

# New Ways to Welcome New Workers



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**R**emember your first day on the job? OK, if you can't remember back that far, then imagine it. All those new faces and names. Bluffing your way through the first few days. It's a rough time.

And it's the steward's prime time to build the union among workers who may not even know what a union is. And these days, technology, like digital cameras and the Internet, can help you become more effective than ever.

## Have a Plan

Research shows that workers form their opinions about their union often within the first few days on the job. How do you, as the union's workplace representative, approach new workers?

- On the first day, does anyone from the union greet new workers, or is their only "official" greeting from their supervisor or another representative of management?
- Does your employer sign up new workers for the union while they're signing health insurance forms, W2s, and other kinds of routine employer paperwork?
- Who tells new workers where the bathrooms are, or which vending machine steals your money and which one gives two sandwiches for the price of one?

If your answers are no, yes and I don't know, you've got some room for improvement.

You can greet new workers at a union negotiated new employee orientation session (yes, you can negotiate this into your contract) or during a break, and you can always tell the new worker where to meet you at lunchtime or after work so you can talk more freely and with no time pressures.

**Workers form their views about unions in their first few days on the job**

## Deliver the Goods

Your orientation packet should include:

- a contract, with a short summary of the latest improvements,
- information about how to find worksite leaders,
- a schedule of union meeting times and places,
- a letter of introduction from the union.

## Some Brief Reminders About Attitude

The way you frame issues in that first conversation with a new worker can make the difference between someone who relates the union to problems and strikes, and someone who sees the union as a group of people working together to improve their working lives. So when you talk about the union, you're defining what the union is. It's best not to focus solely on problems ("If you get in trouble, contact me") and better to emphasize solutions ("Through negotiations, we've been able to keep our health costs down).

For example, there's that familiar approach, Union = Good Guy and Management = Bad Guy. Remember, a new employee has no reason to think the smiling face who just signed him up on his health benefits is a bad guy. So, while you could say, "Management tried to rip us off but we threatened to strike and the greedy jerks backed down," you'll build more credibility with this new person if you try this approach instead: "The company pushed real hard for a wage freeze last time around, but we wouldn't accept that and they finally saw the light." Workers will learn for themselves who to trust and who not to trust.

**New technologies can help give the union a face**

## Use New Technology

In the old days, you handed out a contract and maybe a letter from the union. Now, you can give the union a face, making it much easier for a new worker to find you. If you don't own a digital camera, ask around and you'll find someone at work who does. With a digital camera, you can take photos of stewards and leaders inexpensively and put them on a leaflet easily. (If you're still gun shy about computers, consider enlisting a volunteer, maybe the one with the camera.) Include a couple of sentences (not more!) of welcome, along with the name, work area and shift of the leaders in the photos. If possible, include a phone number and the location where leaders usually take breaks, so new employees can find them when they need to. You'll want to print out only a few leaflets at a time, so you can update them as your stewards or their phone numbers change.

If your local has a Website, especially one with frequently asked questions about the union or the contract, be sure to include that address too. The Web gives workers an opportunity to study the contract or their union in the comfort of their own homes, at a time convenient to them, without the boss looking over their shoulders.

Technology is doing a lot to our lives, some good things and some bad. This is one way to turn technology to your advantage, and bring more informed members into the union.

— Susan Erem. The writer is a freelance labor writer and author of the book *Labor Pains: Inside America's New Union Movement*. She can be reached through her Website, [www.lastdraft.com](http://www.lastdraft.com).

# Think Beyond “Grievance”

**A**s stewards we need to continually examine how every action we take can increase participation in the union. This is the only way we can win more of our issues, strengthen our organizations and build worker leadership.

The collective bargaining agreement is a very important tool, but it is simply one of the tools labor has used to reach our goals. When we file grievances, the problems we are working on are often chosen for us — generally, whatever issue we have clear contract language on. We can get stuck responding to a negative action that management has taken, rather than taking positive action to prevent problems. Stewards need to be on the constant lookout, both for problems that the union can organize around and people who could get more involved in the union.

## Problems to Organize Around

We need to remember that we can choose issues to organize around that may or may not involve a grievance filing. We need to assess who the problem affects, how many people will be motivated to get involved, and whether we might be able to win something. We need to choose issues carefully. We cannot organize around everything at the same time. You will want to choose (and assist others to choose) one or two problems that people most want to work on. Make sure people (including you) pick their favorites. Look for problems that the union can handle and hopefully win. Choose the problems that will best build the organization. Look for problems that large numbers of workers care deeply about.

## People to Help

Good people are always present in every workplace, but often they are very busy, or don’t want to become involved either through fear or because of past experience with the union. We need to have contact with people. The time spent in direct per-

son-to-person contact is always worthwhile. Ask other workers to do small doable tasks.

In one case we strengthened a work-site first by asking people to distribute union literature in the work area. This was not easy for people: the reputation of the union at the time was very negative. We then asked each person who had distributed printed literature to take the next step of committing to keep in contact with one to five specific people about union issues. Only when we had a small communication

structure in place did we then ask people to commit to distributing membership forms to nonmembers. From this committed core came a group of serious activists.

When problems and concerns arise on the job, stewards can use the following checklist to build the union. You may want to print the checklist on the back of your grievance form so that when problems arise you are reminded to think about what you can do to organize and build the union.

### A Participation-Building Checklist

What is the problem?

How many workers are there at the workplace?

How many people care about this problem?

Is resolving this problem very important to people? Why?

Can working on this problem increase the visibility of the union? Yes ( ) No ( )

Can working on this problem help reach out to under-represented groups of workers? Yes ( ) No ( )

Is this problem winnable or partly winnable? Yes ( ) No ( )

What leaders are already involved in organizing around this problem?

What other workers or leaders would we like to involve?

What is the remedy or goal you want to achieve?

Who in management could resolve this problem?

How can pressure be exerted on the decision makers in management?

How can pressure be exerted on outside entities who can influence management? (For example, government officials or agencies, community leaders)

How can we communicate with workers about this problem?

#### Possible Actions

#### Who Will Do

#### Date to be Done

Grievance

Group meeting with decision maker

One minute stand up on the job

Buttons, same color shirts

Newsletter article

Rally

One-to-One communication network

Informational picket

Phone tree

Petition involving allies

Other

# Denial of Promotions as Discipline

**N**ormally, workers can expect to receive a chance at an open job if they have the seniority and are qualified to do the job. But that's not always the case: some employers also look at a worker's prior record, and if they don't like what they see, they may deny the worker a chance at the job of choice. These cases sometimes go to arbitration, and there's a good bit of difference in how arbitrators rule. They are quite hard on workers who have something in their past that the employer doesn't like, regardless of the nature of the seniority and bidding clauses — but arbitrators are not wholly consistent, either. As a steward the odds are good that at least one of these cases will come your way, so a look at how arbitrators have ruled on promotion cases may put you a step ahead of the game.

## Use of Annual Leave

Two employees were disqualified for promotion because they had used too much annual leave. A union grievance challenging the disqualifications was upheld by an arbitrator. He said that, even though use of annual leave could be considered in making a promotion decision, the record failed to show that employees had been notified that use of annual leave could have negative consequences. Further, the record failed to show that the employer was harmed by the workers' use of annual leave, and failed to show that there was a rational basis for what was otherwise a permissible act.

## Prior Disciplines

The employer had a practice of denying employees the right to bid on job openings if they had been disciplined within the prior 45 days. The arbitrator rescind-

ed the automatic disqualification policy but did not order the employer to promote the aggrieved worker. He said that the contract clause that allowed consideration of merit in promotion was inoperable in the dispute, since the employer's failure to consider the nature of the offense was arbitrary, capricious, and discriminatory. He said that in the case in question, the grievant's offense was sufficiently serious to justify denying her the promotion, but denial could not be automatic just because of a recent discipline record.

A senior employee was denied promotion because of a prior discipline, and the job was awarded to a junior employee. The arbitrator upheld management's decision, noting that the junior employee had no disciplines on record.

A senior aircraft mechanic was denied a promotion to lead mechanic because of a written warning for a rule violation. The arbitrator upheld the union's grievance. He said that the employer's disregard of the seniority clause indicated they had no regard for it; the employer still had the option of removing the grievant from the position if he didn't work out; evidence of an oral warning concerning rude and violent behavior toward a coworker did not warrant the conclusion that he lacked leadership ability; there was no concrete evidence to establish what was said and its relation to leadership ability, and significantly, the conduct that led to the oral warning was reported by the successful junior bidder.

## Alleged Poor Performance

Management denied the senior worker's bid for a job because of "poor performance, negative attitude, and untrustworthiness." The arbitrator sustained the employee's

grievance because the company failed to provide evidence of the allegations, and the employee was never counseled or warned about substandard conduct.

## Union Activity

The employer denied a senior bidder a promotion to group leader on grounds he was not available on a fulltime basis because of his union activity. The arbitrator upheld management, saying that the advanced position required a high degree of attendance, and the employee regularly worked three days a week for the union.

## Absenteeism

A woman with an absenteeism problem was denied a promotion. The arbitrator awarded her the job because: the absenteeism problem was caused by headaches, she met the requirement concerning previous experience, she was awarded a transfer in an earlier year when her absenteeism was worse, and most important, her absenteeism would have been borderline if absences for headaches covered by the Family and Medical Leave Act (FMLA) were excluded.

**S**o, when handling denial of promotion cases:

- Try to determine whether promotions have been previously denied because of prior discipline.
- Check the contract to see whether the promotion clause specifically permits consideration of prior record in employment decisions.
- See whether the prior disciplines would adversely affect performance in the job bid upon.
- Check whether the absenteeism has a reasonable basis, such as health problems covered by the Family and Medical Leave Act, which permits up to 12 work weeks of unpaid leave per year for "a serious health condition."
- Make sure that the employer provided evidence of poor performance or reason for denying promotion based on prior record.

— George Hagglund. The writer is Professor Emeritus, the University of Wisconsin - Madison.

# Immigrants, Solidarity and Strength

**S**tewards across North America are finding that the changing nature of the workforce today is creating situations where they are dealing with people, pressures, and issues they might never have imagined a few years ago.

Workplaces now are filled with people who come from Latin America, Asia, and every part of Africa and Europe. In the United States, as of 2002, there were 32.5 million immigrants, accounting for more than 11 percent of the total population. More than 90 percent of these immigrants are of working age, and half of all new workers are now foreign born. Many of these workers have left homelands where living conditions are appalling, and unions and collective bargaining are illegal. In some of these places, union activists are frequently jailed or even killed. But while conditions are usually far better in the U.S. or Canada, immigrant workers still often hold the most difficult, low paying, and dangerous jobs. Latinos in the U.S., for example, consistently have a higher workplace fatality rate than other workers. No wonder that a “growth sector” in union membership is immigrant workers.

While more than a third of the foreign born in the U.S. are naturalized citizens, and while most entered the country legally, a substantial minority (probably something on the order of one third) are undocumented workers. It seems that employers and politicians miss few opportunities to blame immigrant workers generally — and undocumented workers in particular — for all kinds of problems at work and in the larger society. (And this despite the fact that immigrants as a group contribute more in taxes than they get back in government services and benefits.) It’s worth stopping to think about why immigrants’ issues are union issues, and what stewards can do to unite their membership to make the union stronger.

## **Immigrant’s Issues are Union Issues**

Why should a steward be concerned about the needs of immigrant coworkers?

- Because immigrant workers are union members, and every member deserves the full support of the union.
- Because some of the proudest moments in the history of the labor movement have been when we’ve said that justice issues — like civil rights — are union issues, too.
- Because “divide and conquer” means the boss wins, and we lose; we can’t afford to do without all members’ support in every fight to improve working conditions.
- Because we’re nearly all immigrants, or descendants of immigrants, and immigrants built our unions.

## **Immigrant Workers Have Rights, Too**

Don’t assume that immigrants don’t have full legal protection. Generally speaking, both legal permanent residents of the U.S. and undocumented workers:

- Are covered by every clause in our collective bargaining agreements.
- Enjoy the protection of the U.S. National Labor Relations Act and other labor laws, including the right to organize and to engage in union activity in the workplace.
- Are protected by minimum wage, overtime and health and safety laws, and by workers’ compensation.

## **What Can Stewards Do?**

We need to reach out to our immigrant worker members, and to make sure that issues of particular concern to them are part of the union’s agenda. To maximize our strength, we must find ways of:

## **Communicating**

Often, language barriers must be overcome, by translating union materials (or even the contract) into one or more native languages of our members. Some locals have found a way to provide a valuable

service to immigrant workers that at the same time helps the union out: sponsoring English language classes after work.

## **Educating**

All new members need some amount of education about what the union is and what we do. Immigrants are no exception. In fact, we may need to give some thought to special ways to teach immigrant workers about the union: they may come to the workplace with limited understanding about how our system of bargaining, representation and legal protection works. Our native born members need educating, too! They need to understand the issues that are important to their foreign born coworkers, and why addressing those issues makes the union stronger.

## **Taking Action**

Unions should think about expanding the collective bargaining agenda to include:

- Having the contract state rights that already are in place under such laws as the U.S. Immigration Reform and Control Act.
- Expanding workers’ and the union’s rights. One possibility: negotiate approved leave for workers who need time off to straighten out immigration problems.
- Requiring that some specified documents, including the contract itself and disciplinary letters, be translated into any language that a certain percentage of the workforce speaks (if they are not proficient in English).

Because statutes, court decisions and rulings by government agencies sometimes treat foreign born workers as second-class citizens — denying back pay when an employer commits an unfair labor practice, for instance, or disallowing food stamps to those who have paid their fair share of taxes to support the program — the union’s political action agenda is a key weapon in our fight for the rights of our foreign born union brothers and sisters.

— Michael Mauer. *The writer is author of The Union Member’s Complete Guide.*

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OFFICE OF THE INTERNATIONAL PRESIDENT

Dear Sisters and Brothers:

Organizing new members is the "do or die" responsibility of every IAM representative, regardless of their position at the local, district or international level. During the past 4 years, the IAM has witnessed the loss of nearly 100,000 members due to layoffs from plant closings and outsourcing.

The IAM's 20,000 Shop Stewards are in a unique position to rekindle a dramatic growth in dues paying membership by encouraging all workers in a bargaining unit to join the fight to protect jobs, pensions and wages and for themselves and their fellow workers.

But until there are trade policies in the U.S. and Canada that discourage the transfer of good jobs to low wage locations, and until we have a manufacturing policy that is guided by fairness for workers, the destruction of valuable jobs is likely to continue.

Don't be fooled by free trade cheerleaders and economists who point to fractional gains in the national unemployment rate as evidence of a rebound in the jobs market. The economic foundations of the U.S. and Canada are under attack like never before.

It's been said that nothing focuses a person's attention more than a direct threat. The body undergoes an acute physical and mental transformation as it prepares itself to meet the challenge. Anthropologists credit this instinct with nothing less than the survival of our species for tens of thousands of years.

The North American labor movement is experiencing such a direct threat. Our survival as effective representatives depends entirely on having the numbers and the strength to back up our demands at the bargaining table and across the grievance table. It is imperative that we recognize where our strength comes from and what we must do to protect that strength.

In solidarity,

R. Thomas Buffenbarger  
International President

