

Respected Steward



**Guidelines for
gaining, and maintaining,
the respect of management
and your co-workers**

Gaining and Maintaining Respect

Everyone wants to be respected — like love and understanding, respect is one of those things most human beings need to truly feel good about themselves. For union stewards, though, respect is *especially* important: to be an effective steward you simply have to have the respect of both your co-workers and management. Following are some lessons that experienced stewards have learned about gaining respect as a union representative.

Be a Good Worker

The majority of union stewards have to put in most or all of their shift doing their employer's work, spending time only here and there handling their steward's duties. If you are one of these stewards, it is important that you be a capable worker on the job, that you get to work on time and perform an honest day's work. Most union members accurately believe that if you work hard on the job you will also work hard representing them. And if a steward is considered a problem employee, management is less likely to take him seriously and might even be able to take disciplinary action against him. This, in turn, will damage the image of the union in the workers' eyes.

Be Capable

Know the contract, appropriate regulations, and how to handle grievances and bargaining techniques (if that is a steward's responsibility in your local). Members will feel more comfortable with you if they think you know your stuff. And management will know that you are a force to be reckoned with.

Don't Play Houdini

While some problems are harder than oth-

ers, don't disappear when a case gets complicated.

Members know that it is your job to represent them even in difficult circumstances. And if management thinks that you will cut and run in such situations, they will take advantage of you to the detriment of your members. Remember, you can always ask for assistance from your local's leadership.

Follow Through

When you commit yourself to do something for a member — whether it is to get her some information or to file a grievance — it is essential that you follow through. By doing so you show that you — and the union — can be depended on. And your employer will know that they can't wait you out, hoping that you will forget to finish the job for your members — in short, that they have to take you seriously.

Be Discreet

Members come to you with personal business. It is critical that you respect their privacy by not gossiping about them with other workers. Once a member feels burned this way, she probably won't come to you with her problems again. She will go around you to other reps and may try to go around the union as well.

Don't Be Biased

Of course there are people you like more than others. But you are bound to represent members equally without favoritism. When stewards show favoritism, the union looks like just one more workplace clique instead of the representative of all the workers.



Show Humility

If you are an effective steward, you have a right to feel proud. And members will respect you for the job you do representing them. However, if you strut around the workplace like you own the place, bragging about what a great rep you are, your co-workers will most likely just roll their eyes when you pass. And management will quickly catch on that the members don't stand behind you and, in turn, will not take you seriously.

Don't Make "Deals"

Don't get caught in the trap of giving one grievant's issues less attention than you should, as a trade-off for getting positive resolution of another grievant's case. You might believe the second case is more important than the first, and you could even be right, in the overall scheme of things. But giving up on one case in exchange for getting a positive resolution on another is not fair to the abandoned grievant, and you can get in trouble for failing to provide fair representation. Plus, you can get a reputation for selling out one member to help another, and ultimately you'll lose the respect of a lot of people.

Be Professional

You were initially chosen to be a steward because people respected your special skills and talents, believing you would be an effective advocate and spokesman. Once a steward, you've got to work to *maintain* that respect. Remember that you are the workplace representative of your co-workers and carry yourself accordingly, with a level of dignity and professionalism appropriate to the responsibility with which you've been entrusted.

By following these tips you will earn the respect of the membership and management alike — they will know that you are an important part of an effective local union.

Workers' Comp

When we talk about a steward's toolbox, filled with the information and activism needed to combat problems in the workplace, let's add one more tool: a knowledge of the workers' compensation system. Workers' compensation is under attack today, and it's vital that stewards both understand how it works and be prepared to deal aggressively with threats to make it less helpful to workers.

It's important to remember that workers comp grew from our own increased political power. Employers used to be able to avoid responsibility for workplace deaths or disabilities through a variety of dirty tricks, most often by blaming the workers themselves for industrial accidents that occurred because of the employer's own policies or carelessness. When victims started suing, and workers on juries started voting decent settlements, the bosses pushed for creation of the workers' compensation system.

The system pretty much closed off the right of workers to sue their employers in exchange for a basic right. That is, if a worker is hurt on the job, the boss is supposed to assume all responsibility, both for paying a set percentage of lost wages and for paying in full for all medical care related to the accident.

But across North America today, the whole workers' compensation system is being turned around to remove these basic rights and protections. Here's how.

Threats from All Sides

1. Business forces are trying to remove obvious causes of occupational health and safety problems from coverage altogether. And, they're trying to cut the level of cash payments.

2. Insurance companies that sell employers their comp policies routinely deny claims, forcing workers to find lawyers and suffer through expensive, drawn out court cases. Most states allow lawyers to take 25 percent to 33 percent of a worker's settlement — a big chunk of an

injured worker's desperately needed award.

3. More and more employers are aggressively denying comp claims altogether, or at least trying to shift possible claims onto the worker's sickness and accident policy. There are enormous financial benefits to a boss who does this: the amount of actual lost wages paid out under a sickness and accident policy is generally limited to 26 weeks, but a workers' comp claim can basically be reopened any time there is a recurrence of the original injury.

More important, workers' comp pays all medical bills, but a worker's typical health insurance policy is filled with limits, deductibles and exclusions. In a case at a steel plant, for example, the company challenged the comp claim of a worker who needed an expensive MRI test: the full cost of the test would be covered by workers' comp, and costly claims can add up to higher insurance premiums to the boss. But if the company successfully shifted the claim to the worker's health insurance, the worker would have to pay approximately \$700 out of pocket.

What's a Steward to Do?

1. Alert your co-workers to the overall workers' comp issue. Most people just don't care about it, figuring they will never be hurt. Remind them that an accident can happen at any time. Besides, we need to show some solidarity with other workers who might get hurt. Tell your co-workers to notify an officer of the union every time an accident takes place, no matter how minor. Workplace posters about accidents usually offer procedures and phone numbers, but they never tell workers to notify their steward.

2. Be alert to every workplace accident. Make sure an incident report is filed. Even if you have to go with your co-worker to a medical facility, don't let management agents — even your friendly workplace nurse — write up an incident as “unrelated to employment.” An injured worker is especially vulnerable to pressure,

so a steward can provide some important protection at the beginning of a dispute.

Don't let a company official sweet-talk workers into not filing an accident report in exchange for a promise of light duty or a couple of days off. Every accident may be potentially serious, so start a paper trail as soon as possible.

3. Educate yourself about work-related issues of health and safety. Problems like heart attacks and stress, even though they may evidence themselves away from the job, may be work-related and should be filed as workers' comp cases.

4. Demand better health and safety practices throughout the workplace. While some of the practices in manufacturing seem obvious — like lock-out/tag-out procedures to make machinery safe when being serviced — stewards also should look at the design of computer stations in offices or occupational diseases due to chemical exposure in manufacturing and other facilities. *No* workplace is totally free of the risk of accidents and illnesses.

5. Get information to your members about the political and court activity surrounding workers' comp. In every state and province, the politicians want to prove their business-friendliness by cutting back on coverage and benefits: workers must be prepared to fight back. And court decisions should be tracked: they can dramatically change worker benefits, sometimes for the better. A 2003 decision in Maryland, for example, loosened standards in a way that made it easier for workers with injuries that gradually worsened — like bad backs — to collect. And in 2005 another good court decision in the state opened the door to benefits for undocumented workers.

6. Keep in touch with workers who are out on a comp claim to prevent the boss from pushing them to return to work before they are fully recovered.

7. Understand that denial of claims can be responded to through the grievance procedure, as a union issue, and not just by individual workers through the outside legal system.

— Bill Barry. The writer is director of Labor Studies for the Community Colleges of Baltimore County. With thanks to Charles Wagner, a graduate of the program and now a workers' comp attorney, for his suggestions.

Discourtesy and Discipline

It sometimes seems that we're surrounded by discourteous people. Drivers who cut us off, for example, flashing a rude gesture as they go by. Or people who stand next to us, cursing loudly into their cell phones. These can be irritating situations, but we live with them. Discourtesy is a problem, but ultimately not a hugely serious one — until it becomes a workplace issue.

When discourtesy — using profanity, harassing or verbally abusing someone else — involves a worker and the way he or she deals with customers or the general public, serious discipline or even the job itself could be on the line.

In fact, in half the cases reviewed for this article, arbitrators upheld terminations of workers fired for offensive behavior. The terminations were more likely to be upheld when the target was a customer or member of the public, not just a co-worker.

In the other half of cases reviewed, however, termination was found to be unjust or too harsh, given the circumstances of the case.

It's the wise steward who pays attention to this growing problem and is prepared to defend members who are accused of mistreating the public.

Here are some key basics to keep in mind when trying to help co-workers who are being disciplined over matters of courtesy.

What's the Evidence?

Arbitrators say that employees are entitled to confront their accusers, or at least have a written complaint or other evidence of misbehavior to respond to. Using hearsay evidence to penalize a worker is insufficient. So that it can challenge the evidence, the union is entitled to know what

was said, who said it, and who the complaining party is. And as in all other discipline cases, the employer must conduct a proper, objective investigation of the incident before taking action.

The Contract and Workplace Rules

There must be clear-cut rules, procedures or contract clauses that set out the nature of improper behavior, and set out the

penalty that will be inflicted should the rule be violated. Arbitrators have reinstated employees because the charge of "verbal abuse" was not specifically prohibited in the contract, or was referred to in such a vague way that it was capable of meaning more than one thing. And unless discharge is specifically prescribed for a first offense, then arbitrators may say that something less should be assessed against the employee.

Is the Offense Serious?

Obviously, the more serious the verbal abuse or harassment, the more likely that termination will be upheld for the person committing the act. The actual incident still has to be confirmed, however, and not just by assertions from the employer representative. Understand that an arbitrator is likely to treat racial slurs, foul language or gender-based harassment as more serious than someone simply being rude.

Check Past Practices

The employer must be consistent in assessing penalties. If other employees were let off or received lesser penalties, then it is hard to justify discharge for *another* worker's first offense of the same type.

Were There Prior Warnings?

If an employee is being accused of repeated incidents of discourtesy to oth-

ers, management should be able to produce a record of documentable warnings or lesser disciplines for previous incidents. Additionally, the principle of progressive discipline also applies to discourtesy cases, unless the contract or rules clearly call for discharge for the first offense. Remember that the employee is entitled to be told what he or she has done wrong and to have a union representative present when being told about the discipline.

The Employer's Public Image

Arbitrators are likely to listen to employer concerns about how the public views a firm. In one case an arbitrator upheld the discharge of a union steward who cursed three women who complained that he parked his beer truck too near their car. The arbitrator said that the beer company had spent millions trying to create a public image that was damaged by the employee's behavior.

Check Past Behavior

Arbitrators hearing discourtesy cases usually look at an employee's overall record. A telephone operator's dismissal was overturned by an arbitrator because the operator's past history of improper treatment of customers was separated by a long period of good behavior. The company raised offenses that should have long since been erased from the personnel file according to the contract, so the arbitrator reduced the penalty to a 30-day suspension.



Ultimately, when dealing with discourtesy cases, a steward has to judge each one on its merits, do a proper investigation, check to see how similar cases were handled in the past, and be sure to withhold judgement until all the facts are in. Employers may be quick to take action in cases where employees are the subject of complaints by the public or customers, so the steward must be on his or her toes to make sure that justice is served.

— George Hagglund. The writer is Professor Emeritus at the School for Workers, University of Wisconsin - Madison.

Assess the merits, investigate, check past practices and don't rush to judgement

Did everything go absolutely perfectly the first time you ever drove a car? Unlikely. How about your very first day on your very first job: probably not a flaw-free day. Or how about your very first date? Every move you made, every word out of your mouth was nothing but cool and sophisticated, right?

Probably not. Very few things in life go perfectly the first time around. Rookies make rookie mistakes. It's the rare person who can try something new for the first time and be perfect at it, and that holds true for new union stewards. Just like your first date or your first time driving a car, you're determined to be "perfect" but the odds are against you.

Still, just as for a rookie driver, there are some basic rules of the road for the new steward who wants to do whatever possible to avoid costly mistakes. In no particular order, here are ten rookie mistakes to avoid. It wouldn't hurt for veteran stewards to take a look at these, either.

1) Don't Be Afraid

It's natural to be concerned that you won't do the job right: there's a lot to learn and you may not yet be comfortable being in a position where you deal with management from a position of authority. Keep in mind that millions of other stewards have gone through the same thing, and no one expects you to be Supersteward. If you approach it honestly and consult with other stewards and union officers when you're not sure how to handle something, you'll do just fine.

2) Don't Be Shy About It

You don't want to get on a bullhorn and brag about your new role as steward, but you don't want to keep mum about it either. You can't be an effective steward unless the co-workers you serve, and the management people you'll have to deal with on a day-to-day basis, know who and what you are and how to find you if they need you.

3) Don't Shoot from the Hip

Just because you're a steward doesn't mean you know everything. If a question comes up that you can't answer, don't try: say you'll find the answer and get back to the person. There's no such thing as a

10 Rookie Mistakes

steward smart pill. It will take you a while to get familiar with the union contract and with the labor laws that affect your workplace. All it takes on a steward's part is to give a few wrong answers before everyone avoids him or her altogether and seeks out a more knowledgeable union official. If you say you don't know an answer but will research it and get back to the person, you'll be respected for it.

4) Don't Play Favorites

It can be a big temptation to focus your energies on your friends and immediate co-workers. Big mistake. Just one reason it's a big mistake is that, *by law*, the union — and that includes the steward — must provide equal representation to every worker. It makes no difference whether you like the worker or hate him; whether she's the strongest union member around or the biggest union-hater; whether he's your ex-spouse or your current lover. You have to let all the workers you're responsible for know that you're there for them.

5) Don't Ignore the New Hires

It's a steward's job to greet every new worker who comes on the job, to welcome the worker and explain the steward's role. Just because you made the rounds when you became steward and made sure everyone knew about it doesn't mean that the person who starts work today knows you.

6) Don't Let Management Run over You

Some supervisors or managers get a thrill out of trying to make a new steward feel uncomfortable, unknowledgeable, and unwelcome. You don't have to take it. By law — *by law* — the steward is the *equal* of management when conducting union business. Remember, if you're not sure of how to handle a problem, call in a veteran steward or seek help from a union officer, but don't allow management to treat you poorly.

7) Don't Confuse Your Union Role with Your Employee Role

While as a steward you are equal with management when doing union business, when you're *not* conducting union business you have to follow the same rules and requirements that apply to everyone else. Just because you're the steward doesn't mean you can wander off and take a nap. You can be disciplined just like everyone else.

8) Don't Think You Do It All Yourself

Depending on the workplace, rookie stewards can feel overwhelmed by their responsibilities. An important thing to remember is that the most effective stewards are those who get their co-workers involved in the union's work. Your job isn't to make everyone's life better, your job is to work with your co-workers toward that goal. You might even think of yourself as an *organizer* more than a steward, because you should organize the people around you to help move the union forward. Whether it's gathering information about workplace problems, handing out leaflets about the next union meeting or signing people up for a softball or bowling tournament, you can, and should, involve the people around you.

9) Don't Forget To Have a System

Every steward needs to have some kind of system to keep track of paperwork: throwing stuff into a car trunk or work locker might be good for a few days or weeks, but you'll soon find that you need a filing system of some sort to keep track of everything. Talk to other stewards about how they do it. It will make your life a lot easier.

10) Don't Beat Yourself Up

As a rookie you're likely to mess up on occasion. Every rookie does. Just do the best you can, and seek out help from the union when you think you're over your head. If you make a mistake, deal with it as soon as you can before it gets worse and then look ahead. Remember that you're doing an important job for your co-workers, one that a lot of people probably don't have the guts, energy and dedication to take on. Don't get mad at yourself, be *proud* of yourself for caring enough to accept the responsibility.

— David Prosten. The writer is editor of Steward Update.

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OFFICE OF THE INTERNATIONAL PRESIDENT

Brothers and Sisters,

The midterm elections are just a few months away and we need your help. We have the best chance in more than ten years to put Congress and many state capitols back in worker-friendly hands. Will we have fair trade laws, adequate healthcare, good jobs in North America, strong safety laws, or the right to organize? Who we put in office, whether in a Governor's mansion or in Congress, will make those decisions. We must educate our fellow members and let them know which candidates will look out for the best interests of working families.

In this issue of the IAM Educator is a leaflet called "What's Up With Health Care?" IAM members rank preserving health care as one of their top priorities. Yet, more than 60 million Americans went without health insurance at some point last year and the problem is only worsening. Start educating your co-workers by posting the insert on your bulletin boards so we can join together in the fight to ensure affordable, quality health care for everyone in this country.

This edition of the IAM Educator also contains articles that will help you combat tactics by management to avoid providing workers' compensation, earn the respect needed to be an effective shop steward, deal with discipline cases involving charges that workers have been discourteous, and learn of ten rookie mistakes frequently made by new stewards.

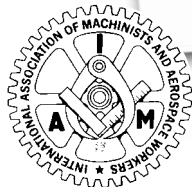
Use the information in this edition of the IAM Educator to your advantage and keep up your outstanding work as shop stewards. With your help we can turn this country around and make life better for middle class families.

Let me once again commend you on the outstanding job you do as Shop Stewards. Day in and day out you make this Union great and I urge you to keep up the good work.

In appreciation and solidarity,

R. Thomas Buffenbarger

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International President



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