

## **BEING AN EFFECTIVE SHOP STEWARD**

### **1. Stewards Should Have a Working Knowledge of:**

- Collective Bargaining Agreement (contract);
- Side Letters and/or Memoranda of Understanding;
- Employer handbooks and manuals;
- Employer policy memos.

### **2. The Steward Should Utilize:**

- Notes and handouts from Labor-Management Meetings;
- Statements and evidence gathered in investigation;
- Arbitration awards;
- Knowledge of past practices.

### **3. Things Stewards Should Never Do:**

- Allow management to set time limits, dictate the time to investigate, interview or write a grievance.
- Speak against the union in front of management officials.
- Take management's side in a dispute between the worker and the supervisor.
- Make decisions which can be construed as setting union policy.
- Hold back information relative to the processing of the grievance.

### **4. Specific Situations**

#### **□ The Steward's Tone of Voice or Abusive Language.**

- Probably, the most frequent sort of conduct by a steward that attracts the wrath of management is what might be perceived as the steward's use of abusive language during a discussion with management pertaining to a grievance.
- **Example:** The steward and supervisor are in a heated argument over disciplining an

employee for using sick leave. If the steward raised their voice or even used profanity to make a point, they would be protected. However, if during the discussion, the steward started arguing about a matter unrelated to a grievance, they probably would not be protected against discipline.

**When Counseling Employees to Refuse to Answer Questions.**

- In addressing this issue, the National Labor Relations Board ruled that an employer may lawfully discipline a shop steward for advising employees who witness an event, which could give rise to disciplinary action against other employees, not to answer the employer's questions about what happened.
- It is advisable to refrain from conduct which could be perceived as suggesting that employees refuse to obey the orders of a supervisor concerning work related duties.

**A Direct Order to Cease Grievance Investigations.**

- Arbitrators have held that a supervisor does possess the authority to terminate a conversation or interview through a direct order to a steward so long as the order is conveyed in a clear and responsible manner and does not constitute a mere emotional outburst in anger.
- However, even when the order is given in the correct form, a shop steward clearly has the right to question the order and argue its propriety, so long as the argument is not carried to the extreme.
- A steward has the right to aggressively process a grievance in good faith, and does not have to back down and show subservience at the whim of a supervisor.

**Disruption of the Workplace.**

- A charge by management that a steward is disrupting the workplace may be sustained as the basis for discipline. The outcome of such a charge depends on the circumstances and who instigated the situation.
- The consensus appears to be that a steward's limited immunity does not protect him or her where the disruption is shown to have been caused by the steward's conduct and other mitigating factors are not present.

**SPECIAL NOTE:** The steward should remember that his or her responsibility is to uphold the rights of the bargaining unit members. To accomplish this goal, the law allows the steward to assume the status of an equal when dealing with management. Likewise, the law protects the steward against transgressions by a supervisor who refuses to recognize him or her as an equal.