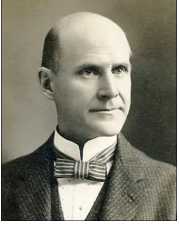


STEWARDS CORNER

Monthly Newsletter for Union Stewards

Bringing Your Local Union Meeting to the Shop Floor



"I would be ashamed to admit that I had risen from the ranks. When I rise, it will be with the ranks, and not from the ranks."

—Eugene Debs

As local union officers and stewards, we not only represent our members, we are rank and file members ourselves. As stewards we have unique insight into the inner workings of our union, but we aren't separate from the membership. We know that we, all members, are the union. This is why we tend to take it personally when a new or uninvolved member comes up and asks us, "What is the union doing for me?"

Well, what is the union - the Local as well as the International - doing for its members? And how do we communicate that information so that everyone on the shop floor knows what's going on?

We live in busy times. Our children play multiple sports, we're taking on more overtime at work, and in both the US and Canada, the number of dual income families has recently doubled. That doesn't leave a whole lot of time for union meeting participation for some. However, local union meetings are necessary (and Constitutionally required). It's where the business of the Local gets done. While we should always strive for robust meeting attendance, we should also work to lower the barriers to participation that prevent our members from coming to meetings. If you can't bring the people to the union meeting, we need to bring the meeting to the people!

Hold Mini-Meetings

Give members the "ten-minute" version of the local meeting. Even if the meeting was uneventful, tell them the highlights of what happened and what the local's committees are working on. Next day's coffee or lunch break is a great time to fill in folks who could not attend. Ask the other officers, stewards and rank and filers who were present to do the same in their department or on their shift, so that you have as many people as possible spreading the word. And don't just stop there - catch folks where you see them, whether it's while having a smoke, walking into work, or between tasks.

Ask for Feedback

Don't just tell the members what happened, go further by asking their thoughts, or if they have any feedback or suggestions. This is where we can hone our [active listening skills](#). Active listening means giving the speaker your full attention, and asking follow-up questions to dig into what they're really saying, so that we understand. It's important not to attack someone for their position, even if they are being critical, but to try to see

things from their perspective. Our members want to know that their officers and stewards care about their concerns. As union members, we don't always have to agree - but we should be respectful in how we speak to one another.

Moving Beyond Meetings

By making the meeting mandatory for any member who wants to get involved, we risk losing a lot of willing volunteers. Let's face it: meetings just aren't where some folks want to spend their time. Just because someone can't make it to the meeting doesn't mean they can't help to build power in the local! Be honest about the work that the local needs to do, and why we need everyone to do a little bit of it in order to stay strong. Some of our best stewards and committee members are folks who can never make the local union meeting, but who stay involved by contributing where they can. Whether it's building a CAT, recruiting new committee members, or creating a team to help out on a local project, one thing is always true: if you don't ask, the answer is always "no."

Bringing It All Back

Just as meeting information flows out from the local's executive board, it also needs to flow back to the E-board from the membership. Report back on what you learned by holding these mini-meetings and one-on-one conversations, so that the board knows what the membership is saying about local business. This can help to tamp down rumors and speculation on both sides.

You can also serve as an important asset for you Local President. If you have members that you believe would be an asset to a particular committee, suggest them to the President. You are the connection that builds the union.

Educating About the Meetings

Several years ago, union members were asked why they don't attend meetings. One of the top responses was... "I am too nervous; I don't understand how they work." A way to amplify participation is to educate members on what motions will be made at the upcoming meeting, and how important it is to show up to vote to make things happen. Helping a member draft a motion and understand what it take to get it passed is a great way to ensure that folks with good ideas feel encouraged to speak up, and gives new (or newly-active) members the confidence to stay involved. It also gives these members a chance to learn more about the democratic processes that our union is governed by.

By bringing the meeting to the members that can't attend, and educating them on why meetings are important, we can make sure that our siblings know that their local is both fighting for them and also accountable to the will of the membership.



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The Role of Proof and Evidence in Grievance Resolution

Labor arbitration is the last step in resolving a grievance and relies on a third-party neutral, an arbitrator, to hear the dispute and, determine what the parties' collective bargaining agreement requires and issue an appropriate remedy. In many ways, labor arbitration incorporates several US and Canadian legal systems features. An arbitration hearing is like a court for Unions and their respective Employers. Both sides argue their cases through direct and cross-examination of witnesses and rely on testimony and evidence to advance their arguments. However, one departure from common-law courts is that the Rules of Evidence are not strictly applied in labor arbitrations.

The spirit of labor arbitration has allowed union representatives to successfully argue a grievance without hiring a lawyer. Arbitrators want both sides to be able to make their case and tell their story. They do not want the story to be obscured by legal technicalities. Often, arbitrators will allow what in a court of law might be objectionable evidence into the record with the caveat, that they will "admit it for what it's worth," upon hearing the case in its entirety. However, not all evidentiary rules can be relaxed if the evidence in question is particularly irrelevant, prejudicial, or cannot be cross-examined. All arbitrators are different; what may be immaterial to some may not be to others.

At a recent labor arbitration conference, a prominent arbitrator described a case he presided over involving several off-duty police officers who tased one another at a party. He described some of the evidence he allowed into the record, as well as the evidence he rejected and the evidentiary rules he applied.

Admitted:

1. Testimony of an officer's wife regarding the impact his discharge has had on their family.

Reasoning: *Not relevant to proving wrongdoing or innocence but could influence the remedy.*

2. Video footage of officers tasing each other at a party.

Reasoning: *Direct evidence, but the arbitrator required non-edited footage for the entire context.*

3. A letter of regret submitted the day after the party by one of the disciplined officers.

Reasoning: *Evidence of remorse is influential in determining the severity of discipline.*

4. Testimony of others attending the party and what they witnessed.

Reasoning: *Witnesses directly observed misconduct.*

Not Admitted:

1. YouTube video of one grievant tasing his father a few years prior.

Reasoning: *Prejudicial and does not establish misconduct took place the night of the party.*

2. Testimony of an officer who overheard officers talking about what had happened at the party in the locker room the next day.

Reasoning: *Hearsay. Said officers were not present at the hearing and, therefore, could not be cross-examined.*

3. Notarized statements of others who attended the party.

Reasoning: *Those who were signatories to said statements were not present at the hearing and, therefore, could not be cross-examined.*

Practical Implications for Stewards and Grievers

What do the arbitrator's decisions to admit or reject evidence mean for local union stewards and grievers? Think of arbitration like a pyramid with the hearing at the top and the issue that led to a grievance at the bottom. Stewards and grievers play key roles in the middle part of the pyramid, particularly in investigating the issue, presenting the union's case in the steps that precede arbitration, and developing a [comprehensive grievance chain](#) for the union's advocate in a hearing (usually a USW Staff Representative). Gathering solid proof and evidence is essential to setting the union up for success in arbitration or positioning it to negotiate an acceptable settlement. As always, the union's ability to present a compelling case is based, in large part, on the investigatory work of grievers and stewards at early steps in the grievance procedure.

We have covered a number of related topics in previous issues of the Steward's Corner. Be sure to check out relevant articles including [Grievance Investigation](#), [Conducting Interviews](#) and [Note-taking](#). All three are crucial to the grievance and arbitration process.

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CONTEST

**TEACHING
TUESDAYS**

- ▶ 10/3: **Just Cause** ([11 AM](#)) ([8 PM](#))
- ▶ 10/10: **Understanding Your Bargaining Unit** ([11 AM](#)) ([8 PM](#))
- ▶ 11/14: **Vets of Steel** ([11 AM](#)) ([8 PM](#))

All classes are held at **11 AM (EST)** and **8 PM (EST)**



<http://usw.to/teachingtuesdays>