



Grievance Rep Council Report

DATE: 12-4-18

COMMITTEE CHAIR: Trish Terrell

INFORMATIONAL ITEMS:

1. Please follow the guidelines and procedures when a member comes to you with an issue. See wearesrta.org for procedures, concern form, and grievance form.
2. Current issues needing feedback from reps:
 - a. Final call- do any schools want to pursue getting an oven for their staff room?
Email me by Friday please.
 - b. If staff are doing supervision outside of the contract day, is the principal directing it or asking for volunteers?
3. LEVEL GRIEVANCE REPS:
 - a. High School: Marcy Martell mokronick@yahoo.com (707) 478-7856
 - b. Elementary School: Bev Barron bevstuff16@hotmail.com (707)536-7377
 - c. 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.

Grievance:

Level I must include a formal complaint with immediate supervisor (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