaviour may not receive much sympathy from a steward if she is disciplined. Still, if she is disciplined and complains to you, you must carefully investigate. If your investigation shows that the discipline is fair and justified, you can report that back to the member and assist her to a point, but the union is free to choose to not expend considerable resources on that member's case.

Third, the union should have a written policy that explains to members why and when it will expend a lot of the union's resources on a grievance. Be sure it is distributed to all members and available on your union's web page. The policy should spell out your duty to investigate and assist members, but note that representation all the way to arbitration occurs only if an individual member's case is of considerable benefit and in the best interests of the union as a whole. The contract is between the union and the employer, not the member and the employer, which

gives the union the ability to make decisions that reflect the best interests of all members when deciding what grievances to carry forward.

Taking these various steps is the best way to protect members, stewards and the union. And, by doing so, your members will better

understand your actions, which can only enhance your credibility and institutional sincerity.

—Lee Adler. The writer, an attorney, has represented public and private sector unions for nearly 40 years, and presently teaches labour relations courses dealing with public sector unions and the crisis in American public education.

Under law, every worker in your bargaining unit must be treated equally.

Fully and fairly investigate each reported incident in a thorough manner.



Making Roles & Goals Clear

We have all been at bad meetings: they start late, no one is sure when they're supposed to end, some people are raising their hands to speak, others are just speaking out, there is no written agenda or time limit, and usually not much gets done. People leave frustrated.

One big reason meetings like this happen is that too little attention is paid to something called "definition"—an understanding by all involved of what's being talked about or done, and why.

Without definition, most of the things a steward does can fail as miserably as the meeting described above. You say "oranges" but others hear "apples." Not only aren't the people you represent on the "same page" as you, some aren't in the same book. At grievance meetings with management it's as if you're broadcasting on the FM band, and they are receiving only on AM.

Lack of definition can make people confused, agitated and sometimes even hostile. These disastrous consequences are avoidable. Here are some examples that show how lack of definition can get in a steward's way—and what can be done about it.

Set Purpose and Length of Meetings

Scenario Number 1: A steward asks three members who are unhappy with management's new attendance policy to get together and talk about it after work. The meeting starts off with a lot of energy but people leave frustrated and annoyed over "spinning our wheels" and all the "loose ends."

What happened? At least two very important things were left undefined in the steward's outreach: the purpose of the meeting and how long it would last.

The steward thought the meeting was to find out how the policy was being implemented—that is, for fact finding. One member, though, thought it was to

What needs to be defined

Following are examples of areas that need to be defined. You'll no doubt encounter more in your work as a steward.

■ **Agendas:** *What are we here for? In what order will the items be discussed? What action, if any, are we taking on each item?*

■ **Time limits:** *starting and ending times, how long each can speak, how much time will be spent on a particular subject*

■ **Roles:** *Are people there to only listen, or to participate? Who chairs? Who speaks? Who votes?*

■ **Rules:** *how to get recognized to speak, no yelling, don't repeat yourself, stay on the topic*

■ **Issues:** *Exactly what are we talking about? What do we want to do with the issue? What are the various positions people hold on the issue?*

■ **What was accomplished and next steps:** *What did we decide or do? What are the loose ends? Who will do what? By when?*

vent about the unfair policy and the idiots in management. Another member thought it was about planning a job action. Yet a third member kept insisting he wanted to hear what the lawyers had to say. The result: the discussion bounced around like a pinball from one topic to the other.

Making it worse, the steward thought they had an hour to meet, but two of the members got up suddenly after 45 minutes saying they had to get to a softball game.

If the steward had defined with everyone at the beginning of the meeting—or, better still, *before* the meeting—the exact purpose of the meeting and how long it would last, they would have had a better session. With at least two more things defined at the end of the meeting—what they accomplished or decided and where they would go from here—they

would not have been so frustrated and they would have left the meeting much more ready to take the next steps.

Define Roles, Ground Rules

Scenario Number 2: Another steward had a grievance meeting with a member and management over discipline. It went badly. Management kept talking directly to the member trying to get a confession or make a deal, and the member first started yelling and then let management know he was interested in the deal.

The problem? Lack of definition. The steward didn't clearly define the roles the member and the steward would play and what to do if management acted badly or made an offer. The steward also didn't define for management some ground rules for the meeting, including that management should deal directly with the steward as the member's union representative—not the member. Again, a little definition would have gone a long way.

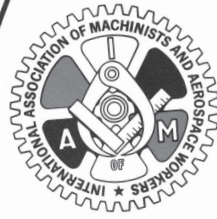
Work off the Same Definitions

Scenario Number 3: Another steward, having just come back from internal organizing training, was eager to get members more active in the union. One by one the steward approached members to find out what was on their minds. One by one the members gave the steward a list of things the steward could fix for them. Oops! More definition needed. The members had one definition of a union: "member complains, steward fixes things." The steward and the union need to convince members that the definition of a union is "we identify issues together and WE work together to solve them."

As you go through your steward and other activities, interacting with others, notice how things go. When they are not going so well (people are not listening to each other, nothing is getting done, people are "jumping down each other's throats," and so on) see if you can identify something important that has been left undefined by the group. Then see if you can improve the situation by suggesting a clarification of one or more of the factors causing the problems. You'll start to agree that "definition" can make a big difference.

—Ken Margolies. The writer is a senior associate of the Worker Institute at Cornell University's School of Industrial and Labor Relations.

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OFFICE OF THE INTERNATIONAL PRESIDENT

Dear IAM Shop Steward,

Another year has sped by. As we prepare for the holiday season, on behalf of the IAM Executive Council and everyone in the Machinists Union I would like to extend our best wishes and a big thank you for all you have done.

As this edition of the *IAM Educator* was being prepared, voters in the United States were making their final decisions on who to support in the midterm elections. I am hoping your efforts as Shop Stewards to get out the vote and educate our members about the issues were successful and we have a lot more worker-friendly legislators in Washington, D.C. and in state and local governments.

I hope we have elected people who won't cut off unemployment benefits to our fellow workers still struggling to recover from the Great Recession. I hope we have legislators who will rebuild the middle class and our economy by investing in our nation's infrastructure and educating our workforce. And I hope we have legislators who will stop agreeing to misguided trade deals that devastate workers and communities across North America.

If it turns out that the wave of corporate money gave anti-labor politicians control of the U.S. Senate and made other gains, then your job as Shop Steward is even more critical. You can bet you will see proposals to expand right-to-work (for less) laws, roll back worker safety laws and a lot more.

In a speech to a gathering of billionaires organized by the Koch brothers a few months before the midterm elections, Senator Mitch McConnell, who would lead the Senate if the GOP gained a majority, pledged his opposition to raising the minimum wage, extending unemployment, giving students loan relief and more. He also said of those who support those issues: "these people believe in all the wrong things."

So, let's hope the election elected worker-friendly candidates and we can focus our efforts on making gains for working families.

Because in the end, our ability to enjoy the holiday season with our family and friends, ensure our kids get a good education, have a job with decent pay and benefits and the ability to retire with dignity, depends on the work we all do together to organize new members, negotiate strong contracts and ensure respect on the job for our members.

Thank you for all you do and enjoy the holiday season.

In Solidarity,

R. Thomas Buffenbarger

R. Thomas Buffenbarger
International President

