

Stewards' Corner
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Writing a Grievance

These are some basic tips on grievance writing. Most of this advice applies to all grievance writing but it is important to check with your local and its grievance committee to see if local policy requires some deviation from these suggestions.

One of the most difficult jobs of any grievance representative is writing a grievance. Many of our contracts provide for the steward or representative to write the grievance on behalf of the member. By having the steward write the grievance, the union is better able to track the issue and control the grievance procedure. The member is better represented and the process is used to build solidarity in the local union.

If the contract clearly provides for the member to write and present the grievance by him/herself, you should encourage the grievant to come to you, as the union representative, for coaching on how to write up the grievance and you should always be available to meet and discuss with management. Many members do not know their rights and can be intimidated in the grievance meeting. The union as policy should be present at any grievance meeting.

Informal discussions

Some contracts provide for a meet and discuss with management before the grievance is reduced to writing. This meeting may be a first step in your grievance procedure, an informal pre-first step, or a monthly meeting to resolve issues. If you can settle the issue at that level, so much the better. But most grievances are put into the process with a form.

Your grievance form

Almost every form has three parts. There is the information section that asks who the grievant is and some basic information such as employee ID or number, location or station, shop, and immediate supervisor.

The second section usually asks for a statement of grievance. Here is where the steward explains what the grievance is with a minimal explanation.

Lastly, there is a section for the remedy, although in some forms this may be incorporated into the last paragraph of the statement of the grievance.

There may be other lines for the grievant's signature, date, signature of the union officer, date presented to the supervisor, and a section for the disposition of the grievance.

Be timely

You must be timely in the presentation of your grievance. That means you should file it within the proper amount of time that is stipulated in your contract. Be careful of contract language. Working days and calendar days are different. Filing after the knowledge of the occurrence is different from having to file after the date of the incident.

When you write the grievance, limit the statement to basic information. Provide only enough information to identify the grievance so that management understands what the basic problem is, what violations have occurred and how the problem should be fixed.

Be brief

You are not obligated to tell management in a grievance all of the results of your investigation. Don't do their work for them.

Omit the union's arguments, evidence and justification for its position. You should save that for the grievance meeting. You don't need to tip your hand before you get to that grievance meeting.

Avoid personal remarks. State the position of the union not opinions. Opinion words include "I think," or "I believe." Avoid them.

When stating why there is a grievance use the phrase "management's action is in violation of the contract including Article . . ." Allow for the possibility that there could be other violations.

The remedy

You need a remedy in every grievance. By filing a grievance you are demanding that management right an injustice. Management will not give you anything. You've got to tell them what you want.

When you write your remedy, don't limit it. In grievances that involve money, benefits, or protests of discipline, use the phrase "the grievant should be made whole in every way including . . ." Then ask for what you want.

The general phrase "made whole in every way," means that the grievant should receive any and all losses due to management's action. The word "including" allows you to add specific remedies later on in writing or in oral discussion with management.

Using the phrase "made whole in every way," does not mean that management or even an arbitrator will search out the specific benefits management has denied your

grievant. It is up to you to list verbally or in writing any remedies not noted in the original grievance.

Keep the grievant up to date on the process of the grievance. Your job doesn't end when the form is filed.