



Grievance Rep Council Report

DATE: October 9, 2018

COMMITTEE CHAIR: Trish Terrell

INFORMATIONAL ITEMS:

1. Please follow the guidelines and procedures (you got a copy last month and it's on the website) when a member comes to you with an issue.
2. Recent wins:
 - a. Teacher split between 2 school sites was able to return to her original school full time and paid for all travel time and missed lunch/prep time.
 - b. Teacher out on medical leave was given advice about how not to lose tenure from absences.
 - c. TOSA was assigned adjunct duty hours above the requirement, and DO changed the hours back to the max.
 - d. Teacher was assigned prep time outside of their contract hours, and DO changed their schedule to include prep during the day.
 - e. DO agreed that if a member was evaluated by site admin in the past, then they should not be evaluated by a program manager, unless the member requests it.
 - f. Five members are receiving assistance from our CTA lawyers or their associates regarding issues.
3. Current issues needing feedback from reps:
 - a. How is the evaluation process going at your site?

4. LEVEL GRIEVANCE REPS:

- a. High School: Marcy Okronick Martell mokronick@yahoo.com (707) 478-7856
- b. Middle School/SPED: Julie Grange jsgrange@comcast.net (707)321-4035
- c. Elementary: Bev Barron bevstuff16@hotmail.com (707)536-7377
- d. Chair: Trish Terrell swildw@hotmail.com (415)412-0422

DID YOU KNOW?

Legal Protections:

1. Equality rule When you interact with management as a steward, you do so as an equal to openly disagree, question, and argue with management when necessary without being disciplined.
2. No retaliation or discrimination Labor law and your contract prohibit management from disciplining or intimidating you because of your activity as stewards. For example, management cannot deny you promotions or other benefits, assign you extra work or undesirable jobs, or act in other ways that attempt to discourage you from doing your job as a steward.
3. Equal standard rule It is illegal and a violation of the contract for management to hold you to a higher standard than other workers or to harass you with extra supervision or stricter rules. As a steward, you should expect co-workers to look to you as an example—and you can protect yourself and the union’s reputation by doing your job well.

Being a steward does not allow management to expect more from you or to discipline you.

Weingarten Rights:

“If this discussion, meeting or telephone call could in any way be related to my being disciplined or terminated or affect any of my working conditions, I exercise my federal rights and hereby request that a steward of my choice be present. Without that steward’s presence, I choose not to participate in this discussion or meeting. Please do not request that I waive this right. I will not.”

Supreme Court decision in 1975 called Weingarten vs. NLRB ensures that workers are not intimidated or coerced during closed-door investigatory interviews, discussions, meetings or phone calls with management that could lead to discipline.

Teaching other members about invoking the Weingarten right and requesting a union rep is an important role for union stewards.

Duty of Fair Representation:

- ❖ duty to fairly represent all employees, members and non-members alike
- ❖ listen to and consider potential grievances raised by all workers in the bargaining unit, without discrimination or favoritism
- ❖ the right to file labor board charge against the union, often called a “DFR” claim or charge
- ❖ not required to be perfect or to always be right—it just requires that we do our best to be thorough and fair
- ❖ we do not need to take every grievance all the way through to arbitration, but we do need to make the decisions about which grievances we take further in fair manner, based on the merits of each case.

Complaint vs. Grievance:

Complaint:

Can be in person, email, phone, or written

Can be handled by action

Grievance:

Level I must include a formal complaint (best to have paper/email trail). We cannot file a formal grievance until the member has done this step.

Level II – when complaint has not been dealt with in a timely manner or unsatisfactory response

Level III – when the grievance is denied or not handled within the 10 days

Level IV – when the grievant is still not “made whole” we ask for a mediator

Level V – arbitration

Resources:

SRTA website

<https://www.wearesrta.org/grievance-resources.html>

Member concern form

bit.ly/SRTAconcern