

STEWARDS CORNER

Monthly Newsletter for Union Stewards

Domestic Violence in the Workplace

Domestic violence is a union issue. Abuse and trauma at home can extend into the workplace, affecting not only the people directly experiencing it but their coworkers too. According to the Bureau of Labor Statistics, in 2019, women accounted for 63.5 percent of nonfatal assaults at workplaces, many perpetrated by domestic partners and spouses. One in four men experiences intimate partner violence (IPV) as well. Between 1997-2009, 38 men were killed on the job by someone they were acquainted with. Workers in the LGBTQ+ community have also been affected by domestic violence.

How can a steward help a coworker who might be experiencing domestic violence? Unfortunately, the signs aren't always clear. For example, a coworker with visible bruises might attribute them to an "accident" or wear long clothing to cover them up. Another coworker might isolate themselves and appear anxious after receiving a text message or phone call. Perhaps their former partner unexpectedly showed up at the workplace and caused a scene. This stress and trauma can lead to repeated absences and work performance issues that jeopardize a person's job security.

If you suspect a coworker is experiencing domestic violence, remember the three R's: **recognize**, **respond**, and **refer**. Don't try to "rescue" the person and make decisions for them. It would be best if you respected their personal choices.

- ▶ **Recognize:** "It looks like that phone call upset you. I am here if you need someone to talk to."
- ▶ **Respond:** "Many of us are concerned about you. We've noticed you haven't been yourself these past few weeks. I don't want to pry, but if something is happening, you don't have to deal with it alone."
- ▶ **Refer:** "The EAP is an option. I'll look into community resources for you. Is there anyone else here you feel comfortable talking to about this?"

Next, check your collective bargaining agreement (CBA). Some CBAs have language on this topic, including [Domtar and PCA](#) in the paper sector and Bridgestone-Firestone in the tire industry. A primary concern for domestic violence survivors is job protection so they can take time off from work to deal with legal and medical issues. **Why does this matter so much? Employment is an essential pathway for people to leave abusive relationships.** Check your CBA for language on leaves of absence. In addition, [many states and localities have adopted legislation about domestic and sexual violence in the workplace. Likewise, the Family and Medical Leave Act \(FMLA\)](#) may be an option in certain circumstances. Your employer may also offer an Employee Assistance Program.

People seeking to leave abusive relationships face more

problems than just holding onto their job since their abusers likely know where they work and their schedule. There are several accommodations for these situations, some of which may involve your CBA. This includes changing shifts, transferring work locations, changing entry and exit points, and arranging security escorts to and from parking areas. Abusers frequently call work phones or send messages to work emails to harass, so requesting a different phone number or email address for an individual seeking accommodation may be necessary if a former partner has shown up and caused a scene.

It's also essential that unions and employers develop and implement a plan to prevent workplace violence. Remember: employers are responsible for providing safe workplaces.

Discussions around these issues may involve your Local Union President or Staff Representative, but always respect their sensitive nature and maintain confidentiality.

Relationships at Work

What if the abuser is also a coworker? Suppose one worker obtains a protection from abuse (PFA) court order against a former partner who works for the same employer. As a bargaining unit member, the Union owes both of them the [duty of fair representation \(DFR\)](#). Suppose you are the steward representing a survivor of domestic violence. In that case, another union representative should represent the abuser (assuming the employer disciplines the abuser for conduct related to the abuse), and you and the other representative should not discuss the issues.

Domestic violence is a workplace problem. Our union can support workers experiencing this trauma through our work at the bargaining table. As with most other things at the workplace, stewards are on the front lines and can recognize these situations before anyone else. So, let's step up and do our part.

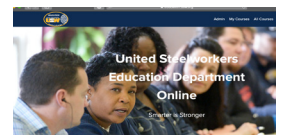


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Dealing with - and Learning From - Our Mistakes

Talk to any long-time griever, and you're bound to hear all kinds of war stories: the hilarious, infuriating antics of management (and some grievants); the union's unlikely victory beating the odds and getting someone their job back; the nerve-wracking preparation necessary to handle an arbitration. But there is another story many stewards are reluctant to tell: the one where the union lost - not because the company lied or because the arbitrator didn't see things our way, but because the steward made mistakes.

Along with our wins, every seasoned steward carries the weight of their losses--the time they didn't do a thorough enough interview and the grievant shares new details during a grievance meeting; when they too late see that they forgot to cite some applicable contract language, and management dismisses the complaint, or the time they didn't think to make an information request for a crucial document that could have made their case.

Despite what some of us seem to believe, stewards are only human. We're susceptible to errors in judgment; we forget things and sometimes make the wrong call. How can we analyze our mistakes to ensure we do a better job next time? And how do we forgive ourselves for the mistakes we've made? When you make a mistake like this, you might also worry about your "Duty of Fair Representation." As [discussed in a past article](#), honest mistakes or "mere negligence" don't typically meet the standards that a representative's conduct was arbitrary, discriminatory, perfunctory, or in bad faith.

Take Accountability and Apologize, If Necessary

It's easy to get defensive when you're accused of screwing up, especially when you have. When we make mistakes, we should be honest with the grievant about what happened, take responsibility, and apologize. Admitting that we messed up doesn't make us weak; it shows that we dare to own up to our shortcomings and want to make things right.

Debrief the Case

Part of owning up is ensuring the problem doesn't happen again. We often learn more from our mistakes than we do from our wins. Debriefing is the act of reviewing a case to find out what worked, what didn't, and how we can do better next time. After the dust settles, but while everything is still fresh in your mind, review the case. Look at your notes and documentation, and try to consider the presentation of the evidence and the evidence itself.

Ask yourself questions like:

- ▶ *What went well?*

- ▶ *What could I have done better?*

- ▶ *What was out of my control?*

- ▶ *What were the things I wasn't prepared for?*

- ▶ *Were there pieces of information I should have requested, but didn't?*

- ▶ *Are there things I've learned that can ensure a better outcome the next time?*

Get Good Advice

It may also be helpful to debrief with other grievance committee members, your staff rep, or a trusted mentor - like a former steward or local union officer. Be honest and provide as much detail as possible, especially if you're concerned that the situation may have set a precedent or could impact more members. Ask questions if you need to, especially if you don't understand a rule or something they cite. Take notes so that you can research them later. When you have time, read up on your local's arbitrations and past grievances. It's good to remember that the folks you're going to for sound advice now were in your shoes once upon a time!

Share What You Know, and Pass It On!

...and one day, you will likely be in their shoes and will be called upon to give advice and share your knowledge with less-experienced stewards. By sharing what we've learned, we make it easier for the folks coming up behind us to win cases, serve our members, and protect our contract. Reminder: for the sanity of future stewards, take good notes and keep organized files so they can always refer back to your work during your tenure.

Forgive Yourself - and Get 'Em Next Time!

Lawyers go to school for years to learn how to argue cases, while we stewards have to learn on the job - often on the fly. We carry a difficult burden in our shops, and it's easy to beat ourselves up when we don't come through for a member. While it's important to always strive for improvement and deepen our knowledge so we can do better next time, giving yourself some grace is crucial, so you don't burn out.

Although we'd surely like to be, no one is perfect. By taking accountability for our mistakes, learning what we can from them, and then passing that knowledge on to other stewards, we can make the most out of a challenging situation - and maybe even prevent future missteps before they happen.

**TEACHING
TUESDAYS**

- ▶ April 4th, **Investigating Grievances**, ([11](#) & [8](#))
- ▶ April 11th, **Developing Local Union Activists & Leaders** ([11](#) & [8](#))
- ▶ May 2nd, **Writing Grievances and Presenting them to Management** ([11](#) & [8](#))

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



Scan the QR code or click the link to see our upcoming schedule of classes.

<http://usw.to/teachingtuesdays>