

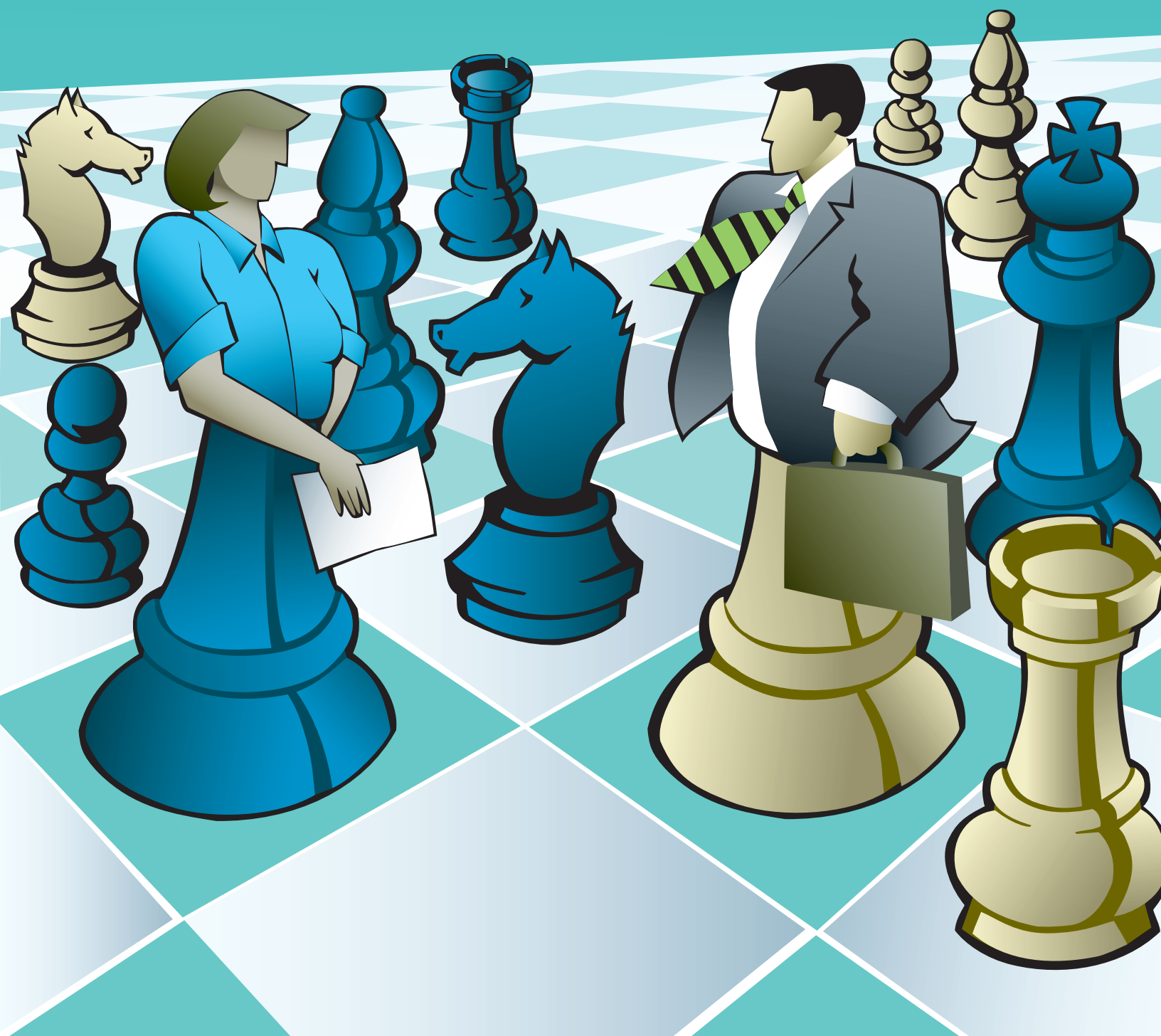
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E D U C A T O R

Update for Stewards

Vol. 5, No. 1

The Steward/Supervisor Relationship



The Steward/Supervisor Relationship

As a steward, you know that when you are together with the supervisor, the eyes of your co-workers are upon you. And suspicious world that this is, you can usually assume that some of those co-workers are wondering if you're fighting their battle...or selling them out.

Concerns like these lead stewards to think about what kind of relationship they should develop with the supervisor. Mortal enemy? Sparring partner? Cool customer? Buddy?

The answer is, the relationship should be determined by what the union wants to achieve in the workplace. Generally, that's a setting in which people are treated fairly and are allowed to be productive and respected. At the same time, it's one in which it's clear to the employer that the union will deal swiftly and strongly with anything that disrupts that positive setting.

You're on Equal Footing

With those goals in mind, you want to convey to the supervisor your seriousness and sense of purpose. Legally, you are on equal footing with the supervisor when dealing with union matters. Demand and expect to be treated as an equal. Be cordial when dealing with the supervisor on union business, but make it clear early on that you have business to conduct. Avoid wasting your time, or the supervisor's, by being unprepared.

You also want to convey your knowledge of the contract and how things really "work" on the job. With all the changes today at the supervisory level, it's very likely you will know more than your supervisor. Use this to your advantage and avoid the temptation to constantly "one-up" him or her.

You also want to convey your willingness to solve problems. Don't just bring problems to the supervisor, bring

solutions as well — common-sense solutions that benefit both the union and management.

You want to make clear your capacity to fight, as well. While you should normally be reasonable, the supervisor must know that if tested or pushed, you will fight back because there is no question about whom you are representing.

You're Not Alone

Finally, you want the supervisor to know that you are not acting alone. You're no Lone Ranger — you've got the troops behind you.

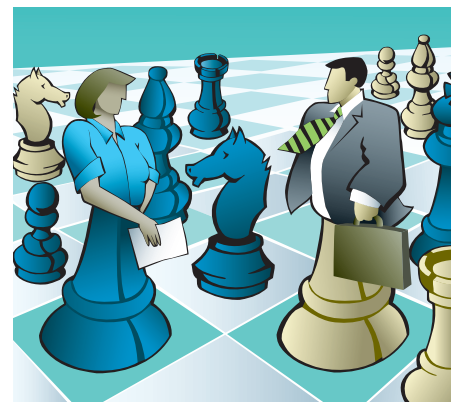
That last point suggests that your co-workers have a role in your developing an effective relationship with the supervisor. Your co-workers also need to be the union's eyes and ears around the workplace, giving you information so that you continue to build the union's reputation as a knowledgeable partner.

Members need to keep the union visible in the workplace by wearing union buttons, posting union information and attending union worksite meetings.

The steward should have members accompany him or her on union business with the supervisor to demonstrate that the relationship is more than one-on-one. By letting members actually see your work with the supervisor, you also cut down on any suspicions they might have about your relationship with management.

Some of the basics that can help you and your supervisor develop and retain a good working relationship include:

- Establish a scheduled "check-in" time — weekly, semi-monthly, or monthly, depending on your situation — to discuss workplace matters. This is not a grievance hearing, but an opportunity for you both to share information, concerns and possible solutions before issues can blow up.
- Set up a system to deal with emergencies. If something "breaks," you need to



have a system to meet quickly and to keep your respective sides cool. You also need to have back-ups for yourselves if you cannot be reached.

- Agree to the limits of your responsibility. You both should want to settle as much as you can at your level, but you should both realize and agree which situations need to be handled at the next level.

- Stick to the issues at hand. Some supervisors may want to gossip and may even offer you interesting tidbits about management strategies or other supervisors. Don't be tempted to reciprocate by chatting about your co-workers or your union leadership.

- Disagree without being disagreeable. You represent different perspectives. You will not agree on everything. Know when to agree to disagree, and be civil about it. At the same time, if either of you make a mistake, you should admit it.

Realize that your relationship with the supervisor will have its ups and downs. Realize as well that there will be events out of your respective control that can affect the relationship, such as a management restructuring, change of ownership, or change of product line.

If a steward stays focused on what he or she *can* control, and getting support from co-workers, that steward can go a long way to building a relationship with the supervisor that will advance the union's overall goal in the workplace.

— Pat Thomas. The author is on the staff of The Service Employees International Union.

Health and Safety Strategies

Health and safety issues often come across as highly technical, complex and confusing, and that means they can pose a lot of problems for stewards. The good news, though, is that health and safety issues are also highly winnable, and the union can come away with the satisfaction of having performed a tremendous service for the membership — while building loyalty to the union at the same time.

Whether the problem is air quality or tripping hazards in an office setting, dangerous machinery in an industrial plant, or something in between, health and safety issues deeply affect the membership. Workers are experts at knowing their jobs and the dangers they experience, and they are eager to learn about the less obvious hazards.

Health and safety issues are also winnable not only because there are legal rights to protect workers, but because the general public views worker health and safety as basic human rights. Although legal rights exist, the most effective enforcement of these rights is under a union contract. Even when there is no specific contract language covering the issue, employers have a contractual obligation to provide a safe workplace.

Union stewards can support their members' struggle to have a safer workplace by identifying and documenting hazards, expanding member awareness and participation, and championing safety improvements. Here are some ways to achieve those objectives.

Identify Hazards

There are many ways to identify workplace health and safety hazards. Among them:

■ Surveys and Questionnaires.

Great for collecting data and zeroing in on problems.

■ **Educational Programs.** Get workers together to publicly share their concerns.

■ **Interviews.** Talk to workers one-on-one.

■ **Worker Complaints.** Look for common threads in grievances and other complaint procedures.

■ **Government Regulations.** Check government standards: is your workplace in compliance?

■ **Inspections/Audits.** Do a workplace walk-through; inspect relevant employer paperwork.

■ **Medical Visits.** Do workers' injuries and illnesses indicate hazards?

Unfortunately, many existing safety standards do not fully protect workers.

Don't dismiss a hazard because some expert, regulatory agency or management representative has decided

there *is* "no violation." If people are getting sick or hurt, there is a problem. The unions' demands for safety need to be more protective than the minimum requirements, just as wage demands should be higher than minimum wage.

Know the Facts

Documentation is the most important aspect of health and safety issues. Many unions have successfully used safety complaint forms to document specific problems. Becoming knowledgeable about regulatory agencies and their standards is extremely helpful. It can be useful to cite these standards to argue your case — an approach that is often much better than filing a complaint with an agency, where you lose control of the outcome. Your goal

is to be a "jailhouse lawyer" who commands respect from the employer. Many unions, labor education programs and public interest groups — frequently known as Committees on Occupational Safety and Health, or COSH groups [www.coshnetwork.org or www.ccohs.ca] — offer education and resources.

Fix the Workplace, Not the Worker

A principle in professional health and safety known as the "hierarchy of controls" can be a very helpful tool. These control methods are listed below in the order of effectiveness.

1) Elimination or Substitution. Get rid of the threat by eliminating it from the workplace or by substituting another, safe approach.

2) Engineering Controls. Install guards to eliminate hazards.

3) Warnings. Be sure workers know of specific hazards.

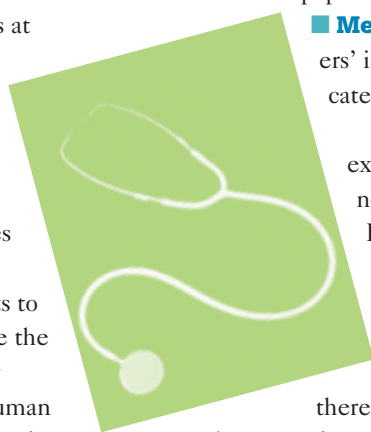
4) Training and Procedures; Administrative Controls. Teach proper procedures or rotate workers.

5) Personal Protective Equipment (PPE). Provide protective gear to every threatened worker.

Simply stated, the union's demand should be that the employer eliminate or engineer out health and safety problems instead of relying on low-level, cheap controls such as Personal Protective Equipment. Legally, employers are required to fix hazards by elimination or engineering controls, so this can be an important principle to challenge management's position if they are insisting on PPE. The most common "trap" in safety and health is to blame worker carelessness instead of uncontrolled hazards for injuries and illnesses. This ploy is often known as "behavior safety" and should be challenged by the union.

By following these steps and using these tools, union stewards can make significant improvements in health and safety. This can help the membership and build the union.

— Peter Dooley, MS CSP CIH. The writer is a safety and health consultant with Laborsafe. He has worked in the labor movement for 25 years and been coordinator of many successful health and safety campaigns. He can be contacted at laborsafe@aol.com.



The Dangers of Playing Favorites

When you became a union steward, some things in your life changed instantly. Suddenly you had a bit more direct control over the conditions of your own work life, and a lot more responsibility towards those around you (not to mention quite a bit less free time than before).

One thing didn't change at all, though: the natural human tendency to like some people a lot, and not to like some others nearly as much. But one of the most important obligations of your job as steward is the responsibility of not playing favorites. As natural as the impulse might be to go the extra mile as a steward for your buddies, while you sit around and relax when others plead for help, there are ways this can come back to haunt you.

Four Bad Repercussions

First, it's inconsistent with what unions are about. Fundamentally, unions are about fairness, about equal opportunity for everyone. Living by this principle in your day to day job as a steward is simply the right thing to do. And if your behavior as a steward doesn't match up to this principle of unionism, the union itself loses credibility and gets weaker.

Second, it alienates members: The daily job of the union is to act in ways that demonstrate to members that the union is all of us, not some separate bureaucracy. Members who see that some are given preferential treatment by stewards while others are not are members who will conclude that they're not really a full part of the union.

Third, it plays into the employer's hand: One of the tools in an anti-union boss's bag of tricks is to figure out ways to

divide and conquer the membership. A steward who creates two ready-made groups — those who get preferential treatment and those who don't — gives the boss a golden opportunity to play up divisions within the union's ranks.

Playing favorites violates the spirit of unionism, alienates members, and helps the boss

Fourth, it keeps you away from lawyers. The law requires that stewards carry out their responsibilities competently, fairly and impartially — even if particular members (or even non-members, in some situations) end up unhappy with how things turn out. But making decisions on which grievances to pursue based on your personal feelings toward the grievant? That's an invitation to the disappointed worker to file a Duty of Fair Representation legal action against you.

Avoiding the Temptation

So how do you avoid the understandable — but dangerous — temptation to play favorites?

Stop and think: When someone you particularly like or dislike approaches you

for assistance, do a quick mental check before determining what you will or won't do for this person. Imagine the identical request for help, but put to you by a different individual; would you respond differently? Two approaches may help you think this through:

- Are you aware of any previous situations where a worker came to you with this type of problem? If you're not inclined to treat this case the same way you dealt with the *earlier* case, do you have a good reason for the different treatment?
- Without identifying who is seeking your assistance, ask another steward or union officer for advice on how to respond to such a request. You may have reasons for thinking the situation should be handled differently, but this will provide a reality check.

Place caution before pride: If you're careful to examine your decision making as a steward to avoid playing favorites, you'll do right by the members you represent and by the union. But here's the bottom line: if you're not confident that in a given case you can act objectively, ask another steward to work with you or to take over the case completely.

— Michael Mauer. The writer is director of organizing and services for the American Association of University Professors and author of *The Union Member's Complete Guide*.

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From the editors of Steward Update newsletter

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A Steward's Quick Quiz

Pull up a chair, put on your thinking cap and see how you'd respond in a few challenging situations. Ready? Set? Go!

Q In the department where you are the steward, the supervisor generally looks the other way when people return a few minutes late from lunch. Lately, though, people have been doing it more and more frequently. When you're late one day, the supervisor issues you a warning saying, "I need to set an example. Besides, you know the rules better than anyone." Is this legal?

A No. It violates the rule that says stewards can't be held to a higher standard of conduct or performance than other workers. But keep reading!

Q Angry because the boss denied his grievance, Joe gets six other workers to walk out with him. One of the workers is a steward. Can management discipline all six workers — including the steward?

A Yes, if the contract has a no strike clause or calls for arbitrating grievances. Even if there's a right to strike on grievances, prior notice is probably called for.

Q Can management discipline the steward in this case more severely than the other workers involved?

A Yes. This is the one exception to the "equal standard" rule.

Q An employee is told to go to the personnel office to "talk" about arriving late at work. She asks for her steward, but is told she'll have to make the request when she gets to the office. Can she refuse to go?

A No. But the right to representation begins when it's clear that disciplinary action may be taken. Since it's unlikely that workers will stop a boss in mid-meeting to ask for a steward, make sure your people know that they should



ask first thing if discipline is likely. If it is, they should be sure to ask for representation before the meeting starts.

Q A supervisor calls a member at home about his attendance. Should the worker talk to the supervisor?

A No! Any time a worker fears discipline, he or she can refuse to answer questions until talking with a steward or other union representative.

Q A steward is called into the office to discuss a problem with the steward's own work. Can he or she bring the chief steward or a union representative?

A Yes! Stewards have the same rights as any other worker — if you could face discipline, you're entitled to assistance!

Q A worker is called into the office and is asked to inform on other workers. The worker himself isn't in trouble. Can he still ask for a steward?

A Yes. Because he could get into trouble if he refuses to inform on his co-workers.

Q Even with a steward present, can a member be disciplined for refusing to talk?

A It's likely. As long as management has a legitimate right to seek the information, your best course of action is to advise the worker to: (1) answer truthfully; (2) volunteer nothing; and (3) answer to only what was directly seen or heard.

Q If a steward gives bad advice and a worker gets in trouble because of what he told a worker, can the steward be accused of failing in his Duty of Fair Representation?

A No, not if there was no hostility or bad faith on the steward's part when he gave the advice.

Q Mary, a worker in your area, never comes to meetings and is always criticizing the union. She recently did some work out of classification. Another member tells you Mary was not paid as much as she was due under the contract. Mary has not approached you about the problem. What do you do?

A Enforce the contract, even if the member does not complain. Some bosses will pick on weak people to start breaking down the contract. Your job is to see to it that the contract is followed.

Q A supervisor approaches a steward at work and makes a change in her job assignment. The steward argues and calls the supervisor a bad name. Can she be disciplined?

A Yes. When stewards deal with management on union business, they deal as equals and different standards apply. But when not acting in their official capacity, stewards must follow the same rules as all other workers. When stewards have a problem it's always best to get another steward or local officer to represent them.

Q A supervisor tells five members in your department to do something that violates the contract. They come to you and — as their steward — you tell them to refuse. Can they be disciplined for refusing? Can you be disciplined for telling them to refuse?

A Yes and yes. Unless your contract states otherwise, the general rule to use is: "obey now, grieve later." If this happens regularly, however, you may want to figure out some ways to let the supervisor know that contract violations will not be tolerated.

— This article was adapted from the UE Steward Handbook, published for its members by the United Electrical, Radio & Machine Workers of America. Used by permission.

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OFFICE OF THE INTERNATIONAL PRESIDENT

Brothers and Sisters,

I would like to once again thank you for the outstanding job you do day in and day out. Your dedication and the tireless work you do for your brothers and sisters in the IAM is invaluable.

Last year you helped turn this country around by putting worker-friendly Democrats back in control of Congress for the first time in 12 years. In their first two weeks as the majority, Democratic House members pushed through legislation that could raise the minimum wage, lower Medicare prescription drug prices and cut student loan rates.

Now, it is time to turn our attention to the Employee Free Choice Act. The Employee Free Choice Act will strengthen protections for workers' freedom to organize and establish stronger penalties for violation of employee rights. It is legislation that will grow the labor movement and directly benefit America's working families.

Use the attached flier to educate your fellow workers about the importance of the Employee Free Choice Act and emphasize the importance of keeping pressure on lawmakers to make changes that will benefit America's working class.

As for your day-to-day duties as a shop steward, this edition of the IAM Educator will provide you with a wealth of information to help you be a better shop steward. You will be able to take a quick quiz on how you would respond to challenging situations you may face. You will also read about the dangers of playing favorites as a shop steward and health and safety issues you may encounter.

I also want to thank you again for the work you do to better the IAM. Keep up the good work.

In Solidarity,

R. Thomas Buffenbarger
International President

