

TAKE NOTES TO DOCUMENT THE RECORD

Let's face it. Shop stewards spend a lot of time talking — preaching unionism, communicating important information about our job, educating members about critical legislative issues, or just telling members what they missed at the union meeting.

When we talk, we forget to put things down in writing. That's not what they teach in business school or in law school. Supervisors and lawyers have been trained to put everything down on paper.

Writing information down allows them to control what is called the record. If you go into a grievance meeting and your supervisor takes notes, chances are those notes will form what is called the record of the meeting. Your memory and their memory can be faulted. Notes cannot.

It is important that union officers also establish the record. That way, the employer can no longer control the grievance process. Buy a small notebook and use it in all of your roles as a steward. Most important, use it while you are handling complaints and grievances.

For example, in your interview step with the member, write down what he or she says. Don't worry about spelling. Just get it down. The very act of writing the member's story down conveys your professionalism to the member. And just as important, the member may be more truthful in giving you the whole story — warts and all.

Sometimes members think they are helping the steward by embellishing a story to make it more convincing. Our role as steward is to get the truth and get the member justice. The act of writing contributes to that goal. Taking notes also allows you to compare conflicting accounts of the same story.

member's and/or union's version of what happened. This challenge should be put in writing and attached to the record or it should be properly entered directly on the discipline sheet, if possible. The union should keep a copy of it.

If these warnings are not challenged in writing, they stand as accepted. Management has made an art form out of progressive discipline. The union needs strong ammunition in any disciplinary situation, because the next incident could trigger time off.

EMPLOYER HARASSMENT

There are times when a member comes to his or her steward with a complaint about a supervisor who seems to be picking on the member. He or she gets the worst assignments. Or the supervisor always seems to be breathing down the member's neck.

Issues such as employer harassment are ones that usually boil down to the member's version of the story versus the supervisor's version.

As soon as a member comes to you with a harassment issue, you should tell the member to document each and every incident in which the harassment occurs. Just as management builds disciplinary cases against our members, we have got to build the case against the offending supervisor.

Tell the member to write down the incident, when it happened, what happened, and were there any witnesses. By putting together a record of the harassment, the member is directly involved in the grievance process and the local union will have the necessary documentation to make the best case.

TWU TIP: Remember, get into the habit of writing down everything!

TWU HISTORY



In 1954, the New York subway system celebrated its 50th anniversary. The TWU seized the opportunity to point out the shortcomings of the newly-created Transit Authority by joining a parade of buses with a stage-coach. The message was really a political one: The union was battling for collective bargaining rights and enforceable contracts for its members.

Mayor Robert F. Wagner began to change the labor climate for transit workers that year and TWU won a key recognition election to represent public transit workers and its first contracts with the Transit Authority.

Q: Who is that man at front with the top hat and glasses? A: That's TWU President Mike Quill.

THE EMPLOYER'S PAPER TRAIL

Let's take this issue of writing a step further. How many of us have been in the situation where the employer has created a paper trail in order to build a case against our member? Verbal warnings and letters may be indicated on some kind of disciplinary sheet in the member's personnel file.

What does the member usually do if they are assessed a verbal or written warning? In all too many cases, the member does nothing. Stewards and the local union itself must counsel all members never to accept discipline that the member knows is unjust.

That doesn't mean every letter of warning has to be arbitrated or even grieved. In many cases, it is sufficient to challenge that letter with the

The TWU Steward is published six times a year by Union Communication Services (UCS) in Rochester, NY in cooperation with the Transport Workers Union of America, AFL-CIO (TWU) at 501 3rd St. NW, 9th Fl, Washington, DC 20001 — www.TWU.org. For info on obtaining additional copies, please call (202) 719-3900. Contents, with the exception of "TWU TOOLBOX," copyright ©2014 by Union Communication Services-Cornell ILR. Reproduction outside TWU in whole or in part, electronically, by photography or any other means without written consent of UCS-Cornell ILR is prohibited. *David Prosten and Linda Donahue, co-editors/publishers.*



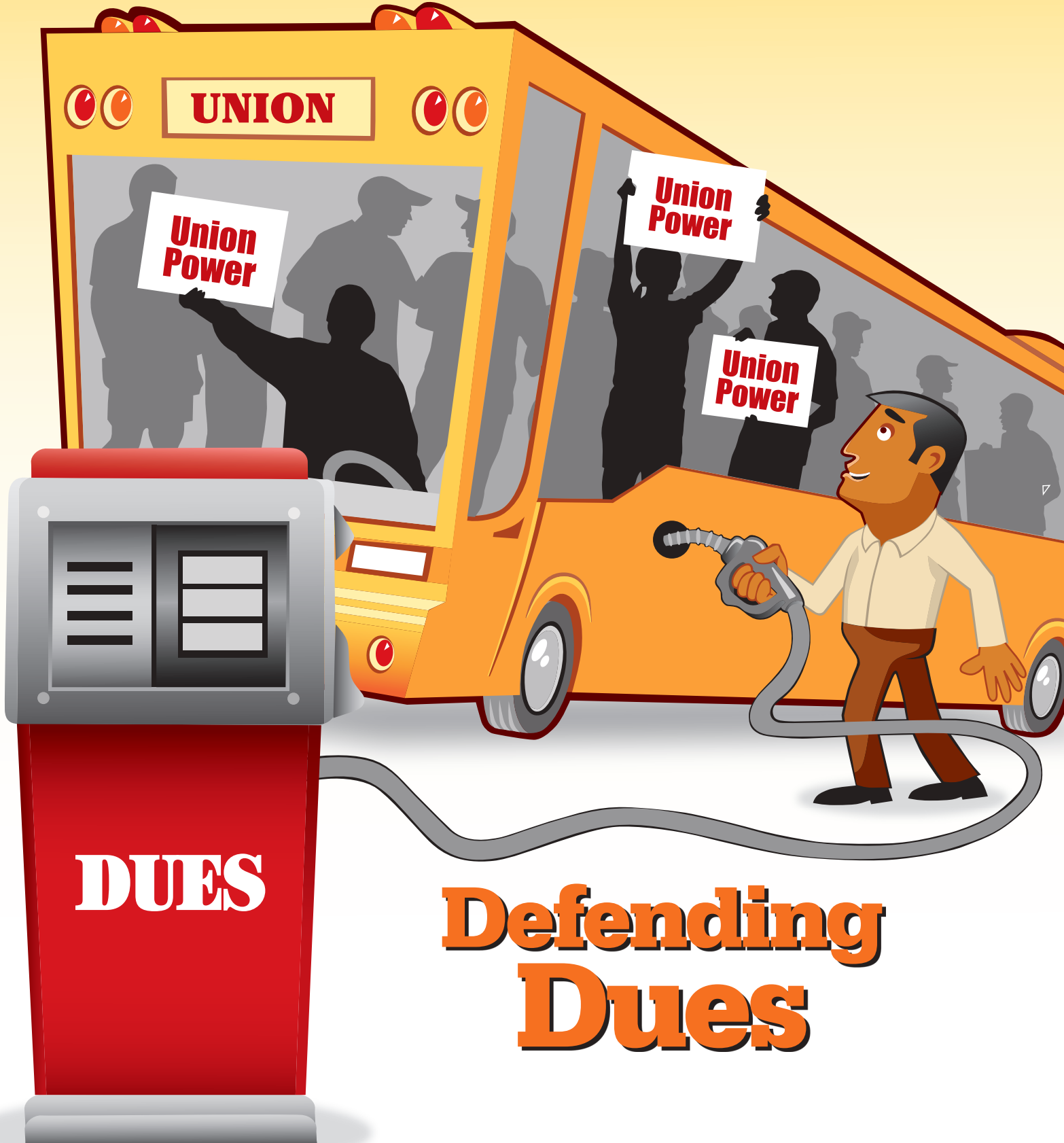
Transport Workers Union of America, AFL-CIO

TWU

Volume 9 • No. 5

Steward

Our Union's Front Line Soldiers



Defending Dues