

The **Stewards** Manual

Name:

Telephone:

Service Employees International Union, CTW, CLC

Welcome



Congratulations on becoming an SEIU steward. You are now part of a long tradition of activists who are the heart, the soul and the driving force of our union. As our mission statement says, SEIU members are “united by the belief in the dignity and worth of workers and the services they provide and dedicated to improving the lives of workers and their families and creating a more just and humane society.”

SEIU is the leading voice for working people in our country and the most effective advocacy and political organization in North America. At a time when many unions are losing members, SEIU, with the help of dedicated members like you, is uniting workers in our union on a greater scale than ever before. We have created the strongest grassroots political voice for working families to demand that politicians put working people first so we can achieve the pay and benefits we need to support our families while delivering the highest quality services to people in America.

SEIU has launched major programs to expand the involvement of members in achieving the union’s mission. As a front-line worksite leader, you will play a critical role in carrying out these programs by fully involving your fellow members in the life of our union.

You also are the front-line union representative for your co-workers, and they will depend upon you for leadership. This booklet reflects SEIU’s more than 85 years of experience providing such leadership. I think you’ll find it a valuable resource.

Thank you for giving of yourself to help improve the lives of your co-workers and the people they serve. Together, we can change our country and change the world.

A handwritten signature in black ink that reads "Andrew L. Stern". The signature is fluid and cursive.

Andrew L. Stern
International President

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As an SEIU steward, your job involves much, much more than handling grievances.

Grievances are important. They are often the most visible and dramatic aspect of the union's presence. Sometimes they'll take up most of your time.

But grievances should never be confused with your chief responsibility as a steward: to build a united, organized, and involved membership in your workplace. Without this involvement and solidarity, no union in the world can protect and serve its members.

As a leader in the workplace, you'll have your hands full. That's because SEIU stewards are ...

Organizers. This is the big one. It doesn't just mean signing up new members, although it means that too. It means SEIU *stewards are responsible for organizing the whole workplace to deal with problems as a united group.* Which is, when you think about it, what labor unions are all about.

Problem solvers. You're the person workers turn to with their problems. It might be a worksite hazard. Maybe someone's been fired, or perhaps layoffs are threatened. It might be just a new employee with a question. Perhaps you can solve the problem with a friendly word, or maybe you'll organize a worksite action or file a grievance. Problems don't go with your territory. They are your territory.

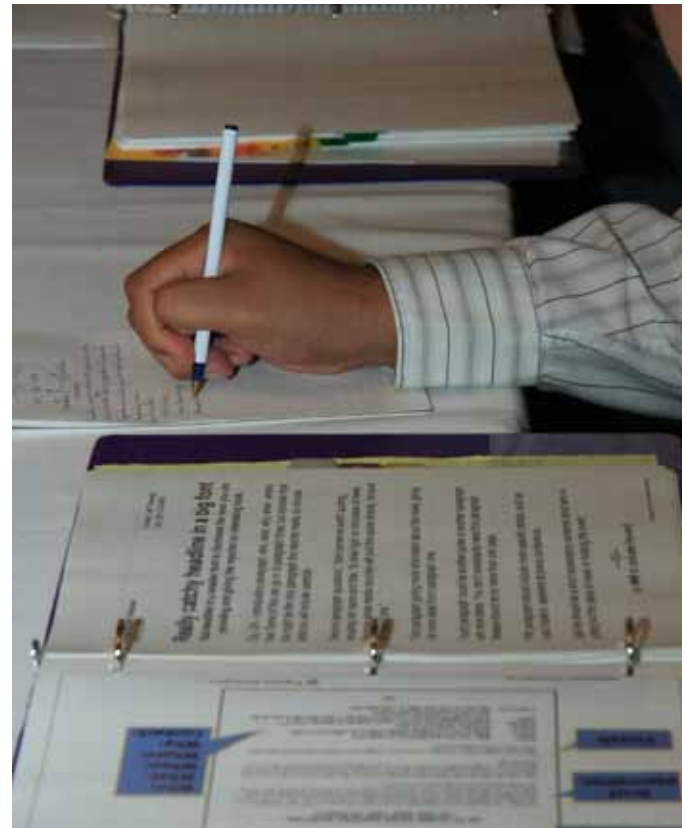
Educators and communicators. The contract. The health insurance plan. What's a "ULP"? How can I do this? Why did they do that? It's a complicated world, and your members are counting on you to help them make sense of it. Equally important, your union officers are counting on you to help them keep in touch with your co-workers. You work with them every day. They don't.

Worksite leaders. You're the one who keeps it moving. You're the one who's not afraid to speak up to management. You make unity happen, and you never let anyone forget there's a union at your worksite. (Nobody said this job is easy.)



The sections that follow will explain some of your different jobs in more detail.

For now, it's enough that you understand and accept your wide responsibility in the workplace, and remember that your primary duties are to organize and to solve problems. (You'll see later how those two duties go hand in hand.)



Things You Need to Have

You'll need to have a lot of information close at hand, both at work and at home. (Some stewards carry a notebook or a planner back and forth.)

You and your chief steward or union representative should check out your materials to make sure you have everything you need. Here are some possibilities:

- ▶ A list of the workers you serve as steward, including name, address, telephone number, job title, e-mail, and shift schedule.
- ▶ A seniority list of your workers (if applicable).
- ▶ The contract and any side letters.
- ▶ Local union constitution and bylaws.
- ▶ Management's personnel manual, if there is one (or any other employer policies in printed form).
- ▶ Civil service rules (if applicable).
- ▶ An organization chart of managers and supervisors.
- ▶ Organizing materials for new members, including authorization cards, copies of the contract, union's Web site address, and your union's constitution and bylaws.
- ▶ Grievance investigation forms.
- ▶ COPE (political action) materials.
- ▶ You probably know the different occupations in your unit, but if not, you'll need some job descriptions.

Of course, your local union staff rep and legal counsel will also have other valuable information including:

- ▶ Federal and state health and safety regulations.
- ▶ Federal and state labor laws and court decisions.
- ▶ Records of past investigations, grievances, and arbitrations.
- ▶ Lists of references, resources, and other helpful materials available from the international union.
- ▶ Links to useful Web sites such as www.SEIU.org and others that help educate members and keep them informed of the latest updates across the country.



When you're dealing with management on union business, you deal with the employer as an equal. You can imagine how happy that makes them. That's why the National Labor Relations Act and state labor boards specifically protect you (and other union leaders) from punishment or discrimination by management because of your union activity. It's illegal for an employer to:

- ❶ Deny you promotions or pay opportunities.
- ❷ Isolate you from other workers.
- ❸ Saddle you with extra work or unusually tough assignments.
- ❹ Deny you overtime opportunities.
- ❺ Enforce work rules unfairly against you or harass you with extra supervision.

Your contract may also spell out your rights, and perhaps you're covered by state and local ordinances if you're a government worker. If your employer tries to discriminate against you in this way, it's a violation of federal law.



This is really important.

Labor unions are required by law to represent all workers in the unit fairly and completely. This includes nonmembers as well as your union members. It's legally known as the duty of fair representation or "DFR."

Of course, you don't need to be told that you must represent all workers fairly regardless of their race, religion, nationality, age, gender, sexual orientation, or disability.

You may find that you have to represent workers who oppose the union as well as those who are unpopular, difficult to work with, or who create discord in the union or the workplace.



No matter. Fair is fair. This doesn't mean the union can't lose a grievance or make a mistake. It does mean that every action you take must be free from bias or the appearance of bias.

- ▶ Your investigations of every problem or incident must be fair and complete.
- ▶ Workers must be kept informed about each step you take on their behalf.
- ▶ Never, never lose a grievance because a time limit ran out.
- ▶ Cases must be based on facts, not personalities.

That's why it's so important to keep records of your activities as a steward including phone calls, interviews, letters, contacts, and decisions. Without "documentation," it's far more difficult for your union to defend a DFR case if one should occur.



No one can list all the different duties you'll be asked to perform. What follows are some of the more important things SEIU stewards do.

Not all stewards do all things. Some unions elect negotiators and stewards separately. Some ask staff reps to handle the final steps of grievances. You'll find these things out as you go along.

You don't have to learn your duties all at once. And you'll have more experienced stewards and staff reps to help you get started.



Your Duties as a Steward

- Get to know all the workers in your unit.
- Greet new members and help them get oriented.
- Convince workers to join the union.
- Convince workers to join the union.
(This is not a misprint.)
- Sign up retiring members.
- Recruit and lead volunteers.
- Play a leading role in unit meetings. Keep the members informed. Help out with balloting, elections, and reports.
- Get committees going and attend committee meetings, guiding them when need be (and when possible).
- Learn all the problems in the workplace.
- Investigate grievances.
- Interview members.
- Write and file grievances.
- Negotiate with management. This can range from informal talks with supervisors to arbitration hearings, formal contract bargaining, and labor-management committee assignments. Maintain files and records.
(We know it's boring, but it's really important.)
- Keep updated phone numbers, addresses, and e-mail addresses of all members.
- Work on contract campaigns.
- Organize rallies, vigils, work actions, petitions, parades, demonstrations, and other activities. Big parades and demonstrations require marshals, and you'll need to keep them briefed. (Wear comfortable shoes. Trust us on this one.)
- Work on newsletters, leaflets, press releases, picket signs, buttons, stickers, bulletin board displays, whatever.
- Attend steward training classes.
- Work on COPE (committee on political education), legislative, and get-out-the-vote activities where permissible. This may involve fund-raising, signing up members to contribute to the COPE fund, lobbying, phone banks, polling place duties, and a lot of other things, especially around election time.
- Do a lot of different things with your union's coalition partners in the community.
- Inspect the worksite for health and safety problems. Know where the OSHA 200 Log is posted. File federal and state OSHA (occupational safety and health) violation reports and accompany inspectors on site visits.

You don't have to do this all yourself. Don't be shy about asking individual members to help you out. It's one way to get them involved.

Welcome New Workers

Remember your first day on the job? Not exactly a day at the beach.

That's why one of your foremost tasks is to welcome new workers. You do this whether your shop is open or union, public or private. Some local unions have created a "welcome packet" for this purpose. (If yours has one, good. But don't use it as a substitute for getting to know the new worker.) If you don't have a packet, then you'll be winging it. (The next few pages contain some capsule info about dues payments and union membership—usually the first things you'll be asked about—as well as a few SEIU factoids to help you out.)

If yours is a union or agency shop (that means new workers must join the union or pay a fee), then the new worker may be hostile to the union. This doesn't let you off the hook. It just means you'll have to grit your teeth and put forth an extra effort to be friendly and helpful.

Here's a checklist of some things you might want to include in your conversation:

- ▶ Get to know each other. Ask where they worked before, where they live now, do they have a family? Hobbies? Sports? Start off by listening.
- ▶ Offer information: where the vending machines are (and what not to buy), where to go for happy hour, what the boss is like, who runs the football pool, how you get in on ride-sharing.
- ▶ Give the new worker a welcome packet if you have one. If not, be sure they receive a copy of the contract and explain its important provisions to them.

- ▶ Explain some of the main benefits provided by the union contract, not the benevolence of the employer: wages, health care, holidays, a voice on the job.
- ▶ During the conversation, remember that you want the employee to begin identifying with the union. Whenever the worker has a problem, you are the person to see, not the supervisor. The union is the members, the people right there all around you—not some unknown outsiders. If you get these two ideas across, you've done your job.
- ▶ If your union is doing its job, there'll be a meeting coming up you'll want to invite the new worker to attend. In fact, why not take them with you? They'll feel more at ease with someone they know. (Remember your first one?)
- ▶ Make sure the worker has a wallet card with your name and phone number, and encourage them to call if they have any problems.



Here are some SEIU facts you might want to tell new members about:

- ▶ SEIU was founded in 1921 by a handful of immigrant janitors. Today we are the largest and fastest-growing union in North America and have more than 2 million members.
- ▶ SEIU headquarters is located in Washington, D.C. Members are organized in some 300 local union affiliates throughout the continent. SEIU belongs to the Change to Win federation and the Canadian Labour Congress (CLC).
- ▶ SEIU's members represent hundreds of different occupations including janitors, doctors, school workers, social workers, nurses, engineers, taxi drivers, and government workers throughout the contiguous United States, Canada, Alaska, Hawaii, and Puerto Rico.
- ▶ The hundreds of different occupations represented by SEIU are divided into three divisions: Health Care, Public Services, and Property Services.
- ▶ Health Care – SEIU is the largest union of health care workers with over 1 million members in the field, including nurses, LPNs, doctors, lab technicians, nursing home workers, and home care workers.
- ▶ Public Services – SEIU is the second largest union of public service employees with 850,000 local and state government workers, public school employees, bus drivers, and child care providers.
- ▶ Property Services – SEIU is also the largest property services union, with 225,000 workers who protect and clean commercial and residential office buildings, and is the largest security union, with 50,000 private security officers and public safety personnel.
- ▶ Our membership is among the most diverse in the labor movement. More than half of SEIU's members are women, a higher percentage than in the workforce in general.
- ▶ More than 40 percent of SEIU members are people of color compared to 25 percent of the workforce in general.
- ▶ SEIU represents more immigrant workers than any other union in the United States. Among the languages spoken in SEIU local unions: English, Spanish, Chinese, Korean, Polish, Italian, Portuguese, Tagalog, Vietnamese, Arabic, French, Japanese, Creole, and Greek. That's just some.
- ▶ The SEIU International Convention held every four years is the highest governing body of the union. Delegates representing every SEIU member must approve all decisions and policies of the union, including any dues increases.

- Between conventions, SEIU is governed by a 73-member International Executive Board led by 8 officers - the International President, International Secretary-Treasurer, and 6 International Executive Vice Presidents. In addition, there are 25 Vice Presidents (at least two of whom are members of Canadian Local Unions), and 40 Executive Board Members (at least two of whom are members of Canadian Local Unions and one of whom is a Retired Member). All International Executive Board Members, except the Canadian members, are elected by the International Convention. The Canadian Vice Presidents and Executive Board Members are elected by the Canadian Council at its Convention held prior to the International Convention. As a result, most SEIU members have a direct voice on the SEIU Executive Board.
- SEIU local unions have more autonomy than most unions. Local union members elect their own officers, write their own constitutions and bylaws, and negotiate their own contracts. Local union members must approve any strike in accordance with their established policies and procedures.
- Fewer than 2 percent of SEIU labor agreements ever involve a strike.

- Dues are a touchy topic in any union. And when times are tough, almost any expense can seem burdensome to workers.

Some stewards believe in defusing the issue by raising it first with new workers. They explain how dues are really a good investment rather than a bothersome expense.

- In addition to higher wages**, union workers enjoy better health insurance, pensions, occupational safety and health, and job security than do unorganized workers.
- Far more than unorganized workers**, union employees receive fair treatment, rights, dignity, and respect on the job.
- SEIU doesn't "set" the dues.** Only delegates to the SEIU International Convention, who represent the members, can vote to increase the dues. Local unions can also vote to increase their dues.



What are the dues used for? Lots and lots of things.

- ▶ Negotiating contracts requires research analysts, negotiators, union reps, and field staffers to organize rallies, worksite actions, and press events.
- ▶ Defending members and enforcing contracts requires money for legal help as well as grievance and arbitration expenses.
- ▶ Winning improved legislation and public services by lobbying, research, and testifying at the local, state, and federal level.
- ▶ New member organizing to improve wages and benefits in competing workplaces so our own wages and benefits are not eroded or contracted-out.
- ▶ Occupational safety and health programs. SEIU has gained national recognition for its work on asbestos, bloodborne diseases, and other workplace hazards.
- ▶ Education and publications for union programs of all kinds, including newsletters, media campaigns, public relations, and opinion surveys.
- ▶ Strike, welfare, defense, and other worker funds.
- ▶ Office rents, travel, supplies, and administration.
- ▶ Support for programs on civil and human rights, equal opportunity, senior members, and organizing.
- ▶ Membership in the Change to Win federation and the Canadian Labour Congress as well as state and local labor federations and councils.
- ▶ SEIU's financial statements are published regularly showing where every cent of income has been spent. You can check with your officers for details about your own local union's funding and expenditures.

Today, our economy is simply out of balance. A small number of people – the top 1 or 2 percent – have become fabulously wealthy while working people have seen their incomes decline. Few workers today have guaranteed pensions. Nearly 50 million people have no health insurance, tens of millions more are underinsured, and those who have health care are seeing costs rise out of control. Millions have lost their homes while the Wall Street barons continue to live it up at our expense.



But these problems have created a tremendous opportunity because it has become so clear to most people that we need fundamental change in our country. Today, we have a once-in-a-lifetime opportunity to permanently turn things around – to win justice for all working people and pass it on to future generations. By working together with our allies, we can achieve:

- Affordable, quality healthcare for all.
- The freedom to form a union for all working people without fear or intimidation.
- Quality services in our communities, with fair and reliable funding.
- An economy that rewards work for everyone, not just a few at the top.
- A clear path to citizenship for hard-working, taxpaying immigrants.

SEIU recognizes that together we can change history. That's why at our 2008 convention, we approved the

Justice for All – Pass it On program – to seize this opportunity to build a better future for working people and our families.

Under **Justice for All, Pass it On**, SEIU members are working together to:

- Unite a least half a million more workers in our union by 2012 to build greater strength for all SEIU members.
- Involve a majority of members (1 million) in union activities and 10 percent (200,000) in leadership roles by 2012. Create new roles for members and develop paths for leadership. Continue to establish Member Resource Centers that can be more responsive in providing information and answering members' questions using 21st century technology. These MRCs will also help stewards solve worksite problems and tackle issues.
- Build a permanent pro-worker political majority through alliances with voters and organizations that share our goals. Increase member participation in issue-based political work through canvassing, phone banking, voter registration, fundraising, and other activities.
- Increase the number of our members who contribute to COPE, our political action fund.
- Strengthen alliances with community allies and national and global organizations. Be a leader in creating quality public services and stronger communities.

If we work together and hold each other accountable, we can reach these Justice for All goals and pass on to future generations a better world with greater opportunity and fairness. As stewards, you have a key role to play in achieving these goals by reaching out to union members,

retirees, and millions more workers to involve them in winning a better future for all working people.

As a steward, it's your job to sell the benefits of union membership to unorganized workers. And it doesn't hurt to remind our own members from time to time, either. Here (in capsule form) are eight big advantages unions bring to a workplace:

	Union	No union
Wages, benefits, working conditions	Protected by legal contract.	At the whim of management.
Wages	Spelled out in the contract.	Secret. Negotiated individually by management.
Raises	Bargained for everyone. All workers vote on the settlement.	Favoritism can determine individual raises.
Discipline	The union will defend you.	Lots of luck. You're on your own.
Promotions	Awarded fairly according to the negotiated agreement.	Favoritism, romance, blackmail, you name it.
Vacations, shifts, layoffs	Based on the negotiated agreement.	See above.
Problems on the job	Union will work to solve them.	Their way or the highway.
Give people a voice in the political arena	Work for laws that protect working people and their families.	Take away or weaken all laws that protect workers, i.e., health and safety, overtime, etc.

Now that you have a general idea of what stewards do, we can begin to talk about problems on the job and how stewards work to solve them.

Notice that we didn't say "grievances." Grievances are your last resort, not the first. A grievance carried to arbitration is a lengthy, time-consuming, expensive, frustrating task that often ends up satisfying no one (except maybe the hired arbitrator we'll be paying). And units that simply go straight to grievance soon find their members expect "the union" to take care of everything.

So, what are all these problems you'll need to help solve? Brace yourself.

- Roger got stuck with a discarded hypodermic needle when he was emptying the trash.
- Ellen says Carol finked on her to the boss.
- Carlos was fired on the spot yesterday. Nobody knows why.
- A new supervisor is demanding all the men in his shop wear neckties. Some of the men don't even own one.
- Doretha says the crumbling stuff in the basement looks like asbestos.
- Wai Lin heard that management is going to start telecommuting in two departments.
- Leroy, who works in your widget department, saw the purchasing manager at lunch with two guys from Acme Widget Co. They might've been talking about contracting-out.
- A story in The Daily Planet says state funds have been cut in half and layoffs of public employees are "imminent."

- Brenda says she was denied a promotion because she's African American.

If you're getting the idea that the whole work world is your turf, you're not far wrong. But no matter what the problem is or who brings it to you, you always begin by doing three (and often four) things:

1. Get the facts;
2. Analyze the facts;
3. Determine a strategy; and
4. Mobilize the members.

If there's a problem and we ignore it, then the union loses credibility, the contract is weakened, and every worker suffers. But the same thing is true if the union jumps to conclusions and confronts a supervisor or files a grievance with faulty, false, or inadequate information.

Different problems require different strategies. Sometimes grievances involving an individual member's indiscretion-lateness, absence, errors in judgment—require you to respect the person's privacy. Other grievances require informing and involving the entire membership.

Get the facts. Analyze the facts. Determine a strategy. Mobilize the members.

In order to get the facts, you'll first need to interview the workers who know what the problem is. Listening is the key to conducting a thorough interview. And interviewing is your main way of getting the facts. Here are some time-tested tips for interviewing workers about problems.

The Art of the Interview

- Be relaxed and take your time. Control your feelings so you can concentrate on listening. Write down the important facts, including who, what, when, where, how, why, and the names of any witnesses.
- Show the worker you're interested. Look him or her in the eye. Encourage the worker to "get it all out" (both the facts and the feelings). Then facts and feelings can be put in perspective.
- Ask questions when you don't understand something or when you need to clear something up. Ask "open-ended" questions that can't be answered yes-or-no.

Some good questions to ask:

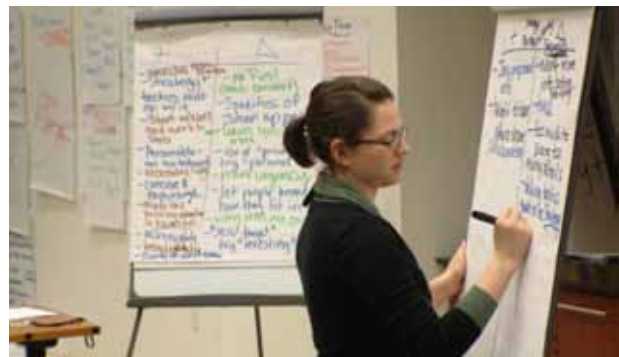
1. "Why do you think this happened?"
2. "What's an example of that?"
3. "What do you think should be done now?"
4. "When has this happened before?"
5. "When did you first notice this?"



- Now and then, repeat back to the worker what you've understood so far. This checks your accuracy and often brings out previously overlooked facts.
- Avoid making judgments during the interview. You'll form your opinion later after you've gathered all the facts and analyzed them.
- Avoid making promises about future action.

If it's a discipline problem, you might say, "I agree the supervisor handled it badly. But I don't want to promise that we will grieve this until we investigate the whole thing completely." If working conditions are involved, say, "I'm really glad you told us about this. We're going to give it our full attention." Assure the worker that the problem will be investigated fully.

- If you don't know the answer to a question, don't guess. No one expects you to know everything. Promise the worker you'll find out and get back to him or her. Then do it.
- Interview all the witnesses to the problem in the same manner. Never depend on a single version of what happened if you can avoid it.



When you investigate a problem:

- | | |
|---------|--------------|
| 1. What | 5. Where |
| 2. Why | 6. Who |
| 3. When | 7. Witnesses |
| 4. How | |

Interviews are your main way of getting at the truth, but they're not the only way.

In most cases, when representing your members, you have the right to any "necessary and relevant" information the employer has. You can request this information anytime in the grievance process, including the initial investigation. Make the request in writing, being as specific as you can, and giving a reasonable deadline.

Some of the materials stewards can request include:

- Personnel files
- Discipline records
- Payroll records
- Correspondence
- Performance reviews
- Memos
- Job descriptions
- Attendance records
- Inspection records
- Accident records

The union is also usually required to provide information to management if asked to do so.

Once you've gathered all your facts, it's time to analyze the information. If you're a new steward, you'll probably meet with your chief steward, your union rep, and maybe even your union's attorney.

- *What* is the real problem? Is this what it seems or a reflection of something deeper?
- *Why* did (or does) the problem occur?
- *When* did the problem occur (if it's an incident)? How long has it been going on (if it's a safety or health hazard)? If there's the possibility of a grievance, be sure to scope out the step time limits for filing (see Page 55). Has this occurred in the past?
- *How* did the problem come about? Misunderstanding? Provocation? Carelessness? What mechanisms are driving the problem?
- *Where* did (or does) it occur? Be specific. Location can be important.
- *Who* is involved in the problem? List everyone involved or affected by the problem, not just the principals.
- *Witnesses* to the problem. Reliable? Intimidated? Biased? Highly credible?
- *All* in agreement? None in agreement?

Now that you're sure of the facts—of what actually happened or what is actually going on—you can establish the category of the problem and decide what strategy (big plan) and tactics (smaller moves) can best be used to solve it.

Most complaints will fall into one (or more) of five general categories:

1. **Violation** of the contract.
2. **Violation** of federal, state, or municipal laws including wages and hours, fair labor standards, equal opportunity, and civil rights.
3. **Violation** of the employer's personnel policies, work rules, or administrative procedures.
4. **Violation** of "past practice." Practices long accepted by the union and the employer acquire a legal validity of their own. (This principle can work against the union as well as for us.)
5. **Violation** of equal treatment. (These are really like No. 2 above, but with a kind of special character conferred by a whole host of laws and agencies like the Americans with Disabilities Act, the Equal Employment Opportunity Commission, and other democratic measures widely accepted.)

If the problem fits one or more of these categories, further action is probably called for and the case is potentially winnable.

Even if the worker's problem doesn't meet these standards, unions have a wide range of persuasive options available to them. You'll learn these as you go along.

But unfortunately, you will be confronted by some problems that the union can't resolve. It is your responsibility to handle them fairly, defend the worker's rights, and build support within the union so you can come back to fight another day.



OK, so now you've gathered all your facts, interviewed all your witnesses, and analyzed the problem (health and safety, work rules, discipline incident, whatever).

With your other union leaders, you've decided that a problem really exists and requires further action. So now it's time to file a grievance, right?

Wrong.

Most problems on the job are solved without resorting to formal grievances.

Now is when—armed with all the information you have carefully assembled—you are ready for an informal meeting with management to explore the situation. Sometimes this is called a “pre-step” meeting. At this stage, you're usually dealing with a relatively low-level supervisor. But even if this first encounter is largely exploratory, you should prepare carefully for the meeting.

- ▶ You should have discussed the problem with your fellow stewards, your chief steward, and perhaps your union rep.
- ▶ You should have a preliminary strategy and at least a tentative solution in mind. If it helps, you can write out a “discussion plan” and refer to it during your talk.
- ▶ Remember, you're there to learn management's side of the story as well as to outline the union's side. Pay attention.
- ▶ While you're there on union business, you are one-on-one with the supervisor and you have the protection of federal law. Don't give the supervisor grief. Don't take any.

Here are 11 important rules you should keep in mind *whenever* you deal with management.

- 1 On union business, you are management's equal. Without acting pompous or self-important, you must insist on being treated with respect at all times.
- 2 Discuss issues, facts, and procedures, not personalities or rumors.
- 3 Be positive, while still maintaining a businesslike demeanor.
- 4 Don't ramble or get sidetracked. Firmly center the discussion on the problem at hand.
- 5 Don't lose your temper—use it! Never allow yourself to become overexcited, hostile, or angry. Besides interfering with your ability to think clearly, you will be discrediting yourself as a negotiator and representative.
- 6 Be imaginative and creative. Don't be bound by narrow interpretations of facts. Don't lie or sacrifice credibility, but don't give up.

- 7 Listen for the main point of management's position. This is the area in which your possible solution may be found.
- 8 When you express disagreement with management, do so with dignity, thoughtfulness, and firmness.
- 9 Take careful notes on management's position. Interrupt if necessary to make sure your notes are complete.
- 10 Remember that this is not an ego trip. We're seeking a solution to a human problem for the good of everyone concerned. Try to leave management a way to retreat with dignity.
- 11 Ask questions. For one thing, this breaks up any attempt to turn it into a management "lecture." And it sometimes brings out new information you can use or exposes weaknesses in management's position.

Now you have the facts and management's early response. If there's no agreement, what's next?

"Grievances should never be confused with your chief responsibility as a steward: to build a united, organized, and involved membership in your workplace." Remember? You read that on Page 1.

So all your work so far—interviewing workers, investigating, meeting with the supervisor—is simply preparation for involving the members.

You take the problem, together with all you've learned, to the members. Why?

SEIU believes that all union power derives from the involvement and commitment of the members.

- ▶ Solving problems on the job depends far more on the courage and unity of the members than on our claims or arguments. If the union members don't really care, management will know it. Count on it.
- ▶ The same is true for negotiating good contracts or obtaining fair labor laws. No matter how "well" we bargain or lobby, if our members are apathetic or divided, we will lose.



That's why your job is to mobilize the membership around the issues that affect their lives. You do this in two major ways:

Communicating.

If your members don't know what's going on, they can't very well mobilize and they can't make decisions. As stewards, we're working for the members. That's why it's our job to keep them informed. How? Any way you can. The best way is continuing, two-way, one-on-one, face-to-face communication with every member at breaks, at lunch, and when you're working. You should also have meetings. Regular meetings. Newsletters. Use those bulletin boards we negotiated to get (but not as a substitute for personal contact). Post notices and updates on the local's Web site. Use e-mail to reach members.

If stewards and other leaders fail to tell the members what's going on, you'll soon find yourself in serious pain. If you've never seen a bargaining unit torn by doubts, wild rumors, resentment, bad morale, cynicism, and warring factions, take our word for it: It's ugly.

Worse yet, you'll be losing out on the accumulated experience and knowledge of your members—which is probably your greatest resource.

Some workers won't volunteer even if they have important things to say. It's up to you to reach out.

Action.

As you'll see on the following pages, there are many ways the union can solve problems other than formal grievances. It's up to the members to decide, but it's your job to suggest courses of action based on your investigations and problem-solving experience.



When you involve the members in solving problems or winning improvements, a lot of avenues open up.

Of course, mobilizing your members requires continuing, direct personal communication with every worker, but as an SEIU steward you already know that.

1. Just involving the members can sometimes bring management to a solution. And when the members are involved, management will know it, even if they pretend they don't.
2. If management chooses to play dumb, showing unity through workplace actions (petitions, rallies, "button days," for example) can exert a lot of pressure where it counts.
3. Organizing community support can tip the balance. This is where your coalition partners (churches, teachers, community action people) can exert some (or a lot of) leverage.
4. With member support, you have a better chance of getting your message to the news media. You'll be able to generate good publicity about the union and the work your members do if you're able to push the right buttons. (Push the wrong ones and this can boomerang right back on you.)
5. Elected officials can sometimes be induced to twist management's arm(s). That's one reason we have our political action programs. Politics affects everything we do as workers, and everything we receive (or don't receive) from government.
6. Government agencies. This generally takes approximately forever, but the

As a steward, you have an opportunity to educate our members every time you come in contact with them. You will want to make sure members know enough to participate in making union policy, that they know where the union came from and where it is heading. Members need to know how the union makes decisions and carries them out, what its policies are, and what the challenges are that the union and its members are facing. Educated members support the union when it fights for improvements and defend the union when it is under attack.

One thing to remember is that education for our members is not what you think of as traditional teaching. Education for union members is action-oriented. Union members learn:

- ▶ by sharing their experience;
- ▶ accomplishing tasks; and
- ▶ analyzing and discussing what has happened.

This means it can happen any time, anywhere. Take the time to explain the union's political program while gathering together a crew to staff phonebanks one night. Or talk about worker solidarity when the members have won an important grievance fight through workplace demonstrations. Even when you lose a grievance, there can be a lesson on the importance of fighting for better language in upcoming contract negotiations.

KEEP MEMBERS INFORMED.

Keeping members informed is one of the most important parts of your job as educator. Make sure members know what the union is doing—and make sure the union leadership knows what the membership thinks about what the union is doing. Letting members know when a meeting or other union activity is taking place is an important part of your job. Explaining the reasons for the meeting or the activity and how it fits into the overall union program is another opportunity to be an educator. Getting members involved in local union and the international's campaigns to protect workers' rights and to maintain decent standards of living in the community is also an educational activity.



DEVELOP LEADERSHIP.

The steward develops leadership by getting members to help with the work of the union. Ask people to volunteer for union committees or union action programs. Take note of the useful skills people have. If someone isn't ready for a committee, give him or her a specific task—but be sure you discuss what the task means and why doing the task is good for the union. Spend some time getting to know the person and what his or her interests and passions are.

RECOMMEND TRAINING.

Keep track of the kinds of grievances and concerns members bring up, and let the local leadership know what training programs are needed. The local union offers steward training. The most important educator, though, will continue to be the steward who is able to define the real educational needs of the membership in the day-to-day life of the union, by relying on the experience of the members, taking action, and then analyzing those actions.

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Many of our rights and benefits are negotiated at the bargaining table and included in our contracts. Much of your role is making sure that contract is enforced at the workplace.

But nowadays our communities are bigger than they used to be, major changes happen almost overnight, and no person or organization can exist as an island. Like it or not, society is more and more interdependent all the time, and so are we.

A lot of what all workers have today: overtime pay, food and drug laws, Medicare, Social Security, health and safety regulations, even the public education system—we wouldn't have without political action by organized labor.

As a steward, sooner or later you'll be working with coalition partners. Which, depending where you are, can be almost anybody—other unions, civil rights and civil liberties organizations, community activists, ethnic groups, social or charitable organizations, political coalitions, whatever.

There are many rights and benefits that are determined by laws passed at the national, state, or local level. To protect our members' interests, the union must be involved in electing candidates who will pass and enforce laws which will increase and protect our rights and benefits.

That will not happen without you.

Many SEIU members are public employees or work in positions funded through government agencies, so politics is especially important to us. When politicians cut services, everyone loses the services, but some of us lose our jobs.

Our success in building a strong political organization that stands up for our members' interests depends on you and your ability to mobilize our members. SEIU depends on you, the steward, to get the workers involved in political and legislative action. You know the members, you see them every day at work, and you're persuasive enough to get things rolling (or you wouldn't be a steward).

Think of what you can do at your workplace or in your community that will make a difference.

- ▶ **Register voters. It's simple.** If you aren't registered, you can't vote. Learn the procedure for voter registration in your district. Then act to make sure your members register. Better yet, recruit members to participate in a voter registration drive.
- ▶ **GOTV (Get Out The Vote).** Make phone calls or recruit other members to participate in phonebanks and other activities before an election.
- ▶ **Educate the members.** Talk to your members (and listen) about candidates and issues. Keep them informed about the election. Become informed about SEIU's political and legislative program.

- **Raise money.** Money talks. If our candidates are going to be competitive, they need money. Raising money for SEIU COPE, our union's political action committee, is one way to do it. Signing up members for COPE checkoff (deducted directly from their paychecks) is one way, if you have the right to do it. Other ways include raffles, drawings, picnics and casino nights. (There are federal and state rules for raising political funds, such as being able to ask only SEIU members and their families for contributions. Learn the rules. They are simple and straightforward, but they are the rules.)
- **Lobby.** Win or lose on Election Day, someone is going to take office, and we are going to have an interest in the laws they pass or enforce. It might involve striker replacement, Medicare, safety and health, or a hundred other issues, but one thing is sure: Our members will be affected. Help stage a rally. Get petitions signed. Organize letter-writing and postcard campaigns. Lead a delegation to lobby officials.
- **Form labor-community coalitions.** Remember, unity is strength. Unions and community groups share a commitment to strengthen our society and communities. Participate in coalitions to build legislative and political power.

Your role in building your union's political and legislative power is important. It can also be rewarding and fun.

IMPORTANT NOTE

Unfortunately, in some states our public sector members do not yet enjoy the rights of full political participation. Laws known as "Hatch Acts" or "Little Hatch Acts" restrict the political rights of public employees and vary from state to state. Check with your local union for details. However, all members have some rights to participate.

Stewards also play a key role in recruiting new members. This is perhaps the most important thing the union does, because the more workers the union represents in your own industry, the more power the union has and the better it can represent you. The more workers that are organized in an industry, the higher wages and benefits will be for all.

And it's vitally important that you succeed. Your union will thrive only to the extent that other workers in your industry, your agency, or your geographic area are organized.

If you work in an open shop, you'll be doing "internal" organizing. This requires convincing the free riders to join the union. But if you've done all the other things you've read about in this booklet-especially your role in making the union a vital presence in the workplace-then you've already done most of the hard work. Build the union and they will come.

But whether you have a union shop or open shop, you're bound to get involved in outside organizing. Why? Because as a worker and leader, you have the kind of credibility no paid organizer can match.

You know the work. You know the turf. You speak the workers' language. And you can see problems and potentials about which outsiders can only guess.

In an organizing campaign, you and other member organizers are worth your weight in gold. And the more workers you organize in your industry, the more power you will have to fight for better pay, benefits, and respect. If your local union finds itself an isolated island in a sea of unorganized and exploited workers, it won't be around very long.



Worksite health and safety is a crucial part of your job as a steward.

If your unit has a health and safety committee, it may be your job to help lead it. If you don't have one, better start one.

There was a time when occupational health and safety meant hard hats and machine guards, but no more. The problems many SEIU workers face are widespread, increasingly complex, and often highly technical.

Office work was once thought to be completely safe and healthy. Asbestos, radon, carpal tunnel syndrome, video display terminals, and indoor air pollution have laid that myth to rest, along with a lot of workers.

That's where you come in. As a steward, you'll have an important responsibility to organize around health and safety. If you find you need help, you can get assistance from the SEIU Health and Safety Department. Give them a call.

Here's a little "bill of rights" for workers the SEIU Health and Safety Department finds useful:

- ▶ Workers have a right to a safe and healthy workplace. The law says the employer must provide a safe place to work. It doesn't say anything about the cost.
- ▶ Workers have a right to information about workplace hazards, substances they are being exposed to, and injuries and illnesses (OSHA 200 Log).

- Workers exposed to chemicals, bloodborne diseases, hazardous materials, and certain other workplace hazards have the right to training on how to protect themselves.
- Workers have the right to bring in union health and safety specialists to help identify hazards in the workplace.
- Workers have the right to organize in order to secure protection from workplace hazards.
- Management has to post the OSHA 200 Log-you need to check it, and make sure it's right.

In addition to saving the lives of your members, organizing around health and safety has some strategic advantages:

- It affects workers every day, not just during contract negotiations;
- There are a variety of solutions available to workers facing these problems;
- Unlike economic issues, health and safety tends to generate more sympathy in the community;
- Personal safety issues can often unite workers who might otherwise be divided; and
- Health and safety victories can help move other issues in the workplace.

SEIU really believes in keeping members involved in the union after they retire. The union needs all the help it can get, and retired members are the people with the experience. They've seen it all.

If your local union has a retired members club, you've probably seen them in action, especially in community service, picket lines, voter registration, and get-out-the-vote drives. (In political and organizing campaigns, retired members are awesome.)

As the person in daily contact with the members at the worksite, you can help a lot by letting the union know when workers are going to retire. That way, we can be sure to let them know about SEIU's retired members program.

Some things you and your local union should be doing:

- When a member is planning to retire, someone should personally let them know about the retired members program and invite them to join. SEIU has a lot to offer retired members ... and retired members provide an important source of strength for the union.
- Don't forget, retired member dues can be checked off from pensions in most public systems and in some private plans.

If your local union needs help getting its retired member program rolling, just call the SEIU Retired Members' coordinator.

This may be your most important role. You are the vital link between the union and the members. It's up to you to explain to members what the union is, what it stands for, how it works, what its goals and programs are. And it's you who listens to members to find out what they feel and want, and then carries this information back to the union office.

Our studies have shown that today our members, like the general population, are reading less and less; and yet they value communication with the union more than ever. The best way to do this is to talk to the members personally.



There will come a time when your role will be to represent workers in a grievance. Most contracts have similar definitions for what a grievance is. In general, the employer must have violated:

1. The contract;
2. Federal, state, or local law;
3. The employer's own rules or policies;
4. Past practice; and
5. Equal treatment.

If you decide the employer has committed a violation, then you must next determine which (of the following two) categories of violation is involved:

Discipline grievances

If the employer has disciplined a worker, the burden is on the employer to prove "just cause." Just cause for discipline is a requirement in most union contracts. Even if it isn't spelled out, most arbitrators require it.

All other grievances

If no discipline is involved, then it's up to the union to prove the violation has occurred.

These different types of violations call for different approaches. You're doing more than investigating now. You're building a case.

Checklist for Discipline Grievances

- ▶ Did the employer investigate properly before imposing discipline? Or did they shoot from the hip? Where did they get their information?
- ▶ Was the investigation complete? Fair?
- ▶ Was the evidence convincing? Or was the worker punished on the basis of suspicion and hearsay?
- ▶ Did the worker receive fair and equal treatment? Was discipline imposed without bias or discrimination?
- ▶ Did the worker have reason to know an infraction was being committed? Are workers properly instructed on workplace rules and policies? Had any warnings been given by management?
- ▶ Has the violation been permitted or overlooked in the past? Is the punishment a sudden reversal of past policy?
- ▶ Did management apply “progressive discipline”? It might be in your contract. If not, many arbitrators recognize the principle.

For example:

1. Oral warning
 2. Then a written warning
 3. Then a suspension
 4. Finally, the ax
- ▶ Even if there was cause for some discipline, was it excessive? Were “mitigating” things (such as long service or no previous discipline) ignored?
 - ▶ Does the punishment fit the infraction?

Any of the questions above can be used to show the employer acted without just cause.

Checklist for Nondiscipline Grievances

- ▶ Did the employer violate the contract? Such grievances often involve seniority, hours of work, pay, staffing, working conditions, holidays, and annual leave.
- ▶ Did the employer violate a law?
- ▶ Is it an infraction of the employer’s own rules or responsibilities? This is often the case in health-and-safety grievances.
- ▶ Does it infringe the equal treatment guarantees of the workers?
- ▶ Does it violate past practice?



Now that you know some of the rules that apply in discipline cases, you're ready for a special kind of meeting called a "Weingarten representation."

Weingarten was a U.S. Supreme Court case that gave workers the right to have a steward present in some circumstances "when a supervisor asks for information that could be used as a basis for discipline."

It's important to remind your members about their Weingarten rights now and then: Workers should always request a steward if a meeting could lead to discipline. One way to do this is with "Weingarten cards" [business card size] with the legal formula on one side ...

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative be present."

... and all the shop stewards and their phone numbers on the other.

There may be times when a manager ignores an employee's Weingarten rights. If that happens, counsel the worker to stay in the room to hear the manager out, take detailed notes stating that he or she requested a steward and the request was denied, and upon leaving the meeting to contact a steward immediately to file a charge with the NLRB.

Be sure you remember all the things you're responsible for in a Weingarten meeting.

- ▶ If you have advance notice, ask management what it's about. Then you can prepare yourself (and the worker) for the questions they'll ask.
- ▶ What to tell your worker before the meeting:
 - Be cool. Be real cool.
 - Be careful. Anything you say can be used against you.
 - Keep answers short. Don't volunteer anything. You can't refuse to answer, but you don't have to go out of your way to be helpful.
- ▶ Your presence should inhibit management from browbeating the worker. If it doesn't, you can protest such behavior and include it in your notes.
- ▶ You are taking careful notes on the whole meeting. They'll be needed if the whole thing "goes to steps."
- ▶ You can, during the meeting, give the worker advice on how to answer. You can also ask management to state the questions clearly and request brief recesses to confer with the worker.

You're there to make sure the worker is treated fairly and to show that the union stands behind the workers. Do that and you've done well.

The Step Procedure

Your contract will spell out the terms of the grievance procedure your union has negotiated.

Grievance procedures escalate in “steps” (from early discussions with low-level supervisors all the way up to full-fledged arbitrations), with specific time limits assigned to each step.

You must try to meet the requirements of each step within the specified time limits. If you fail to do so, without proper cause, you could lose the grievance on a technicality.

Typically, the progression goes something like this.

Step 1

Steward meets with low-level supervisor.

Step 2

If no solution, steward meets with higher management.

Step 3

If no solution, there may be another meeting as in Step 2, or perhaps a grievance “panel,” or else the whole thing may go to ...

Arbitration

Where nobody wants to be, but the problem will get settled here by a neutral third party.

To make sure you’ll never lose a grievance because you let the time limits run out, we’re providing you with this little chart. You should know exactly when the clock starts ticking. Now, step over to your contract and fill out this table right now, before you forget.

Step	Union	Employer
Step 1	Must file within ____ days from day the problem occurred.	Must respond within ____ days.
Step 2	Must appeal to Step 2 within ____ days after the employer replies to Step 1.	Must respond within ____ days.
Step 3	Must appeal to Step 3 within ____ days after management replies to Step 2.	Must respond within ____ days.
Arbitration	Must appeal to arbitration within ____ days after management replies to Step 3.	

The decision to go to arbitration will not be made lightly. It will depend on such things as importance of the issue (problem), severity of the case, cost, and chances of winning.

Your investigation, notes, and reports will become really important when such decisions have to be made.

The Step 1 written grievance gives the employer official notice that the union is pursuing the matter. It's not hard, but you should pay careful attention to a few little legal phrases we're going to give you. It could become important later if the case should go to arbitration.

A good written grievance contains three parts.

Circumstances

A one-sentence description of what happened (or didn't). This sentence includes the grievant's name or names and indicates where and when the incident occurred. Keep it short. You're not arguing the case here. You're telling what happened.

Statement

A sentence that indicates why this is a valid grievance. For example: "The employer violated Section __ of the contract and all other relevant sections of the contract." If you're aware of any past practices or other violations relevant to this grievance, you can include them.

You should be able to cite the specific sections of the contract that were violated. In a pinch you can write: "This action was in violation of the contract."

Remedy

This tells the employer what the union is asking. Basically, we consider what the worker(s) would have if the violation had never occurred: wages, back pay, seniority rights, benefits, and so on.

If you know the remedy you seek, write "that the worker be made whole, including but not limited to [remedy]." If you haven't determined the remedy, you can write simply "that the worker be made whole in every way."

If it's a broad policy change, you can ask that management "rescind this change and restore former conditions" or "cease and desist this practice."

If this is a grievance involving discipline of individual workers, don't forget to show them what you've written and explain what you're doing. Make sure they're in agreement.

A few sample Step 1 written grievances are provided on the next page just to give you the hang of it.

A Few Sample Grievances

What happened

Without any notification from management, the employer instituted changes in shifts for the Dietary Department and the Maintenance Department.

How it was written up

“The union grieves the shift changes established in the Dietary and Maintenance departments on October 2. This action violates Section II, Hours of Work, and all relevant sections of the contract as well as management’s past practice of prior notification. Management should rescind this change and restore the shifts.”

What happened

Sue Miller, a clerk in the Motor Vehicles Department, was transferred out of the department after she refused to go out with her supervisor.

How it was written up

“Sue Miller was unjustly transferred from the Motor Vehicles Department on July 5. This violates Section IV, Promotions and Transfers; Section XX, Non-Discrimination clause; and all relevant sections of the contract, as well as Title VII of the Civil Rights Act. Sue Miller should be made whole, including being reinstated to her department with restoration of any pay, benefits, and seniority; and supervisors should cease and desist sexual harassment as required by law.”

If the problem fits one or more of these categories, further action is probably called for and the case is potentially winnable.

Even if the worker’s problem doesn’t meet these standards, unions have a wide range of persuasive options available to them. You’ll learn these as you go along.

But unfortunately, you will be confronted by some problems that the union can’t resolve. It is your responsibility to handle them fairly, defend the worker’s rights, and build support within the union so you can come back to fight another day.



Now might be a good time to mention some popular management tactics designed to frustrate you and your union. Managers might use them "tactically" during your Step 1 meeting or "strategically" over the weeks and months of a grievance. But use them they will. They always have.

Stalling

Probably the all-time favorite. By foot-dragging, management hopes you'll lose interest and go away. This is why the grievance steps have time limits and why we've asked you to write them in this book. (You did write them, didn't you?)

Sidetracking, water-muddying

Like a magician who misdirects your attention, bosses love to bring up issues not related to the grievance at hand. Don't let them.

Threats and insults

Crude, but often effective. Don't let management provoke you into losing your temper. If you have a grievant with you at a meeting, be sure they're prepared for this one. Call a caucus (outside) if you think somebody's about to lose it (including you).

Horse-trading

When several issues are on the table, management may offer you a "trade": win one, lose one. Don't fall for it. It's a sure way to lose the trust of your members, and it may expose you to fair representation claims. Never risk your integrity to buy a "win." If you lose both grievances, so be it. If you should ever horse-trade, management will demand a concession from the union for every agreement ever after.

Stonewalling

Like stalling, only worse. Sometimes they're bluffing, sometimes not. This is the tactic from which arbitrations are made. The only way to find out is to invoke the time limits in your contract. That's why they're there. It's the union's job to move the grievance along.



The “step meeting” (usually Step 1 in a formal grievance) is like the “prestep” meeting, only more so: more preparation, more planning, and more at stake.

Step 1 meetings usually involve a low-level supervisor. This can be good or bad. On the one hand, the supervisor may want to solve the problem before it gets to his or her superiors. On the other, the supervisor may lack the authority to make things right.

- Review the 11 rules for dealing with management.
- Write down your main points and the facts that support them.
- Anticipate the arguments management will use. Try to “think like a boss.”
- If the grievant(s) will attend the meeting, prepare them in advance. Decide what should and should not be said.
- Take good notes. If the case goes to Steps 2, 3, or arbitration, your notes can make the difference between winning and losing.
- Always maintain a united front. Call a caucus if any member has an objection or suggestion or if management springs any surprises on you.
- Never volunteer information that doesn’t help.
- Don’t admit to charges that hurt your case. Make management prove its case.

Q What if a worker is violating the contract or otherwise doing something that will get them in trouble?

A Consider having a private talk with the worker yourself, or asking a friend of theirs to do so. You should be perceived as a fellow worker concerned that the worker will be disciplined and the union will be the weaker for it.

Q What if management disciplines a worker with no steward present?

A Management doesn't have to tell workers their rights. It's up to each worker to request your presence during a discipline meeting. However, if the worker did so and management refused, you can file a grievance on those grounds.

Q What if I can't make a full investigation within the time limits to determine if a complaint is a valid grievance?

A File the grievance and continue your investigation. Later you can always withdraw the grievance.

Q What if a grievant reveals a fact in a step meeting of which I was unaware?

A Call a caucus and begin damage control. Good interviewing can help prevent this, but it's almost a rite of passage for stewards. In all premeeting interviews, always ask, "Is there anything else you haven't told me that I should know?"

Q What if a worker's complaint is not a valid grievance?

A Diplomatically explain why to the worker. And, of course, you will have explored all the other ways of solving the worker's problem. Most workers can understand how everyone in the union loses if it backs a groundless complaint. However, a worker may decide on his or her own that a grievance needs to be filed. In such cases, the steward needs to be very careful so as to avoid DFR charges.



Let's be straight about something. Being a steward is a high-pressure job.

Anyone who's done it will tell you it's nothing like air traffic control or lion taming, however. It's worse.

You'll have days when your own members are in your face, management double-crosses you, and everything goes wrong.

We can't take the stress away. It goes with your territory, as it always does when someone volunteers to lead other people against tough obstacles. But we can at least let you know we understand. Here are three things that can help.

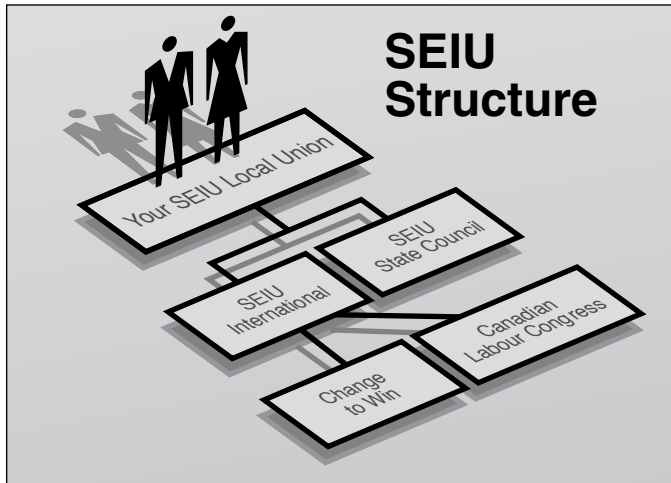
- Recruit helpers and delegate some of the work. You can't do it all yourself. You'll ease your own stress and give other members a chance to learn.
- Talk to your chief steward or union officers. They'll understand.
- Participate in your stewards council. Other stewards and activists can help you solve problems and support you.

Being able to handle all that and still keep on toward your goals is what makes SEIU stewards very special people indeed. Take pride in that.

We do.

Organization charts are pretty boring, but SEIU is a really big union and you might want to know how some of the different parts fit together.

Here's how.



Service Employees International Union is affiliated with the Change to Win (CTW) federation and with the Canadian Labour Congress (CLC).

Americans with Disabilities Act (ADA): This federal law, passed in 1990, prohibits discrimination against persons with disabilities in employment and in public services, public and private transportation, public accommodations, and telecommunications services.

Agency shop: A workplace in which employees who refuse to join the union are required to pay a service fee. (In Canada, it's usually known as the Rand formula.)


Arbitration: A method of settling disputes by submitting them to an impartial third party whose decision is final and binding. (See also Mediation.)

Bargaining unit: A group of employees who bargain collectively with their employer. The unit may include all the workers in a single worksite or a number of worksites ("wall-to-wall"), or it may include only the workers in a single occupation within one worksite.

Boycott: A legal way of bringing collective pressure against an employer by discouraging use of the employer's products or services. When a boycott is called against another organization doing business with the employer involved in the dispute, it is called a "secondary" boycott and is illegal.

Checkoff: A contract provision authorizing an employer to deduct union dues and/or political contributions from a worker's paycheck and transfer them to the union.

Collective bargaining: Direct negotiations between the union and the employer to determine wages, hours, and working conditions for a certain length of time (the contract period).



Contract: The legal document that spells out the collective bargaining agreement between the union and the employer.

Cost-of-living index: The common term for the Consumer Price Index or CPI. Prepared by the U.S. Department of Labor, the CPI reflects the monthly changes in price (usually upward) of common consumer goods and services. Contract clauses that tie wages to the CPI are called “COLAs” or “escalator” clauses.

Decertification: A vote by a group of workers that ends a union’s right to represent them. “Decert” elections are conducted by the NLRB (or other agency for public workers).

Equal Employment Opportunities Commission (EEOC): This federal agency enforces Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex, or national origin, as well as the Age Discrimination in Employment Act (ADEA), Equal Pay Act, and Americans with Disabilities Act.

“Free rider”: Slang term for a unit worker who declines to join the union but enjoys the same benefits as the dues-paying members.

Lockout: A tactic used by employers in which workers are barred from their employment when a contract expires. It is used to bring pressure on the union during a labor dispute.

Maintenance of membership: A union security clause which requires workers who voluntarily join the union to remain members until the end of the contract.

Mediation: Nonbinding efforts by a neutral third party to help settle disputes, usually during negotiations. Mediation (also called “conciliation”) is often the last step before arbitration. Mediators try to persuade. Arbitrators can decide.

Modified union shop: Contract clause requiring all new employees to join the union and requiring workers already employed who are in the union to remain so.

National Labor Relations Act: Also known as the Wagner Act, this federal labor legislation passed in 1935 guarantees workers in the private sector the right to “engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.” The National Labor Relations Board (NLRB) is responsible for administering the act.

Occupational Safety and Health Act: This U.S. law passed in 1970 is designed to ensure that all working men and women in the nation enjoy “safe and healthful working conditions” as far as possible. Coverage under OSHA may be federal or by state equivalents, under which workers and employers have specified rights and responsibilities.

Unfair labor practice: In contrast to a grievance, which is a violation of the contract, a “ULP” is a violation of labor law.

Union security: Any contract clause requiring a union shop, modified union shop, maintenance of membership, or agency shop.

Workers’ Compensation: An insurance system established by state law to provide benefits to workers who suffer a work-related injury or illness. Under law, workers cannot sue an individual employer.

Reference books:

A Need for Valor: The Roots of the Service Employees International Union. second edition. Washington, D.C., SEIU publication, 1992

David Prosten, *The Union Steward's Complete Guide*, first edition. Union Communications Services, Inc. Washington, D.C. www.unionist.com

Steward Update, Union Communications Services, Inc. Washington D.C. www.unionist.com

Guia para el Representante Sindical, Edicion en Espanol. (Esta es una recopilacion de 140 paginas con mas de 125 articulos de folletin "Steward Update.") Union Communications Services, Inc. Washington, D.C. www.unionist.com

Grievance Guide. 10th edition. Bureau of National Affairs, Washington, D.C. Publications 1-800-960-1220, www.bnabooks.com

Elkori and Elkori, *How Arbitration Works.* fifth edition. with 1999 supplement. Bureau of National Affairs, Washington, D.C. Publications 1-800-960-1220, www.bnabooks.com

A Troublemaker's Handbook 2: How to Fight Back Where You Work—and Win! Edited by Jane Slaughter Labor Heritage Foundation, Catalogue of Labor Music, Books, Art and Video. www.laborheritage.org

Robert M. Schwartz, *The Legal Rights of Union Stewards, Work Rights Press.* Also available in Spanish. www.workrightspress.com

Online Resources & Training Opportunities

www.seiu.org

Visit SEIU's Web site for up-to-date information on what members from around the country are doing; the status on important working-family legislation; and helpful links to other labor oriented Web sites.

www.osha.gov

The Occupational Safety and Health Administration's comprehensive Web site includes information on work-related health and safety issues, regulations, research, and conferences. Information is also available in Spanish.

Additional Labor Education

Ask your local union leaders for information on steward training.

Check out local area colleges and universities for labor education programs. Many higher education institutions run labor education classes with the support of labor organizations.

Check out the George Meany Center located in Silver Spring, Md., and its National Labor College program at 1-800-462-4237 or 301-431-6400 and on the Web at www.georgemeany.org for more information on the college degree program or calendar of scheduled classes.



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