



# Steward Handbook

How to Build a **Strong Union** and **Power** in the Workplace



SPRING  
2024



**SOLIDARITY**

The image shows a green rectangular sign held up by two hands. The sign features the word "SOLIDARITY" in large, bold, white capital letters. Above the letter "Y" is a white logo consisting of three curved lines and a star. The background is a blurred crowd of people, many wearing green clothing, suggesting a large gathering or protest.



# Congratulations

— ON BECOMING AN —

## **AFSCME Steward!**

Your job as a steward is to make sure your union is strong, and that's why it's the most challenging and rewarding job in our union.

The AFSCME steward, more than any other leader or activist, is responsible for energizing and mobilizing the source of our union's strength: the membership. The steward is often the one union representative members see when they are at work. In the eyes of most members, you are AFSCME. So, if they have faith in you, they will have faith in our union.

The steward takes on a number of roles and functions. You provide leadership in the workplace. You organize co-workers to take collective action. You communicate with workers, union leaders and management. You educate your co-workers about solidarity, justice and the importance of political and legislative action. In carrying out each of these tasks to the best of your abilities, you will earn the confidence and respect of your co-workers. And once you have their confidence, you will be able to encourage members to take greater ownership for the future of our union.

This is a critical time to be an active, involved AFSCME member. Corporate-backed politicians in many states are attacking our rights and freedoms. The Supreme Court's 2018 decision in *Janus v. AFSCME* made the entire public sector right to work — which means we must work that much harder to build a connection with co-workers and ensure that they understand the power of the union difference. And during the pandemic, when we were all separated physically from one another, it was harder to engage with members and potential members. Now is the moment to rebuild those ties. Now more than ever, AFSCME members must stand up for themselves, their families and their communities. And stewards are essential to that work.

Member activism creates union power in the workplace and in our communities. And a stronger union is better able to fight for improvements in wages, hours, working conditions, staffing levels and more. And none of it is possible without a dedicated, skilled team of stewards.

Take great pride in being an AFSCME steward. We know you are up to the challenge.

In solidarity,



Lee Saunders  
President



Elissa McBride  
Secretary-Treasurer

# Table of Contents

<b>Introduction .....</b>	<b>2</b>
<b>SECTION 1</b>	
<b>The Steward System.....</b>	<b>4-7</b>
Chief Steward .....	4
Steward Committees.....	6
<b>SECTION 2</b>	
<b>The Steward as Leader .....</b>	<b>9-11</b>
Doing What It Takes to Be a Leader .....	10
<b>SECTION 3</b>	
<b>The Steward as Organizer .....</b>	<b>12-16</b>
Member Action Teams (MAT) .....	13
Signing Up and Activating New Members .....	16
<b>SECTION 4</b>	
<b>The Steward as Communicator.....</b>	<b>17-19</b>
One-to-One Communication .....	18
What a Steward Should Know and Teach .....	19
<b>SECTION 5</b>	
<b>The Steward as Representative .....</b>	<b>20-37</b>
Grievance Handling.....	20
The Grievance Procedure.....	21
Five-Step Approach to Grievance .....	22
Grievance Procedure Time Limits.....	34
Arbitration.....	34
Discipline Cases.....	35
<b>SECTION 6</b>	
<b>It's the Law .....</b>	<b>38-45</b>
Weingarten Rights .....	38
The Duty of Fair Representation .....	40
The Americans with Disabilities Act (ADA) .....	41
The Family and Medical Leave Act (FMLA).....	42
The Occupational Safety and Health Administration (OSHA) .....	44
Sexual Harassment.....	45



<b>SECTION 7</b>	
<b>Building PEOPLE Power .....</b>	<b>46-47</b>
PEOPLE Sign-up is Easy.....	47
<b>SECTION 8</b>	
<b>All About AFSCME.....</b>	<b>48-55</b>
AFSCME Councils .....	49
AFSCME Retirees .....	51
AFSCME: Decades of Fighting for Worker Rights.....	52
<b>SECTION 9</b>	
<b>Glossary of Labor Terms .....</b>	<b>56-60</b>
<b>SECTION 10</b>	
<b>Resources.....</b>	<b>61-62</b>
<b>APPENDIX A</b>	
<b>Steward Essentials.....</b>	<b>63</b>
<b>APPENDIX B</b>	
<b>Kits for New Employees and New Members.....</b>	<b>64-65</b>
<b>APPENDIX C</b>	
<b>Forms and Charts.....</b>	<b>66-68</b>
Official Grievance Form .....	66
Grievance Fact Sheet.....	67
Grievance Procedure Time Limits Chart .....	68
<b>APPENDIX D</b>	
<b>Planning a Strategic Campaign.....</b>	<b>69-70</b>
<b>APPENDIX E</b>	
<b>Rules of Tactics .....</b>	<b>71</b>
<b>APPENDIX F</b>	
<b>PEOPLE Materials.....</b>	<b>72-73</b>
<b>APPENDIX G</b>	
<b>Solidarity Forever .....</b>	<b>74</b>

# Introduction



## AFSCME Stewards In Action

AFSCME stewards work in a wide variety of places. Some work in public-sector jobs and some in the private sector. Some of you are state, county or municipal employees. Others work for the federal government or nonprofit organizations. Still others work as independent providers of state services. You may have collective bargaining laws and negotiated contracts in place, or you might live in a place where public workers are still fighting for that basic right to bargain collectively over wages, hours and conditions of employment.

**All of you are AFSCME Stewards in Action.**

Some of you are called stewards, some delegates, some member action team captains, some volunteer member organizers (VMOs). In this handbook, the term “steward” will be used to refer to any AFSCME member who volunteers or is elected to represent and organize their co-workers. Workers need and want protections at the worksite. A survey by the Wilson Center for the Public Interest explored how workers view the value of unions. The study found that union members who have effective stewards are:

- Significantly more likely to feel their union is effective in helping obtain job-related improvements.
- Much more likely to feel their union representative cares about them.
- More likely to approve of grievance handling — and to file grievances.
- Much more likely to turn to their union — rather than to management — to solve contract-related problems.
- More optimistic about the negotiating ability of their local.
- More likely to see the importance of their union’s organizing efforts.
- More likely to volunteer to participate in union activities.

This confirms two long-held AFSCME beliefs: Stewards are the cornerstone of our union, and effective stewards build stronger unions.

---

## How to Use This Handbook

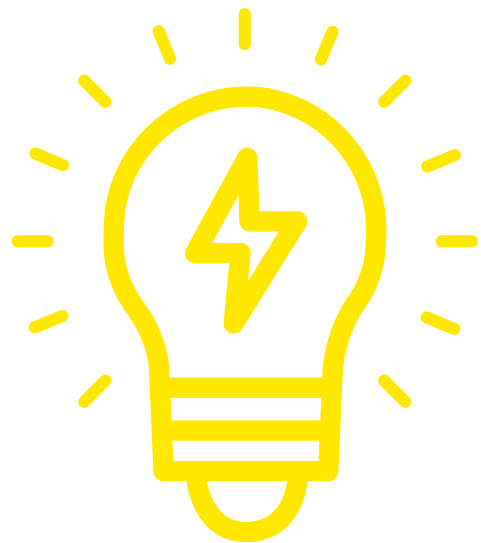
The contents of this AFSCME Steward Handbook were developed to help you become an effective steward. A wealth of information is packed into these pages: everything from steward responsibilities to grievance-handling skills, from legal issues to the history of AFSCME. While every piece of information may not apply to your specific circumstances, apply those principles and guidelines that do.

The handbook is divided into two main parts: the various roles and functions of the steward as a leader, organizer, communicator and representative; and the tools and resources to perform the duties of an AFSCME steward in enforcing the contract and handling grievances.

Scattered throughout the handbook are a collection of “**Bright Ideas**,” tips or guidelines to shed some light on various topics. So, the next time someone asks, “Who had that bright idea?”, you can say that you did — the AFSCME steward.

AFSCME is committed to training and developing a top-notch cadre of stewards. AFSCME Stewards in Action is a two-day training program that will provide you with the knowledge and skills to be an effective and powerful AFSCME steward. By attending Stewards in Action, you can find new ways to engage members and bring fresh ideas to handling grievances. The program is taught by talented staff and members who successfully completed the AFSCME Educator Program. To request a Stewards in Action training, contact your AFSCME staff representative or the national union’s regional office nearest to you. A list of regional offices is in **Section 8: All About AFSCME**.

This handbook is another critical component of our commitment to steward training. The AFSCME Steward Handbook is your tool for learning through your experience and the experience of others. **Use it!**





## SECTION 01

# The Steward System



A strong steward system is the backbone of our union. It makes our union visible to workers and to management.

It enables communication, representation and mobilization within the workplace. For these reasons, it is important to have an effective steward system in your local, one that ensures all bargaining unit members are represented by a steward — and that all members know their steward.

The steward system will depend on several factors — the number of workers in the bargaining unit; geography (is the local concentrated in one building or spread across a city or county or state, or do you not have a central work location?); working hours (does your workplace operate five days a week with regular eight-hour days, or do you work in an institution that operates 24 hours a day, seven days a week?), and so on. A steward structure can be set up by floor, by department, by shift,

by county, or by any reasonable combination of these. Your steward structure should be based on the needs of your bargaining unit.

While there is no one right way to set up a steward system, a general guideline is that there should be one steward for every 20 workers. Some stewards can represent more workers and do an excellent job. Once the ratio becomes much higher than one steward for every 50 employees, the job becomes much more difficult.

## Chief Steward

The chief steward is usually a member who has been active as a steward for a number of years. They have experience handling grievances and resolving workplace problems and issues. The chief steward is thoroughly familiar with the contract, work rules, and management policies and procedures. The chief steward also knows the players — the various managers and supervisors — that stewards will deal with.

In some locals, the chief steward handles grievances once they reach a particular step in the grievance procedure. Some local union constitutions call for the vice president to be the chief steward as well. Larger locals may have more than one chief steward, each of whom is responsible for a number of stewards in a particular institution, agency or large department.



01

02

03

04

05

06

07

08

09

10

A

B

C

D

E

F

G

### Bright Ideas | Chief Steward Duties



- Serve as a resource for other stewards, lending experience, knowledge and expertise to resolve grievances and problems.
- Identify issues that matter to members across work areas or departments and plan for collective action.
- Educate and mentor new stewards in areas such as interpreting contract language or grievance-handling skills — while helping them learn the ropes and gain confidence as stewards.
- Maintain the grievance files for the local so information is kept in one central location.
- Chair the regular meetings of the steward committee.

## Steward Committees

Many AFSCME locals have a steward committee that meets regularly. Often, either the vice president or the chief steward chairs the steward committee. By providing a place where stewards can work together on grievances, problems and workplace issues, this committee can help develop a strong team of stewards, build the confidence of new stewards, and sharpen the skills needed to represent members and build stronger local unions.

You can use your steward committee meetings to discuss current and potential grievances, learn what's happening at different worksites in the local, report on potential problems, and develop problem-solving strategies and action plans.

## Eight Great Topics for Steward Committee Meetings

### 1. THE STEWARD'S JOB

Pose a question such as, "What is the biggest challenge you face as a steward?" or, "What have been some of your biggest success stories?" This can generate discussion about the steward's various roles.

### 2. INTERNAL ORGANIZING

Establish an organizing goal for a specific time period (e.g., sign up 20 new members in the next 60 days). Or map out a department or work area and assign stewards to talk to specific workers. Practice one-on-one conversations between a steward and a nonmember. Review progress at the next meeting.

### 3. NEW MEMBER OUTREACH

Focus on the role of the steward in one-on-one outreach to new bargaining unit members. Highlight the role of stewards as the face of our union and the importance of welcoming new workers and educating them about the importance of our union.

### 4. PEOPLE RECRUITMENT

Discuss the role of the steward in educating members about the importance of political and legislative action and building PEOPLE power. PEOPLE is our union's political action committee, funded entirely by members' voluntary contributions (not out of dues). With PEOPLE power, we make our voices heard on issues at every level of government that affect AFSCME members. Practice recruiting PEOPLE contributors through one-on-one conversations.

### 5. REVIEW CURRENT GRIEVANCES

Stewards can examine grievances, discuss different approaches, strategize on how to prepare a case, etc. In addition, stewards can discuss alternative problem-solving methods that a) may be more effective in solving the problem; and b) involve more members in addressing the problem, thereby strengthening our union (see [Appendix D](#)).



## 6. CONTRACT INTERPRETATION

Review, interpret and discuss a specific section of the contract. When a new contract is negotiated, have the bargaining committee review any changes and provide stewards the opportunity to ask any questions they may have about new contract language.

## 7. CONTRACT NEGOTIATIONS

Draw on the experience of your stewards and discuss areas in the agreement that need changes or improvements. In addition to reviewing the contract, examine the grievance file and define particular problem areas. Pass on the information to the local's bargaining committee. Stewards can also help the bargaining committee administer surveys to discover what the members would like to see in the next contract.

## 8. GRIEVANCE PRESENTATION

Provide a sample grievance situation and prepare your arguments. Role-play the presentation. Follow the role-play with a general discussion of what went well and what could have been done differently.

AFSCME members bring different skills, abilities, strengths and experiences to the job of union steward. Some stewards are terrific organizers, who can turn workplace issues into opportunities to mobilize members. Others are great at motivating people to become more active in their union. Some enjoy representing members in the grievance procedure and others eagerly tackle on-the-job issues by developing new tactics and strategies. With their energy, enthusiasm and commitment, every single AFSCME steward can play a key role in creating a vigorous local union.

# Bright Ideas

## The Role of the Steward Committee in Mobilizing Members

- Steward committees can be used in a number of ways to carry out the steward's primary role, which is to activate the membership to solve workplace problems and build a stronger local.
- Create a system for welcoming new employees to our union. Our job is to not only sign them up as new members, but also develop a relationship with them and encourage them to become active in our union.
- Discuss and analyze current workplace issues and problems to determine if any would make a good "organizing issue" — one where the steward can involve members to take action (see **Section 3, page 16** for some guidelines on what makes a good issue).
- Develop strategies and action plans that involve all affected employees (see **Appendix D, page 69**).
- Develop Member Action Teams (see **Section 3, pages 13-14**) that can be used to communicate with employees and encourage their participation.

01  
02  
03  
04  
05  
06  
07  
08  
09  
10  
A  
B  
C  
D  
E  
F  
G



# ONLINE LEADERSHIP ACADEMY

The AFSCME Online Leadership Academy is your gateway to a world of leadership development. Whether you're a dedicated union member, a steward, or a local leader, this cutting-edge platform is designed to empower you with the knowledge and skills needed to make a real impact in your workplace and our union.

**SCAN TO  
SIGN UP  
TODAY!**



[OLAhelpdesk@afscme.org](mailto:OLAhelpdesk@afscme.org)

Getting started is easy!

**1** VISIT LABOR LAB  
<https://education.afscme.org>

**2** CREATE A NEW ACCOUNT  
[https://education.afscme.org/  
user/register](https://education.afscme.org/user/register)

**3** SUBSCRIBE TO A TRAINING  
[https://education.afscme.org/  
trainings](https://education.afscme.org/trainings)

## Available Series

- ◆ **Steward Fundamentals:** Explore topics designed to provide new and existing union stewards with the knowledge and skills needed to effectively represent your members.
- ◆ **Local Leadership Essentials:** Hone your leadership skills with insights into your role as a local officer, running successful local union meetings, making motions, and engaging your members.

# The Steward as Leader



Leadership can be defined as the ability to motivate a group of people to act in pursuit of their common interests and goals.

AFSCME members look to their steward as a leader in the workplace. They turn to the steward when they seek information or when they need some help in solving a problem. They want leaders who are honest, hardworking and willing to stand up in the face of pressure. To be a leader, the steward must understand the diversity of our union's membership — ancestry, cultural, racial, gender identity or expression, sexual orientation, age differences, disabilities — and promote unity to put a stop to management's attempts to divide workers.

As a steward, you must have credibility with union members, co-workers, and the managers and supervisors with whom you attempt to resolve workplace issues and problems. Usually, credibility isn't easily granted — it must be earned over time.

You must be able to listen to the problems, concerns and issues of members and co-workers. By identifying workplace problems, stewards can engage members in developing solutions. Listening is a skill that must be developed and practiced.

Stewards must be able to motivate members to help build our union and take action on workplace concerns and problems. Stewards who try to “do it all” become overburdened, overwhelmed and stressed out. Stewards who do it all are not involving other members in our union. High member participation is a sign of a strong union.



## Doing What It Takes To Be A Leader

### GAIN CREDIBILITY

#### ■ BE HONEST

Be honest with members, co-workers and managers; a steward who bluffs, misleads or skirts the truth won't remain credible for very long.

#### ■ BE RELIABLE

If you are asked a question and you don't know the answer, say "I don't know." Then get the information and get back to the person as soon as possible. When you say you are going to do something, follow through.

#### ■ BE AVAILABLE

Being an effective steward often means talking with members after regular working hours.

#### ■ BE KNOWLEDGEABLE

Know about the contract, the work rules and policies, co-workers in your area, supervisors and managers, issues impacting the workers, etc.

#### ■ BE SUPPORTIVE

When co-workers approach you with their concerns and complaints, offer understanding, encouragement, help or guidance in addressing their problems.

#### ■ BE COMMITTED

Commit to the labor movement and the goals of AFSCME — gaining respect, dignity and fair treatment on the job, and providing a voice in determining working conditions.

### LISTEN

- Pay attention to what the member, nonmember or manager is saying.
- Show interest in the issue, problem or complaint that is described; maintain eye contact.
- Concentrate and don't fake attention or allow yourself to be distracted.
- Don't interrupt. It's impossible to listen when you are also talking.
- Ask questions if you are unclear or confused or don't understand something the person is saying.
- Good communication skills require 70% listening and 30% percent talking.

### MOTIVATE

- Lead by example.
- Build relationships of trust and solidarity over time so that you have a solid foundation when you ask people to do a specific task or take part in an activity.
- Talk to members one-to-one. It's more effective, for example, than asking for volunteers at a group meeting.
- Assign people specific, clearly defined tasks. It is easier to get volunteers to do a small part of a project than to take on the entire project.
- Establish when the task will begin and when the task will end.

- Remember that people become active because they are passionate or angry about problems on the job. Challenge them to do something about those problems by getting involved.
- Be willing to do what you ask members to do. If you ask them to do a worksite leaflet at 6 a.m., then you should be prepared to do the same.



## BE INCLUSIVE AND EQUITABLE

- Create a union culture that connects union values and behavior.
- Be conscious of any racial and gendered practices in your local and workplace.
- Seek training on recognizing implicit bias in investigating grievances and member complaints.
- Set up a committee of a special group of stewards to investigate and resolve harassment complaints.
- Promote inclusion by assessing membership demographics, leading inclusive meetings, and lifting up voices of marginalized workers in the bargaining unit.



01  
02  
03  
04  
05  
06  
07  
08  
09  
10  
A  
B  
C  
D  
E  
F  
G

## SECTION 03

# The Steward as Organizer



Stewards are the most visible union presence in the workplace.

You come into contact with co-workers every day you are on the job. Because of this fact, the steward is in an ideal position to carry out the most important function of any union activist: being a union organizer.

Stewards can do this in two ways. First, you can sign up and activate new members. Second, you can activate and mobilize union members on workplace issues that affect them.

Different problems arise on the job nearly every day. The supervisor is treating workers unfairly. Management is ignoring or misinterpreting the contract. The administrator is not doing what he promised, or the administrator is doing exactly what he said he wouldn't do. To address most workplace problems, there are several approaches and options available:

**Informal discussions** with management can sometimes resolve workplace problems. The worker's representative — the steward — can help do this.

Better yet, a group of workers — with their steward — can meet with the manager. Strength in numbers! This can be done before filing a grievance (when there may be a better chance to solve the problem). Or it can be done instead of filing a grievance.



**The grievance procedure** is the formal problem-solving process found in the contract or in the work rules if there is no contract. But the grievance procedure has several drawbacks: Many problems are not covered by contract language. It takes time to process a grievance and “justice delayed is justice denied.” A grievance often involves only one steward and one worker, and management has to deal with only those two people. And where do unions find their strength? In numbers! So stewards should always think about how to involve members to address on-the-job problems.

**Mobilizing members** to solve workplace problems is the best way to build union strength and power in the workplace. This approach takes advantage of the source of our union’s strength — our members!

To carry out successful workplace actions, stewards should:

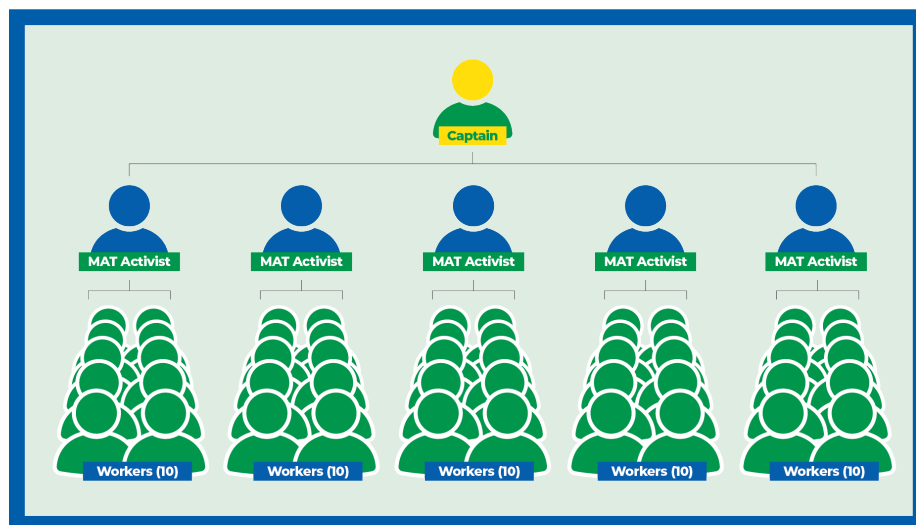
- Develop a strategy and a plan of action. Actions can be simple or elaborate — everything from petitions to button days, leaflets to delegations to meeting with management. See **Appendix D** for strategic campaign planning tools.
- Involve as many workers as possible in planning and carrying out actions.
- Build support by talking with workers one-on-one.
- Keep co-workers informed so the group can continue to plan and act together.
- Publicize victories.

## Member Action Team (MAT)

Many AFSCME locals are developing Member Action Teams (MATs) in the workplaces they represent. Simply put, a MAT is a tool that locals can use to communicate with workers and mobilize workers into action around the issues they care about. MAT activists are responsible for communicating and working with approximately 10 co-workers on a regular basis.

### MAT Structure

In the diagram, one or two of the MAT activists would also be stewards responsible for handling grievances. As locals develop their MATs, they can also develop MAT captains who coordinate the activities of MAT activists and their teams.



## Responsibilities of a MAT Activist

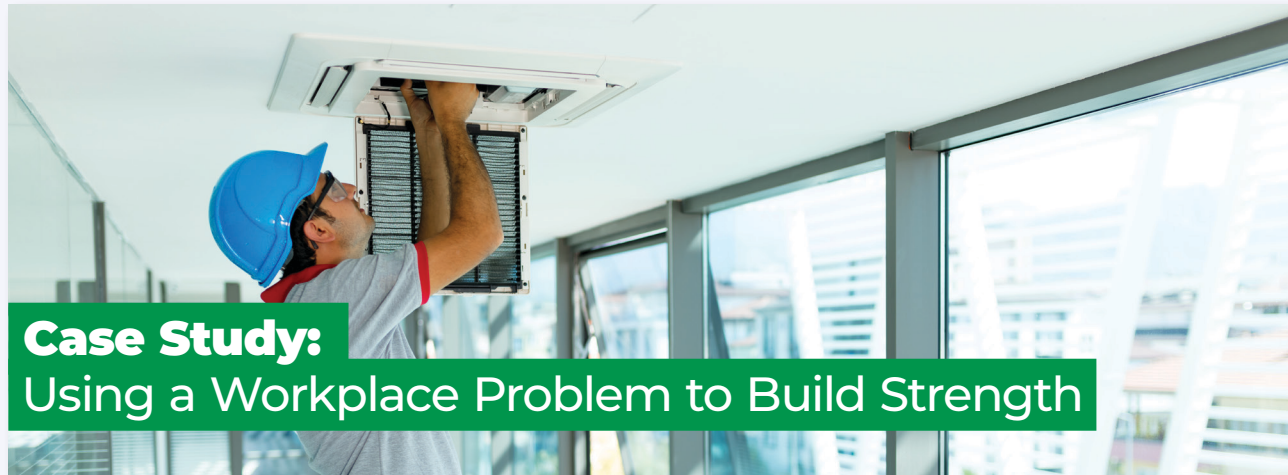
- Work with approximately 10 co-workers in your work area (fewer or more depending on the size of the department or worksite).
- Listen to members' concerns and problems and seek out their ideas to build our union.
- Sign up and involve members in union activities, especially in their immediate work areas.
- Work with local officers and MAT captains on tasks that help build a stronger union.
- Have regular one-on-one conversations with co-workers about important issues, collective actions and other union activities.
- Explain to co-workers why our union needs everyone involved and working together to solve problems.
- Help mobilize members when action is needed on an issue or workplace problem.
- Distribute union newsletters, flyers, surveys and other information.
- Support union goals, values and principles.

When locals implement this type of structure, one basic guideline to follow is this: MAT activists don't necessarily have to be stewards. But all stewards should be MAT captains or activists.

## Checklist for Choosing Issues

To be a good workplace issue to mobilize and activate members, the issue should:

- ✓ Be widely felt — it should affect a large number of people.
- ✓ Be deeply felt — workers want to do something about it.
- ✓ Be winnable — the members believe there is a good chance of winning, or that they have a good strategy to win.
- ✓ Be easy to understand.
- ✓ Be nondivisive — avoid issues that divide the membership and that might divide us from the public we serve.
- ✓ Build leadership and ownership — there should be many ways for members to be involved.
- ✓ Give members a sense of their power — by developing and carrying out a successful strategy.
- ✓ Have a clear time frame — ideally, a short time frame for resolution.
- ✓ Be worthwhile and result in real improvement in members' lives.
- ✓ Be consistent with our union's values.
- ✓ Alter the power relationship — activating members and winning victories changes the "balance of power" in the workplace.



## Case Study: Using a Workplace Problem to Build Strength

**Scenario:** During the summer, the central air-conditioning system in a city building ran continuously. Employees would come in from the summer heat to a building that was downright chilly. Workers were not comfortable. Many had to use sick leave. The steward filed a grievance, but nothing happened. The department head said it was beyond her control to fix.

**Taking Action:** Anger and frustration mounted, so the steward gathered employees and together they came up with a plan. First, they circulated a petition demanding the air conditioning be fixed. The steward and three other union members presented the petition to the department head. They sent a copy to the city manager.

Next, the employees made a small sign, photocopied it and posted it by their desks so members of the public could see it. The sign said: “We’re not giving you the cold shoulder, the building is.”

The employees talked about what else they could do. They considered an informational picket line but decided they wanted to take some other action first so everyone participated. One member procured green earmuffs. For three consecutive days, all employees wore the earmuffs while working. At the same time, the steward wrote to the city manager, demanding a meeting to discuss the air-conditioning. The steward had all employees in the department sign the letter. A representative committee delivered the letter in person to the city manager’s office.

The city manager did not meet with the employees. Instead, over the weekend, the air conditioning system was repaired.

By mobilizing members to take collective action, the steward not only got the workplace problem resolved, but also built a stronger, more active local union.

For more information and tools to use in creating a strategic action plan, see **Appendix D**.



## Signing Up and Activating New Members

Reach out to new employees. In nearly every instance, the first union activist a new employee sees is the steward. Right away you have a golden opportunity to “organize” the new worker — that is to ask the employee to sign a membership card, join our union, contribute to PEOPLE (see **Section 7, page 46-47**), and become involved in our union. Place a high priority on signing up new members, whether the employee is new on the job or the worker has been around for years but, for whatever reason, has not yet joined our union.

### ASK THEM TO JOIN

In surveys, the No. 1 reason workers give for not joining a union is, “No one ever asked me.” That problem is easy to fix — go out and ask co-workers to join our union.

## Bright Ideas | Organizing New Members



- Be a visible union presence on the job. A good first step is to wear your steward button at work every day.
- Greet new employees the first day on the job and ask them to join our union. The most effective new member orientation is one-on-one.
- Provide a “welcome kit” of union materials (see **Appendix B**).
- Talk about the importance of being a member of our union and answer any questions the employee has about our union or about the job.
- Offer a membership card and ask the employee to sign and join our union. Sign the employee up for PEOPLE at the same time (see **Section 7**).
- After signing up new members, keep in touch and ask them to participate in union activities and join union committees.
- Know the work area you represent — who’s in our union, who’s not, where they work, what shift, etc.
- Talk regularly with members and nonmembers — get to know them.
- If you do not have a central work location, go where your co-workers congregate (for example, pay centers or trainings).
- Provide union literature (e.g., newsletters) and materials about specific topics (e.g., health and safety, child care issues, privatization, etc.) so they can see the union’s efforts to resolve issues that affect them. Update your local union website so members can get current information online.
- On workplace issues that affect all employees, ask everyone, even nonmembers, to participate and become part of the solution.

SECTION  
04

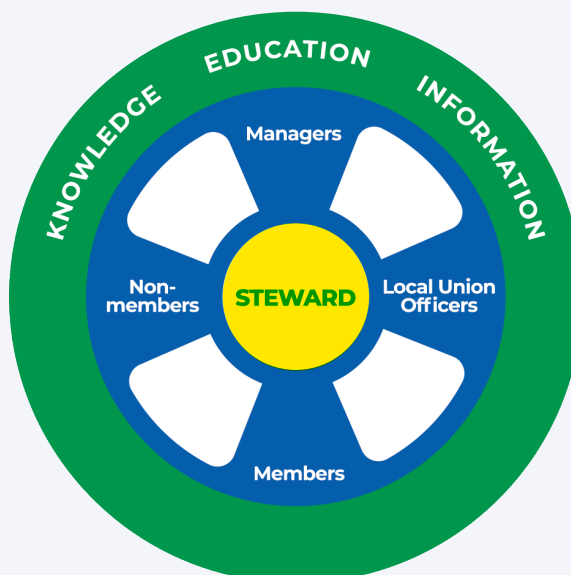
# The Steward as Communicator



A steward must be willing and able to communicate with co-workers, union leaders and designated management representatives.

## COMMUNICATIONS WHEEL

A steward should be able to present information clearly and factually. The steward is the hub of a communications wheel. Information is constantly transmitted back and forth along all the spokes of this wheel.



01  
02  
03  
04  
05  
06  
07  
08  
09  
10  
A  
B  
C  
D  
E  
F  
G

## One-on-One Communication

A steward's main communication work is performed during one-on-one or face-to-face meetings with members and co-workers. This is the most effective way to communicate and has several advantages over any other method. By communicating one-on-one, stewards can:

- Put a face on our union.
- Increase union visibility.
- Build relationships with union members, co-workers and others.
- Gain immediate feedback on issues.
- Learn about a worker's concerns and problems.
- Follow up with newly hired employees to ask them to join and become active in our union.
- Directly ask people to be involved in some specific way. Examples include coming to a meeting, serving on a committee, signing a petition, wearing a button or handing out leaflets, etc.

A strong, active union depends on a constant information flow upward and downward. Stewards are responsible for sharing information about meetings, the workplace and important issues with all members they are in contact with. Also, a steward must be sure to communicate the issues and concerns of the members to the leaders and officers of their local union.

It's important for stewards and all union leaders and activists to practice mindful and inclusive communication. Tips include:

- Practice empathy when listening to workers who discuss their experiences with you.
- Become familiar with terms used to discuss issues of equity.
- Use language that is inclusive of all social identities. Example: Using non-gender conforming pronouns for people who identify as gender-nonbinary, such as "they" instead of "he" or "she."
- Be aware of language differences in your workplace. Make sure the contract and other union materials are made accessible to non-English-speaking members.

A big part of communication is your ability to share knowledge and information in a way that helps workers understand how and why issues affect them. Informed and educated members become active members.



# What a Steward Should Know and Teach

## WORKPLACE ISSUES AND HOW THEY AFFECT EMPLOYEES

Stay informed on issues affecting AFSCME members by developing relationships with your co-workers, creating a Member Action Team (MAT) structure (see **Section 3, page 13**) and listening to employee concerns. You can also help keep members informed about issues affecting AFSCME members across the country by reading the latest news on the AFSCME Now blog ([www.afscme.org/blog](http://www.afscme.org/blog)), signing up for emails from our union, and by following AFSCME on social media accounts like Facebook, TikTok and Instagram.

Examples of such issues are outsourcing and contracting out, labor economics, and political and legislative issues. Share important information with co-workers through the MAT structure or one-to-one communication.

## THE CONTRACT

A contract contains the terms and conditions of employment for bargaining unit members. Those include, but are not limited to the wages, hours of work, leave, and ways to address health and safety issues at the workplace. The contract will contain a majority of the terms and conditions of employment, but always be sure to simultaneously check other applicable employer policies. That way, as a steward, you will be informed of all possible ways to resolve any issue.

## WORK RULES

These may be found in such documents as civil service rules, merit system rules, administrative codes or the policy and procedure manuals devised by management. Get to know them so you can ensure that management applies them fairly and equitably.

## UNION STRUCTURE

Know the names of the local's officers, stewards and MAT leaders; any committees in the local and the names of committee chairs; the date, time and place of membership meetings; the phone number of your local union office; member benefits; and services provided by your local, council and international union.

## UNION GOALS

Familiarize yourself with our union's objectives through campaigns like AFSCME Strong, which aims to grow our union through internal and external organizing and to increase the power of members to speak with one voice. Read AFSCME's Constitution, available at [AFSCME.org](http://AFSCME.org), to understand our mission and values as laid out in the preamble. And stay informed about local, council and national governing efforts, like elections and conventions.

- 01
- 02
- 03
- 04
- 05
- 06
- 07
- 08
- 09
- 10
- A
- B
- C
- D
- E
- F
- G

# The Steward as Representative



As an AFSCME steward, you are always representing our union as a whole in your daily conversations and actions.

In order to be an effective representative, stewards must know the grievance procedure, the rights of workers in the contract and under applicable laws, and the Seven Tests of Just Cause. In addition, the steward represents workers in informal problem-solving efforts and discussions with management.

---

## Grievance Handling

The negotiated contract is the steward's most important document. It contains the wages, hours, working conditions and rights of bargaining unit employees. But management sometimes forgets, misinterprets, ignores, or refuses to uphold what they agreed to at the bargaining table. To help address these management violations of employee rights, the contract contains a grievance procedure for addressing those violations.

As a result of the vicious attack on workers' rights in the public and private sectors, many AFSCME members operate outside the legal framework of collective bargaining. In those cases, enforcing the applicable Memorandums of Understanding, agreements or civil service rules are crucial to effective representation.

### MEMORANDUM OF UNDERSTANDING (MOU)/ MEMORANDUM OF AGREEMENT (MOA)

An MOU or MOA is a formal signed agreement between AFSCME members and their employers that outlines each party's requirements and responsibilities regarding wages, hours and other conditions of employment.

### CIVIL SERVICE RULES

An employee covered by civil service has certain job protections. Civil service statutes set ground rules for determining if a covered employee is disciplined or discharged for "just cause."

## Types of Grievances

There are four types of grievances that the union steward can file.

**Individual:** This is when a management violation of the contract (or MOU, MOA, or civil service rules) affects only one employee. Example: If Mary Adams was not allowed to take her afternoon 15-minute break, which was called for in the contract, our union could file a grievance on her behalf.

**Group:** In some cases, a management violation of the contract affects more than one person. Example: If Mary Adams, Nick Brown, Jasmine Carson and Jose Gonzalez were not allowed to take their afternoon 15-minute breaks, we could file a group grievance.

**Union:** Sometimes a contract or Memorandum of Understanding violation may affect the union as an institution. Example: If management failed to provide space for a union bulletin board required by the contract, a union grievance could be filed. Union grievances protect the right of our union to function as the certified employee representative. In some instances, management may violate the contract but employees may be unwilling or afraid to file a grievance. The steward has the option of filing a union grievance on behalf of the affected bargaining unit members.

**Class Action:** A class action grievance is one that is filed on behalf of a "class" of affected employees. The class may be as broad as the entire bargaining unit, or it may be narrower — e.g., a particular job classification, job title or shift or, for example, "all women in the bargaining unit." Example: If Office Assistant IIs were not given back pay after a reclassification of the position, a class action grievance could be filed for all employees with that job title.

## The Grievance Procedure

Grievance procedures contain a series of steps negotiated to address workplace issues. While contracts differ in the number and specifics of these steps, below you will find explanations of common steps found in grievance procedures in AFSCME contracts. It is crucial to meet the deadlines in your grievance procedure when following these steps.

**Step 1:** Typically, this is a meeting — with the immediate supervisor and the grievant participating — to discuss the problem. Sometimes this is an informal step that attempts to solve the workplace issue before a written grievance is presented to management. In some contracts, the written grievance is initiated at this step. Always refer to the contract to ensure that you are performing the correct grievance action at this and any other step.



**Steps 2 - 4:** If not submitted at Step 1, the written grievance is initiated at Step 2. When a grievance cannot be resolved at Step 1, it is put in writing. The written grievance can be appealed to progressively higher levels of the management structure in Steps 2-4. Those in the higher levels of management may include a department director, a division head and/or the agency administrator.

**Arbitration:** If the grievance is not resolved, the final step is the request for a hearing with a professional, neutral arbitrator whose decision is final and binding — depending upon the language in your specific contract. (See **Section 5**, page 34 for more information on arbitration.)

---

## Five-Step Approach to Grievance Handling

Nearly every workday, stewards hear complaints about something on the job. Part of your role is to determine whether the grievance procedure is the right course of action in response to complaints or issues, or whether another course of action makes more sense. To help determine whether or not these are legitimate grievances, there is a five-step formula that you can follow:

- 1 **Identification**
- 2 **Investigation**
- 3 **Documentation**
- 4 **Preparation**
- 5 **Presentation**

## Bright Ideas



### Using Grievances to Build Union Strength

- Enforce the contract when a management action, or inaction, violates the agreement.
- Interpret contract language when the union and management have differing views about the meaning of a particular section in the agreement.
- Improve the contract by revealing problem areas and deficiencies in the current agreement, which the union can address when it negotiates the next contract.
- Protect the rights of individual workers, groups of workers or the union itself.
- Organize nonmembers by publicizing victories that are won through the grievance procedure.
- Gain respect from management by showing that the union will not allow abuses or violations of the collective bargaining agreement or work rules.

## STEP 1 Identification

Know the definition of a grievance in your own contract or work rules. In addition to stating what a grievance is (for example, “any dispute over the interpretation or application of the agreement”), your contract may also include provisions that are excluded from resolution through the grievance procedure.

Armed with the knowledge of the contract, applicable work rules and workers’ legal rights, you should be able to answer the following questions:

### Did management violate any of the following?

- The contract, Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA)
- A work rule or regulation
- A policy or procedure
- Any federal, state, county or municipal law
- Any health and safety regulation
- Past practice (see page 24 for more on this topic)

### Did management’s action constitute unfair, disparate or unequal treatment of an employee or group of employees?

- Did management engage in or fail to prevent discrimination or harassment?
- Did management take unjust disciplinary action against an employee or group of employees? (See page 35 on discipline cases.)

If the answer to any of these questions is “yes,” there is a good chance that a grievance may exist.

## PAST PRACTICE

In general, a past practice is not covered in the contract but, over time, has come to be accepted as an employment condition. To cite “past practice,” these four elements must be present:

### A Clear and Consistent Course of Conduct

The practice has to be normal activity. A “past practice” is not a vague activity or an occasional lapse in the usual way of doing business.

### Activity Over a Reasonable Duration

The phrase “reasonable duration” is subjective and indefinite. Arbitrators decide — on a case-by-case basis — whether a practice has gone on “long enough” to be considered a condition of employment. One or two occurrences a year won’t be considered consistent over a reasonable duration. However, the same activity repeated once a week for five years might be.

### Full Knowledge

Both parties, management and our union, must know the practice exists. This does not have to be officially stated or recognized, but it does have to be verified.

### The Contract Is Silent or Ambiguous

When the contract is silent on the activity, the practice may be considered to be an implied term of the contract if all of the above elements are present. Where contract language is vague or ambiguous, it is implied that the two parties intended the activity to be covered by the contract. Arbitrators can look to the past practice to determine the intent of ambiguous or unclear contract terms.

In addition, our union must demonstrate that harm was done to affected employees by management’s changing the practice.



## An Example of Past Practice

**Scenario:** At a state hospital, the workday in the Grounds Department ends at 4:30 p.m. Every day at 4:15, the workers return to the building where the tools and equipment are kept. The supervisor’s office is also located there. The workers clean up before they punch out for the day and go home. Though there is no language in the contract covering “wash-up time,” this practice has continued for as long as anyone can remember.

**Conclusion:** All four past practice elements are in place — consistent activity, lengthy duration, knowledge of the parties and a silent contract. Should management decide to change the practice, the union would have solid grounds for filing a grievance based on past practice.

### Warnings About “Management Rights”

- Sometimes management will cite the “management rights” section of the contract to justify an action — when, in fact, management is violating another article of the contract.
- While management may have the right to establish policies, those policies cannot contradict the contract.
- Management must implement its policies, procedures and work rules in a fair and equal manner.

### STEP 2 Investigation

Investigation begins with talking to people, often several people. The gathering of information about the potential grievance is what can either make or break the case for the grievant and our union.

A thorough investigation should include:

- A clear conversation with the affected employee that includes questions beginning with the 5 Ws (who, what, when, where, why).
- Any witnesses who might have seen or heard anything related to the event. Interview witnesses separately — this helps gather information and sort out inconsistencies. Don’t settle for hearsay information. If someone says to you, “Harry told me ...,” go talk to Harry.

- The supervisor involved in the event. By meeting informally with the supervisor, you can sometimes learn helpful information and you may find a way of resolving the problem without having to file a grievance. Before talking to a supervisor, always let the employee know you are going to do that.

### ASKING THE RIGHT QUESTIONS

Start by posing the same basic questions — known as the “5 Ws” — to each person you talk to.

- **WHO was involved?**  
Names of people involved in event, including witnesses.
- **WHAT happened?**  
Description of the event.
- **WHERE did it happen?**  
Location of the event.
- **WHEN did it happen?**  
Date and time the event occurred.
- **WHY is this a grievance?**  
Contract sections being violated.

Use the “AFSCME Grievance Fact Sheet” (Appendix C, page 67) to make sure each of these questions is asked and answered.

### REMEMBER

- Listen carefully to what each person has to say.
- Take notes during or after each conversation. Review these notes to make sure the information is accurate and complete.
- Follow up to verify information; fill in gaps and clear up discrepancies.

### WHAT IF THERE IS NO GRIEVANCE

Not every employee issue is a legitimate grievance. After conducting a thorough investigation and consulting with other stewards and local officers, you may conclude that management has not violated the contract, work rules, policies, past practice, etc., or done anything that falls within the definition of a grievance.

## Bright Ideas



### What to Do if It's Not a Grievance

- Inform the worker of your conclusion in a face-to-face conversation.
- Provide the employee with the opportunity to explain why they think a grievance should be filed — based on the contract or work rules or other criteria for filing a grievance.
- Even in cases where it might not be appropriate or effective to file a grievance, it is likely that a problem still exists. Talk with other stewards and employees to see if a broader problem exists.
- Hold an informal meeting with management and the affected employee(s) to see if a resolution is possible.
- Work with a group of members to develop an action plan to solve the problem outside of the grievance procedure (see **Appendix D**).



## STEP 3 Documentation

Documentation means collecting the evidence — mostly on paper — that will support your grievance case. Collect as much information as you can; you can never be sure which piece of evidence will turn the case in your favor.

Documentation — the “physical evidence” you collect — can and will be used to verify the information you learned from each of the people you talked to during your investigation.



## Bright Ideas | Collection of Evidence



- Research the contract, work rules, policies, procedures, etc., to determine which of these — and what sections or rules — management violated.
- Be sure to check the employee's official personnel file, which contains a wealth of information — e.g., date of hire, evaluations, promotions, transfers, leave use, past disciplinary actions, letters of recommendation, etc.
- Gather evidence from any and all sources and collect whatever you think may have a bearing on the case. Remember that it is better to have something and not need it than to need something and not have it.
- Make copies of any needed documents.
- Evidence may be something other than a document. A faulty piece of safety equipment or a photograph of where the event occurred could be part of your case.

## INFORMATION REQUESTS

The National Labor Relations Act (NLRA) and most state collective bargaining laws covering public-sector workers grant the union the right to information maintained by the employer that concerns a grievance or potential grievance.

Make your information requests in writing and include a date by which you would like a response. The union can make additional information requests based on material gained from the first request. Failure by management to supply information that is relevant to a grievance may be grounds for unfair labor practice charges.

### Examples of information you can request are:

- attendance records
- Material Safety Data Sheet
- correspondence (MSDS)
- discipline records
- payroll records
- equipment specifications
- performance evaluations
- inspection records
- personnel files
- job assignment records
- photographs
- job descriptions
- seniority lists
- management memos
- supervisor's notes

## Sample Information:

### Request Letter

To: Stephanie Watson, Human Resources Manager

From: Pat Bell, Union Steward

Re: Grievance of Gail Webb Regarding Overtime

To prepare for Gail Webb's grievance, I request the following information:

1. Gail Webb's personnel file and job description.
2. A current seniority list for the bargaining unit and for Gail's department. I would like the job classification listed for each employee.
3. A list of all overtime assignments made in the past six months. For each assignment I would like the name of the employee and the amount of overtime worked.

Please respond to this request by \_\_\_\_\_ (date).

Sincerely,

Pat Bell

## STEP 4 Preparation

Preparation is the key to success in most things we do. Grievance handling is no exception. The outcome of a grievance depends on how well the steward prepares ahead of time. You do yourself and the grievant a disservice when you do not carefully, thoroughly prepare the case for presentation to management and/or an arbitrator in a professional, orderly and understandable manner.



### Bright Ideas | Preparation



- Review all your evidence; fill in any gaps you discover.
- Determine the importance and relevance of each fact and piece of information.
- Distinguish between allegations and opinions on the one hand and facts on the other. (Example: Allegation — “Sarah gets most of the overtime.” Fact — “Sarah worked overtime on the 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup> and 28<sup>th</sup> of last month for a total of 16 hours.”)
- Research the local’s grievance file for any past grievances on similar situations.
- Discuss the grievance with other stewards or officers to gain their insights on the case.
- Write the grievance (see **next page** for pointers on writing a grievance).
- Prepare the grievant for the grievance meeting with management; remember, the grievant may have never filed a grievance before and will not know what to expect in a grievance meeting. Describe the setting, who will be there, and how the grievance will be presented. Review with the grievant what they will and will not say during the meeting. Some stewards role-play the hearing with the grievant.
- Anticipate management’s arguments, questions and point of view; know how you and the grievant will respond to each of these.



## WRITING THE GRIEVANCE

Many AFSCME locals have an official grievance form that should be used when filing a written grievance. If your local does not have its own form or one provided by the employer, you can use the standard “Official Grievance Form,” Appendix C.

**All grievance forms contain four main sections that ask for:**

1. Basic information about the grievant: name, job title or classification, department, work location, etc.
2. Information about what happened, or failed to happen, that brought about the grievance.
3. A description of what contract provision, work rule, past practice, etc., that management has violated.
4. A requested remedy for the grievant.

## Bright Ideas | Writing a Grievance



- State the grievance in a concise description of the basic facts and information.
- Don't include statements of personal opinion.
- Don't include your evidence or arguments in the case — save those for when you meet with management.
- List any and all management violations of the contract, work rules, etc., that apply. Cite every contract provision that the grievance is based on. Be careful to not reveal too much in detail about your case. After you list specific contract articles, you should include a phrase such as “and all other applicable sections of the contract.” This allows the chance to expand your arguments should additional details become known at a later time or if you failed to cite all relevant articles in the contract.
- Clearly state the desired remedy — exactly what the grievant and/or our union want as a solution to the problem. Make sure you ask the grievant what they want before writing the remedy.
- When appropriate, conclude the remedy by asking that the grievant be “made whole” (see **Section 9, page 58**).
- Complete the grievance form with the knowledge and assistance of the grievant. Have the grievant sign the grievance form.
- Make a copy of the grievance form before submitting it to management and add it to your file on the grievance.

## Two Examples of How to Write a Grievance

Each example shows a poorly written grievance followed by a much better version.

### Example 1:

#### Change in Starting Time Results in a Reprimand

##### ✘ POORLY WRITTEN

###### Statement of the Grievance

Without even talking to our union about it, management decided to change the starting time of the morning shift. Changing the start time for the morning shift by 45 minutes wreaked havoc on the lives of everyone, and John Wright received a written reprimand for having to leave early to pick up his school-age children, who he always picked up after his shift. Management never listens to our union and they can't just go around doing whatever they want. This is unfair for all workers on these two shifts.

###### Remedy

That management stop pulling stunts like this and start following the contract.

##### ✔ MUCH BETTER

###### Statement of the Grievance

On Oct. 30, management changed the start time of the morning shift without notice to the employees and the union. This change in the morning shift start time caused Mr. John Wright to receive a written reprimand. This action violates Article VII (Hours of Work), Article XIV (Definition of Shifts) and violates Just Cause and any other relevant articles of the contract.

###### Remedy

That management immediately return to the schedule described in the contract. That the reprimand Mr. Wright unjustly received be rescinded and removed from his personnel records. That Mr. Wright be made whole.

## How to Write a Grievance (continued)

### Example 2: Personal Leave

#### ✘ POORLY WRITTEN

##### Statement of the Grievance

Last week Tamara Roberts had to stay home and take care of her child who was sick. Tamara's babysitter was sick that day and she couldn't find someone on such short notice. Her husband was out of town so he couldn't help. So she asked for personal leave because the contract says you can use personal leave for emergencies. But Mike Carr, her supervisor, told her she couldn't have personal leave. He gave her an unexcused absence. He said everyone should have backups in place in case this kind of thing happens.

##### Remedy

All the employees in the department from all the seven work locations should be gathered together for a meeting and Mike Carr should have to apologize publicly to Tamara and promise to never do something like this again. Tamara should get her day back.

#### ✔ MUCH BETTER

##### Statement of the Grievance

Tamara Roberts was improperly denied personal leave for May 18. This action violates Article XIII (Personal Leave) and any other relevant contract provisions.

##### Remedy

That Tamara Roberts be granted a personal leave day for May 18 and her unexcused absence be expunged, and that she be made whole.

## STEP 5 Presentation

Before meeting with management, prepare an outline for your case.

This helps organize the presentation you will make to management. It can also help you define exactly what you want to accomplish in the meeting. A grievance presentation is another opportunity to put a face on our union and build union power. It is always helpful to practice your verbal presentation before you make it.

**REMEMBER:** In a grievance meeting, you are on equal ground with management. It is no longer boss and employee. Carry yourself and present yourself as management's equal in the meeting. Treat the supervisor with respect, and expect and insist upon respect in return.

### Bright Ideas | Grievance Presentation



- Be positive. Use a friendly down-to-business approach, without making threats. Avoid bluffing your way through a grievance.
- Stick to the subject of the grievance; don't allow the discussion to be sidetracked on other issues, past problems or irrelevant topics.
- Focus on the issues, not the person or personalities.
- Remain calm, cool and collected. Avoid being angry, belligerent or hostile.
- Keep notes of what is said during the meeting.
- Listen for the main point of management's argument and for possible openings to resolve the grievance. Don't argue with the grievant during the meeting; if need be, ask for a caucus and step outside the room to iron out differences and clear up any confusion.
- Resolve each grievance at the lowest possible step. Remember your objective: a fair settlement at the lowest possible level. If management is not willing to fairly resolve the case, be prepared to appeal to the next step. Don't swap one grievance for another, meaning where the union wins one, management wins one. Each case must be decided on its merits.
- Give your understanding of what, if any, resolution was reached or what will happen next after the conclusion of the meeting. This helps avoid misunderstandings later.
- Get every grievance settlement in writing. Make sure that management's verbal assurances are documented.



---

## Grievance Procedure Time Limits

Every grievance procedure contains specific time limits for each step of the process. There are time limits to file the grievance at the first step, time limits for management to hear the case and respond, and time limits for our union to appeal.

**Know the time limits.** If our union fails to file or appeal a grievance within the specified time limits, it is grounds for the grievance to be dismissed. **Appendix C** contains a chart you can fill out to keep track of the time limits in your local's grievance procedure.

**Time limit extensions.** Sometimes you may want to extend time limits for various reasons (e.g., gathering additional evidence, needing more preparation time). To extend the time limits, management must agree to the request. Sometimes management wants to extend the time limits; in that case, our union would need

to agree to that request. If you ever wish to extend time limits, get the agreement in writing, signed by the steward and the management representative. You can also extend the time limits if it is agreed upon and confirmed by all parties, both union and management, in an email exchange. But do not miss a deadline because you hope for an extension. Make sure the grievance is filed in a timely manner.

### Keep the Grievant in the Loop

Throughout the process, keep the grievant updated on the status of the grievance, the date of the next meeting or when the appeal is due back from management, and any discussions that occur concerning the grievance. The employee should never be left in the dark about their grievance.

---

## Arbitration

In many grievance procedures, the final step is arbitration. This step is negotiated in the contract; it is not automatic. Our union must formally appeal a grievance to the arbitration step.

A professional arbitrator hears the grievance. It is the most “legalistic” and formal of all the steps. The arbitrator is selected jointly by our union and management following procedures contained in the contract. The arbitrator is selected from an outside group, such as the American Arbitration Association, the Federal Mediation and Conciliation Service or a similar panel created by the state. This, too, is specified in the contract.

### Pros and Cons of Arbitration

**PRO** The grievance is heard by a third party.

**CON** Usually a long period of time passes before the case is heard and decided. It is not a quick process.

---

**PRO** The decision is no longer made by someone in management.

**CON** Lower steps in the process tend to become a “going-through-the-motions” formality where little effort is made to resolve the problem.

---

**PRO** The decision is final and binding (if this is called for in the contract) and both parties must adhere to the decision.

**CON** When making decisions, arbitrators often offer compromise solutions, so even if you win, you might not be satisfied with the decision. It is sometimes better to negotiate a compromise that everyone can live with.

**PRO** The decision can establish a precedent so our union doesn't have to file grievances again and again over the same issue.

**CON** Arbitration decisions can set a permanent, bad precedent for our union in "gray areas" of the contract.

**PRO** By appealing grievances to arbitration, our union can gain respect from management by showing we will fight hard to defend employees' rights.

**CON** It costs money to take a case to arbitration. In addition to other costs, arbitrators charge a fee for their services. In most contracts, our union splits those costs with the employer.

## Discipline Cases

Discipline is a formal penalty imposed by management. It can include verbal counseling, written reprimands, suspensions without pay, demotions, forced transfers and, finally, termination. Note that not all contracts permit all of these actions to be taken as discipline.

Management usually cites one of two reasons for taking disciplinary action: 1) it believes the employee is guilty of misconduct — that is, not following legitimate management orders, rules or policies; or 2) it believes the employee is failing to perform job functions to the standards of the workplace.

The general theory of discipline is that it should not be punitive but corrective — that is, designed to correct behavior with

the goal of encouraging employees to carry out their assigned job duties. This is often referred to as "progressive discipline."

First and foremost, stewards must know the procedure for appealing a discipline case. This is found in the contract. Often the process differs from that used for other grievances (e.g., there may be a pre-disciplinary hearing called for in the contract or you may file discipline grievances, not at the first step, but at a higher step).

Management has the burden of proof in discipline cases.

## The Seven Tests of Just Cause

The basic underlying principle in discipline cases is that management must have “just cause” for imposing the disciplinary action. Many contracts state that discipline will only be given “for cause” or “for just cause.”

A common test for determining whether just cause exists was developed by arbitrator Carroll Daugherty in a 1966 case. This standard has come to be known as the “Seven Tests of Just Cause.” To meet the standard, management must be able to answer “yes” to a number of the following seven questions.

1. Was the employee adequately warned of the probable consequences of his/her conduct?
2. Was the employer’s rule or order reasonably related to the efficient and safe operation of the job function?
3. Did management investigate before administering the discipline?
4. Was management’s investigation fair and objective?
5. Did the investigation produce substantial evidence or proof that the employee was guilty of the offense?
6. Has the employer applied its rules, orders and penalties evenly and without discrimination?
7. Was the amount of discipline reasonably related to the seriousness of the offense and the employee’s past service and record? Did the “punishment fit the crime?”

A “no” answer to one or more of the questions indicates management’s action could be arbitrary, capricious and/or discriminatory in one or more respects. Our union can argue that management did not have just cause to take the disciplinary action.

The best tip is to use the “seven tests” as an outline. Did the employer meet the seven tests? Remember that if an employer fails one of the seven tests, we don’t automatically win, but proving they failed one or more steps helps immensely.

## Progressive Discipline

Discipline is normally viewed as a progressive process, especially where the issue is failure to perform the assigned job. This means that for the first offense in a given subject (attendance, for example), the discipline will be mild (e.g., verbal counseling or a written reprimand); for subsequent offenses on the same subject the discipline will become progressively more severe (e.g., a short suspension, a longer suspension, termination). The intent of progressive discipline is to provide the employee the opportunity to improve performance or correct unacceptable behavior. If management does not follow progressive discipline, our union may make this failure part of its grievance case.

The major exceptions to the concept of progressive discipline are those instances where an employee’s conduct is so severe or unacceptable that management feels justified in immediately terminating the employee. Examples would be theft, drug or alcohol use on the job, or threatening or using physical violence.

## Obey Now, Grieve Later

A general rule that arbitrators apply is that workers are expected to follow management's instructions and directives. If the worker believes the instruction to be unfair or a violation of the contract, they can file a grievance at a later time. Arbitrators customarily hold that failure to follow management directions can lead to the employee being charged with — and disciplined for — insubordination.

There are two recognized exceptions to the “obey now, grieve later” principle. Employees may refuse a supervisor's order when they believe that following the order would either 1) result in them doing something illegal; or 2) put them or others in “imminent danger” of jeopardizing their health and safety. Of course, if management takes disciplinary action after such a refusal, the employee must prove that their belief about the unsafe condition was justified.

## Insubordination

Insubordination is refusing or failing to carry out a direct order. To claim that a worker was insubordinate, management must 1) issue a direct order, and 2) make the worker aware of the consequence of not following the order.



01

02

03

04

05

06

07

08

09

10

A

B

C

D

E

F

G



# It's the Law



Several federal laws and Supreme Court decisions have a direct impact on the work of the union steward.

State laws and regulations are not covered in this section; make sure you are aware of any that may apply during investigatory meetings. Here is an overview of the most relevant federal laws and Supreme Court decisions that affect most members. In addition, **Section 10: Resources** (pages 61-62), contains information on publications about these subjects.

## Weingarten Rights

In the 1975 case, *NLRB v. J. Weingarten Inc.*, the U.S. Supreme Court declared that unionized employees (in the private sector) have the right to have a steward present during an investigatory meeting with management when the employee believes the meeting might lead to disciplinary action being taken against him/her. According to the court, the right flows from the National

Labor Relations Act's §7's guarantee of the right of employees to act "in concert for mutual aid and protection." Denial of this right violates NLRA §8(a)(1). While this case applies to workers in the private sector, most public employees have similar rights, and the rules vary from state to state, so check your state's labor laws.

Weingarten rights apply during investigatory interviews when a supervisor questions an employee to obtain information that could be used as grounds for discipline. When an employee believes such a meeting may lead to discipline, they have the right to request union representation. These basic Weingarten rights stem from the Supreme Court’s decision:

1. The employee must request representation before or during the meeting.
2. After an employee makes the request, the supervisor has these choices:
  - grant the request and wait for a union representative’s arrival;
  - deny the request and end the meeting immediately; or
  - give the employee the choice of either ending the meeting or continuing without representation.
3. If the supervisor denies the request and continues to ask questions, no discipline may be issued against the the employee and the supervisor is committing an unfair labor practice.

## Employee Rights in “Weingarten” Meetings

Beware that management is not obligated to inform employees of their Weingarten rights — employees must ask for them. Unlike Miranda rights — where police are required to tell a suspect of his/her right to an attorney, etc. — employees must ask for their Weingarten rights.

Some locals provide members with a wallet-sized card they can keep with them. If they find themselves in a meeting they believe may lead to discipline, they can read or hand the card to the supervisor.

### Sample: Weingarten Card

If the discussion in this meeting could in any way lead to my being disciplined or terminated or impact on my personal working conditions, I request that my steward, local officer or union representative be present. Without union representation, I choose not to answer any further questions at this time. This is my right under a Supreme Court decision called Weingarten (or cite a state law).

## Bright Ideas

### Steward Rights in “Weingarten” Meetings

- Ask to be informed of the purpose of the meeting.
- Meet with the employee before the supervisor begins questioning the employee.
- If necessary, request clarification of a question before the employee responds.
- Offer advice to the employee on how to answer a question.
- Provide additional information to the supervisor after the meeting is over.

If called into a “Weingarten” meeting, you should also: 1) take detailed notes on the questions asked and the answers given during the meeting; and 2) help the employee remain

calm during the meeting and remind the employee to keep answers short and truthful and not volunteer additional information.

## The Duty of Fair Representation

When a union wins a representation election, it gains a special status — it is certified as the exclusive representative of all employees in the bargaining unit. A union has the authority to negotiate and administer the contract and address issues concerning the terms and conditions of employment. With this status comes a responsibility known as the Duty of Fair Representation (DFR). This duty is not found in a particular law or statute; rather, it is the result of several court decisions that were handed down over the years. Simply put, our union has the duty to fairly represent all employees in the bargaining unit, regardless of whether they are members or nonmembers. It is not only our legal responsibility; it is also the smart thing to do. Filing a grievance when our contract is violated helps maintain a stronger contract for all employees, members and nonmembers alike, so we don't want to fail to pursue a grievance just because it is requested by a nonmember. Also, while representing nonmembers, stewards are often able to get the employee to join our union, making our union even stronger.

To meet the DFR responsibility, follow this principle: investigate, file and process your grievance cases based on the merits of the grievance, not the merits of the grievant. There cannot be any discrimination, obvious negligence or an arbitrary decision to drop the case on the part of our union. On the other hand, our union has no obligation to take up frivolous grievances that have no merit.

## Bright Ideas



### Representation Responsibilities

- Fully investigate possible grievances to determine if they have merit.
- Follow the time limits in your contract's grievance procedure.
- Keep accurate, written records of each grievance.
- Be a strong advocate for all members of the bargaining unit throughout the grievance procedure.
- Keep the employee informed about the status of the grievance at all steps of the process.
- Always allow the grievant to submit additional evidence or data.
- If our union decides to drop a grievance for lack of merit or other reason, notify the grievant as soon as possible — in writing.
- Locals or councils, whichever is the certified representative, should have an internal appeals process. Notify the grievant, in writing, about this process and how to appeal our union's decision not to pursue the grievance.

## The Americans with Disabilities Act (ADA)

Passed into law in 1990, the ADA prohibits employment discrimination against a qualified individual who, with or without a reasonable accommodation, can perform the essential functions of a job they hold or want. An employer does not have to provide accommodation if doing so would impose an undue hardship on the employer's operation.

Reasonable accommodation means making modifications or adjustments to a job application process or work environment that makes it readily accessible and usable to people with disabilities. Examples would be modifying schedules, buying new equipment, altering a worksite, etc.

Undue hardship means a significant difficulty or expense that would be unduly disruptive to the employer. Considerations include the nature and cost of the accommodation, the size and financial resources of the employer, etc. Employers must go through an interactive process with the employee and, possibly, the employees' physicians before reaching a conclusion as to appropriate accommodations. Stewards can be helpful in this process.

### A person with a disability is anyone who:

- Has a physical or mental impairment that substantially limits at least one major life activity (such as walking, talking, seeing, hearing, learning, breathing, working and performing manual tasks such as reaching, standing and lifting);
- Has a history of, or has recovered from, such an impairment (such as cancer or emotional illness); and/or

- Is perceived as having an impairment (such as a facial disfigurement or the mistaken belief that a person is HIV positive or is a person with AIDS).

Users of illegal drugs are not protected. However, individuals who are enrolled in or who have completed drug or alcohol rehabilitation programs are protected.

When AFSCME schedules any type of event, it qualifies as a public accommodation situation. Therefore, the ADA requires that all AFSCME services, programs and activities are accessible to members with disabilities.

The **ADA Amendments Act of 2008 (ADAAA)** was enacted Sept. 25, 2008, and became effective on Jan. 1, 2009. New regulations implementing changes to the ADA took effect May 24, 2011. The U.S. Equal Employment Opportunity Commission's (EEOC) revised Title I regulations "are designed to simplify the determination of who has a disability and make it easier for people to establish that they are protected by the ADA."

While the definition of disability remains the same — a physical or mental impairment that substantially limits a major life activity — the EEOC added a non-exhaustive list of certain conditions. These conditions still require individual assessments but will "virtually always" constitute disabilities. Individual assessments are still necessary but should demand less analysis. "The term 'substantially limits' shall be interpreted and applied to require a degree of functional limitation that is lower than the standard for 'substantially limits' applied prior to the ADA."



**What stewards can do:**

- Protect the rights of AFSCME members who have disabilities.
- Provide representation for a member who is seeking a reasonable accommodation from management.
- Educate bargaining unit members and management about the rights of workers with disabilities.
- Assist members if they wish to file a discrimination complaint with the EEOC or a similar state agency.
- Make sure all AFSCME events and meetings are accessible to members with disabilities.

**For more information:**

Contact AFSCME's Department of Research and Collective Bargaining Services at (202) 429-1215.

---

## The Family and Medical Leave Act (FMLA)

Enacted in 1993, the FMLA sets a minimum standard for providing job-protected leave for those employees who need time off to care for their families or themselves.

Note: State laws or negotiated contracts may provide additional or superior benefits.

The FMLA provides eligible employees with up to 12 weeks of unpaid leave per year for any of the following:

- Caring for a spouse, parent or child with a serious health condition;
  - Caring for a newborn, adopted or foster child;
  - The employee's own serious health condition; or
  - To help with "qualifying exigency" or need arising from the deployment of a service member in the family.
- As of September 2012, the FMLA permits a spouse, child, parent or next of kin to take up to 26 weeks of leave to care for a service member recovering from a serious injury or illness suffered in the line of active military duty.
- The FMLA only applies to employers that meet certain criteria.
- A covered employer is a:**
- Private-sector employer, with 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including a joint employer or successor in interest to a covered employer;
  - Public agency, including a local, state or federal government agency, regardless of the number of employees it employs; or
  - Public or private elementary or secondary school, regardless of the number of employees it employs.

### An eligible employee is one who:

- Works for a covered employer;
- Has worked for the employer for at least 12 months (not necessarily consecutive);
- Has worked at least 1,250 hours (an average of 25 hours per week) for the past 12 months; and
- Works at a location where the employer has at least 50 employees in a 75-mile radius (each state, county, city and school district is considered an employer under FMLA guidelines).

### The FMLA also:

- Requires the employer to maintain health benefits during FMLA leave;
- Guarantees that employees can return to the same or equivalent position following FMLA leave;
- Allows employers to require employees to use vacation or sick leave for all or part of the 12-week FMLA entitlement; and
- Is enforced by the U.S. Department of Labor, Wage and Hour Division.

### What stewards can do:

- Educate bargaining unit members about their rights under FMLA;
- Discuss the issue at labor/management meetings to ensure that management knows its obligations under FMLA;
- Represent members — in the formal grievance procedure or in informal efforts — to gain FMLA leave for which they are entitled; and
- Assist members in filing complaints with the Wage and Hour Division of the Department of Labor if they are denied a valid leave request.

### For more information:

Contact AFSCME’s Department of Research and Collective Bargaining Services at (202) 429-1215. For more information, access the Department of Labor’s web page at [dol.gov](http://dol.gov). This site has links to Wage and Hour Division offices and phone numbers around the country, and more information on the FMLA.

## The Occupational Safety and Health Administration (OSHA)

In 1971, OSHA was created by the passage of the Occupational Safety and Health Act. OSHA provides workplace health and safety protections to private-sector workers. At present, AFSCME members in 27 states (AK, AZ, CA, HI, IN, IA, IL, KY, MD, MA, MI, MN, NV, NM, NC, OR, SC, TN, UT, VT, VA, WA, WI, WY, CT, NJ, NY), Puerto Rico and the Virgin Islands are covered by OSHA-approved state plans. Several states without OSHA coverage have state safety and health laws. In other instances, AFSCME negotiated contract language requiring employers to comply with federal OSHA standards.

While protections may vary from state to state, federal OSHA regulations and state programs have several common elements:

- Standards for protection against safety hazards, noise, chemicals and radiation;
- Enforcement of those standards by state health and safety inspectors;
- Employees' right to request an inspection if they think health or safety hazards are present at the workplace;
- The right to have a union representative accompany the inspector and be informed of the results of an inspection;
- Protection against discrimination for exercising these rights under OSHA; and
- Access to information for unions and individual workers on injuries, chemicals in the workplace and medical exam reports.

### What stewards can do:

- When a health or safety hazard is discovered or reported, immediately inform management and request that the problem be corrected.
- Report any health or safety issues to the local's health and safety committee.
- Educate workers about health or safety hazards.
- File any appropriate grievances or complaints to correct health and safety problems and hold management accountable to its commitments.
- File a workers compensation claim if any workers are injured or were exposed to harmful chemicals.
- Become familiar with your state's safety and health laws.
- Survey members to see if they have any health and safety concerns in their work areas.
- Review any safety and health contract language in your collective bargaining agreement (you can only grieve what you have language for).

### For more information:

Contact AFSCME's Department of Research and Collective Bargaining Services at (202) 429-1215.

## Sexual Harassment

The U.S. Supreme Court has ruled that sexual harassment is illegal sex discrimination covered by Title VII of the Civil Rights Act. Sexual harassment subjects an employee to adverse working conditions that have nothing to do with job performance. Management is legally responsible for the actions of its employees if it knew or should have known of the problem and did nothing to stop it. The victim, as well as the harasser, may be of any gender; the victim and harasser do not have to be of a different gender.

Sexual harassment is any unwelcome sexual advance, request for sexual favors or other conduct of a sexual nature when:

- Submission to the conduct is either an explicit or implicit term of employment;
- Submission to or rejection of the conduct becomes the basis for employment decisions; or
- The conduct interferes with an employee's work performance or creates a work environment that is intimidating, hostile or offensive.

### What stewards can do:

- If a member raises a sexual harassment complaint, stewards should immediately investigate all of the facts and follow the policies of the local, council and employer. If there is a complaint between two members, steps should be taken to make sure a proper investigation protects everyone's rights under the contract.
- Report the harassment allegation to management or the employer's EEOC designee.
- Educate co-workers about sexual harassment;
- Take necessary actions to ensure that sexual harassment will not be tolerated;
- Discuss the issue at labor/management meetings;
- When sexual harassment does occur, act to protect members by offering support and investigating and processing appropriate grievances;
- Assist members if they wish to file a complaint with the EEOC.

01

02

03

04

05

06

07

08

09

10

A

B

C

D

E

F

G



# Building PEOPLE Power



PEOPLE stands for Public Employees Organized to Promote Legislative Equality.

It is our union's political action committee, funded entirely by members' voluntary contributions. Because federal election law and some state laws prohibit using union dues for campaign contributions, AFSCME members joined together and created PEOPLE to help fight for working families.

With PEOPLE power, we make our voices heard on issues that affect workers at every level of government, from the school board to the city council, from the state legislature to the U.S. Congress. PEOPLE helps elect candidates and promote causes that support working families. We win victories on matters important to AFSCME members, such as legislation affecting working conditions for public service employees. Member contributions pay for everything a campaign needs to be successful, from phone banks to flyers, from rally signs to media campaigns.

Public service employees are affected by politics more than any other group of workers. As public service workers, AFSCME members are in a unique position to elect their bosses and PEOPLE enables our union to be strong politically as well as enact legislative programs that protect the vital services we provide to our communities. By contributing to AFSCME PEOPLE, you can be involved and have a direct impact on the political process and elect the people who represent you.

New employee outreach events and worksites have proven to be the optimal places to recruit PEOPLE contributors. As the first point of contact at the worksite, stewards are the best ambassadors of the PEOPLE program, with the unique ability to relate to on-the-job issues. Recruiting for PEOPLE is a crucial part of your role as an

AFSCME steward. However, some state and local laws restrict when and where public employees may make political solicitations, so be sure you are familiar with any restrictions that may apply.

Below are a few things you need to know in order to recruit more PEOPLE contributors.

## PEOPLE Sign-up Is Easy

- Payroll deduction — easiest and most reliable!
- Credit card, debit, bank account — monthly recurring contributions.
- Cash, check or money order.
- Sign up on our PEOPLE website using your phone’s camera.



Please check with your local union leadership to determine which method makes sense for your local, to get the appropriate forms and to find out where to submit your new sign-ups.

### Who Can Give

AFSCME PEOPLE can only accept contributions from AFSCME members, AFSCME staff, retirees and their families.

### How can stewards help grow the PEOPLE Program?

- Keep a list and let members know about legislative and political victories and explain that PEOPLE makes those victories possible.
- Ask new employees to join PEOPLE at the same time they join our union
- Always keep PEOPLE sign-up cards on hand and be ready to answer questions about the program.
- Host lunch-and-learn programs and “AFSCME Days” to promote and encourage new MVP sign-ups.
- Do not be afraid of rejection. You’re going to be impressed by the number of members willing to sign up.

Contact AFSCME PEOPLE at (202) 429-1176 or send an email to: [people@afscme.org](mailto:people@afscme.org) for more information or assistance.

# All About AFSCME



AFSCME members live and work in nearly every state from coast to coast, including Alaska and Hawaii, the District of Columbia and Puerto Rico.

AFSCME members provide the vital services that make America happen. We are librarians, nurses, corrections officers, child care providers, emergency medical technicians, sanitation workers and more. We work in the public and private sectors. With members in hundreds of different occupations, AFSCME advocates for fairness in the workplace, excellence in public services, and prosperity and opportunity for all working families.

AFSCME is a union composed of a diverse group of people who share a common commitment to public service. For us, serving the public is not just a job, it's a calling. An important part of our mission is to advocate for the vital services that keep our families safe and make our communities strong. We also advocate for prosperity and opportunity for all of America's working families. We not only stand for fairness at the bargaining table — we also fight for fairness in our communities and in the halls of government.

Our national union, based in Washington, D.C., coordinates our union's actions on major national issues such as privatization, fair taxes and health care. Our national union also provides resources to councils and local unions for organizing, bargaining, political action and education, and administers members-only benefits. Every two years, delegates to AFSCME's International Convention decide our union's basic policies. Every four years, they elect our national union's president, secretary-treasurer and more than 30 regional vice presidents.



## AFSCME Councils

Most states have one or more councils or district councils. Some councils represent only state workers in that particular state; some councils represent only city and county workers in a state; and in some states, one council represents all AFSCME members in that state. It varies from state to state.

### AFSCME LOCALS

Every council has a number of locals, each representing a particular jurisdiction (e.g., workers in a city or workers at a particular institution or agency). Some locals are state-wide, covering all employees in a statewide bargaining unit, and may have more than 1,000 members. On the other hand, some locals cover employees in a department in a small town and may have only a handful of members. There are approximately 3,500 AFSCME locals.

### AFSCME AFFILIATES

In some cases, independent employee unions or associations have affiliated with AFSCME — to the mutual benefit and strength of both. Affiliates often serve the same role as councils and have locals or chapters operating within their structure. More than 100 independent employee associations have voted to affiliate with AFSCME — part of the reason AFSCME is the largest and strongest union representing public employees.

These bodies provide a number of services for AFSCME members, including representation in grievances in the higher steps of the process and at arbitration hearings; staff assistance with contract negotiations; lobbying of state and local political officials; research; education to members and leaders; and organization of new members and new bargaining units.

### AFSCME NATIONAL

Our national union provides a number of valuable services to councils, affiliates and locals. A brief overview of various national departments offers a glimpse of the breadth of resources available to AFSCME members and affiliates.

The **Communications Department** helps AFSCME members tell their stories about how they make their communities safer, healthier, and stronger, as well as the difference being in a union makes to their lives. The department supports all aspects of the union’s organizing, political and lobbying efforts. It oversees the union’s external communications, including the AFSCME.org website, social media presence, videos, graphics, media relations, executive officer speeches and field communications.

The **Data & Analytics Department** is a team of data, campaign, field, programming, and member services experts whose goal is to improve the reach and efficiency of communication with AFSCME members and the general public to advance our union’s priorities. Its four pillars are improving data at the source; adding value to the data we have; developing and promoting best practices for campaigns; and giving anyone running a union campaign the tools to ensure accountability and effectiveness.

The **Department of Education and Leadership Training** offers skill building and leadership development programs on a wide variety of topics. The department administers the **AFSCME Leadership Academy**, which provides online, classroom and field training for AFSCME members, staff and leaders.



The **Federal Government Affairs Department** serves as AFSCME's lobbying arm to advocate for issues related to AFSCME members' jobs, their families and their communities. The department represents AFSCME's interests on Capitol Hill and in the executive branch by meeting with members of Congress, their staffs and administration officials to advance AFSCME's federal agenda.

The **Department of Organizing and Field Services** supports affiliates' internal and external organizing programs with staff, organizer training and target research. The department also directly runs large organizing campaigns and administratorships. Much of this work is done through coordination with affiliate AFSCME Strong coordinators and organizing directors. Together, they identify and share best practices. The department also runs the AFSCME Volunteer Member Organizer (VMO) program, which empowers members to run strong organizing initiatives locally and support other campaigns across the country.

The **Political Action Department** drives our unions' electoral, grassroots and legislative campaigns by engaging members and the general public in key candidate, ballot initiative and issue campaigns. The department also promotes best practices in raising funds for **AFSCME PEOPLE**, our political action committee. Other key activities include candidate recruitment, polling and research operations, training programs, grassroots lobbying and other strategic initiatives.

The **Department of Research and Collective Bargaining Services** offers assistance to affiliates, councils and locals in a variety of areas, including contract negotiations, safety and health issues, contracting out and privatization.

The **Retiree Department** works on organizing new retiree chapters and subchapters, helps current chapters and subchapters increase their capacity, and works with retiree leaders to foster their participation in AFSCME's political and legislative advocacy campaigns. The department works on issues affecting retired AFSCME members like Social Security, Medicare, pensions and retiree health insurance.

The AFSCME national union has **four regional offices** to provide support and assistance to AFSCME members, locals and councils.

The regional offices are:

#### Western Region

19191 S. Vermont Ave.  
Suite 800  
Torrance, CA 90502  
(310) 243-1802 (office)  
(310) 243-1140 (fax)

#### Eastern Region

Foster Plaza 10  
680 Andersen Dr.  
Suite 510  
Pittsburgh, PA 15220  
(412) 922-2550 (office)  
(412) 922-2555 (fax)

#### Central Region

8740 Orion Place  
Suite 305  
Columbus, OH 43240  
614-436-0933 (office)  
614-436-0943 (fax)

#### Southern Region

4751 Best Road  
Suite 420  
Atlanta, GA 30337  
(770) 907-2272 (office)  
(770) 997-5855 (fax)

AFSCME is a democratically run union. Our national union is governed by a constitution. Our **national president** is the chief executive and administrative officer of AFSCME. The **national secretary-treasurer** is the chief financial and recording officer of AFSCME. When in session, AFSCME’s International Convention is the highest decision-making body in our union. Convention delegates make decisions on adopting policies and setting our union’s direction for the coming two years. In between conventions, the International Executive Board — consisting of our president, secretary-treasurer and vice presidents elected by region — is the highest policy-making body in our union.

In between conventions, a council’s or affiliate’s elected executive board has the responsibility to conduct council or affiliate business.

Local unions are also governed by constitutions or bylaws. Locals are run by their members, who meet on a regular basis to pass motions and decide on issues facing the local. In between those meetings, the local’s elected executive board is the governing body of the local union. No matter what level of the union, each officer and the executive board as a whole have specific duties and responsibilities. These duties are spelled out in the constitution or bylaws governing that particular union body.

Councils and affiliates are also governed by constitutions. Delegates to their conventions make decisions on issues affecting their members.

## AFSCME Retirees

### AFSCME NEVER QUILTS!

Two hundred thousand retired public service workers have stayed in the fight for real retirement security by joining their local AFSCME Retiree chapters to protect pensions, Social Security and improve retirement benefits.

### Getting ready to retire or know someone who is?

Contact the Retiree Department at [retirees@afscme.org](mailto:retirees@afscme.org) or go to [www.afscmeretirees.org](http://www.afscmeretirees.org) for more information.





---

## AFSCME: Decades of Fighting for Worker Rights

In 1932, as the country suffered through the Great Depression, a small group of white-collar professional state employees met in Madison, Wisconsin, and formed what would later become Wisconsin State Employees Union Council 24. The reason for the group's creation was simple: basic survival. State employees feared that politicians would implement a political patronage system that would cost thousands of workers their jobs. Meetings were held, marches and demonstrations were organized, and a union was born.

By 1935, similar state employee associations emerged in 19 states, fighting for job security, decent pensions and health insurance for public workers. In 1936, the group — which changed its name to the American Federation of State, County and Municipal Employees — was granted a charter by the American Federation of Labor (AFL). The new union, 10,000 members strong, chose Arnold Zander as its first national president.

Two years later, 2,000 sanitation workers in Philadelphia went on strike to protest layoffs and pay cuts, and four days later they won the union's first bargaining agreement with a major city. Organizing took off in other urban areas, increasing AFSCME's membership among blue-collar workers with strong trade union roots and traditions. Twenty years after the creation of AFSCME, we had 200,000 members and a battle on our hands with the entrenched power structure of America's major cities.

The movement to build power for public employees got a major boost in 1958 when Executive Director Jerry Wurf of District Council 37 led a series of strikes and demonstrations that forced the mayor of New York City to negotiate with the unions representing city employees. A turning point was reached.



Workers in other states saw New York's example and joined AFSCME in the fight for collective bargaining nationwide. At our 1964 International Convention, Wurf — running on a platform of more aggressive organizing, pursuit of collective bargaining rights for public employees, union reform and union democracy — was elected president. A year later, delegates to a special convention rewrote AFSCME's constitution and included a Bill of Rights for members, a first in the American labor movement.

During the years that followed, AFSCME organized public employees aggressively, and state after state felt the heat and enacted collective bargaining laws. At the bargaining table, newly organized workers fought for and won major breakthroughs, moving millions of public-sector jobs from low pay to a decent standard of living. During this period, AFSCME's struggles became linked with those of the civil rights movement. Progressive unions like AFSCME joined students and civil rights activists as they took to the streets to protest economic and racial oppression.

This alliance was never more front and center than in Memphis, Tennessee, in 1968 when sanitation workers went on strike for union recognition after two workers were crushed to death in a garbage truck. Dr. Martin Luther King Jr., who was organizing the Poor People's March, came to Memphis to support the strike. On April 3, Dr. King gave his historic "Mountaintop" speech to an audience of sanitation workers and members of the community at Mason Temple. The next evening, he was assassinated. Only after Dr. King's death did the city agree to recognize the workers' union, AFSCME Local 1733.

As AFSCME demonstrated its ability to fight and win, negotiating successfully with tough politicians during both recessions and boom

economies, public employee associations across the country took notice. Nearly 60 of them — representing 450,000 members — joined AFSCME by affiliation or merger. With the affiliation in 1978 of the Civil Service Employees Association of New York, AFSCME membership passed the 1 million member mark.

In 1981, in San Jose, California, AFSCME staged the nation's first-ever strike over the issue of pay equity for women. The strikers demanded that female-dominated classifications be paid on the basis of "equal pay for work of equal value," attracting national media attention and sparking the pay equity movement.

In 1981, Gerald W. McEntee, leader of the successful drive to organize 70,000 Pennsylvania state employees, became our union's third national president, following the death of Jerry Wurf. William Lucy — co-founder of the Coalition of Black Trade Unionists — remained national secretary-treasurer, a post he had held since 1972. Their vision of AFSCME as the leading voice for social justice in the country helped propel our union's political action and organizing agenda for the decades that followed. During the 1980s, AFSCME won collective bargaining rights for and organized workers in a dozen states.

With state legislatures increasingly turning against public employees, it became more difficult to expand collective bargaining rights in the 1990s. Governments at every level also sought to cut costs by contracting out public service jobs and attacking the hard-won benefits and wages of union members. AFSCME responded by stepping up mobilization efforts, increasing our visibility and expanding our political influence. AFSCME was also instrumental in changing the leadership and direction of the national AFL-CIO in 1995.

At its International Convention in 1998, AFSCME committed to an even bolder and more aggressive program of organizing and fighting on behalf of all public service workers — whether employed by state and local governments or the private sector.

In 2009, AFSCME was the top organizing union in the AFL-CIO and played a major role in securing fiscal relief for states through the American Recovery and Reinvestment Act (ARRA). The following year, AFSCME's lobbying efforts were instrumental in the passage of the Affordable Care Act.

In February 2011, Wisconsin Gov. Scott Walker signed Act 10, legislation that stripped Wisconsin public service employees (including more than 60,000 AFSCME members) of the right to bargain collectively over health care, retirement and working conditions. In response, hundreds of thousands of protesters demonstrated at the capitol in Madison for months. A recall campaign was mounted that ultimately unseated two anti-worker state senators.

In Ohio, Senate Bill 5 (SB5) also targeted collective bargaining for public workers. But AFSCME members, working with other unions and coalition partners, gathered enough signatures to place a repeal referendum on Ohio's November 2011 ballot. Ohioans overwhelmingly voted to repeal SB5 and to protect our voice on the job and seat at the table.

In 2012, President McEntee retired after more than 30 years as AFSCME's leader, and delegates to our 40<sup>th</sup> International Convention elected Lee Saunders as the fourth president in our history. Saunders, who served two years as secretary-treasurer, had also been executive assistant to

President McEntee and over the years had held many senior positions at AFSCME, including assistant director of Research and Collective Bargaining Services and administrator of District Council 37.

In early 2014, AFSCME leaders came together and launched the 50,000 Stronger campaign, with the goal of signing up at least 50,000 new members before the 41<sup>st</sup> International Convention. Our union not only met that goal; we nearly doubled it. At that year's convention, President Saunders announced that 92,155 members had signed up.

The 50,000 Stronger campaign would become AFSCME Strong, a program focused on communicating and organizing, member to member.

AFSCME Strong leverages the strength of member activists, training them to connect with their co-workers through one-on-one conversations on issues critical to working families — wages, job security, safe staffing levels, retirement security — and asking them to recommit to our union. Through AFSCME Strong, we increase our power in the workplace, at the bargaining table, in the organizing trenches, at state capitals and in Washington.

In 2016, we developed a powerful new AFSCME brand story and launched a communications campaign that echoed the final sentence of that story: "We never quit." The campaign promotes AFSCME members' unfailing dedication to public service and pride in their work. Also in 2016, more than 6,600 public service workers in Northern California voted to affiliate with AFSCME. They are members of Public Employees Union (PEU), Local 1.



In March 2017, Elissa McBride was elected secretary-treasurer of AFSCME by the International Executive Board. McBride joined the labor movement as a member of United Auto Workers District 65 in 1989 and had served as AFSCME’s director of Education and Leadership Training since 2001.

In June 2018, a decision by the U.S. Supreme Court in *Janus v. AFSCME Council 31* made the entire public sector right to work. It was the culmination of a yearslong campaign by anti-worker ideologues to crush our rights and freedoms. But our union’s commitment to the AFSCME Strong program allowed us to weather the storm. Because of our steadfast commitment to internal organizing and one-on-one conversations, membership losses were marginal, and we had succeeded in converting more than 100,000 fee payers to dues-paying members since 2015. Despite predictions that *Janus* would be a death knell, we emerged with renewed vigor and momentum.

In 2019, we enjoyed big collective bargaining wins across the country. A new law in Nevada empowered state employees with collective bargaining, thanks to the election of a new governor and legislature as part of a 2018 pro-worker wave. In California, family child care providers finally won a voice on the job and a seat at the table after several years of organizing. And the 2019 elections in Virginia, with one chamber of the legislature flipping to pro-worker control, led to a new law early the following year that lifted a nearly 50-year ban on collective bargaining for local government workers.

No one could have been prepared for what 2020 brought. Public service jobs are difficult on the best day, but the COVID-19 pandemic

presented some of our most daunting challenges ever. At a moment when public services were in most urgent demand, we answered the call. We stood on the front lines to defend our communities during this once-in-a-lifetime public health crisis. We continued to keep our neighbors safe and strong under the most difficult possible working conditions, even if it meant exposing ourselves and our families to risk.

Adding insult to injury, we were threatened with layoffs and furloughs, as COVID-19 sunk the economy and triggered a revenue crisis in state and local governments. So, we got to work making the case for a robust package of federal aid to restore the public services that are the lifeblood of our communities. AFSCME launched one of its most ambitious grassroots lobbying campaigns ever, with thousands upon thousands of members contacting members of Congress demanding that they “fund the front lines.”

Initially, we were met with obstruction. But after we mobilized to elect Joe Biden president of the United States and a new pro-worker U.S. Senate, we had the support we needed. In March 2021, the president signed the American Rescue Plan, a transformational new law for working people. It invested hundreds of billions of dollars in public services, including \$350 billion in direct aid to states, cities, towns and counties. It ignited a historic economic recovery and allowed us to negotiate some of our strongest contracts in years.

The pandemic tested us. It demanded new levels of grit and resolve. But once again, as we always do, we met the moment. We proved once again that **AFSCME Never Quits.**

# Glossary of Labor Terms

## ACCRETION

A process for adding unrepresented employees (nonunion) in a unionized workplace when those nonunion positions have the same work duties, essential functions or do work that has historically been done by union employees. Unions can file clarification or amendment petitions to add these position without having to go through an election process. States have different processes depending on the state labor law.

## AGENCY SHOP

Allowed only in the private sector in states that have not passed “right-to-work” laws, an agency shop is established under a union security contract clause that requires all bargaining unit members to pay either dues or their equivalent in agency fees as a condition of employment.

This fee (sometimes called “fair share”) is intended to compensate the union, which, by law, must give full and equal representation to all bargaining unit members, regardless of membership status. Agency shop provisions were ruled unconstitutional in the public sector by the U.S. Supreme Court in the *Janus* decision.

## AFL-CIO

The American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), the voluntary federation of America’s unions, representing more than 12.5 million working people nationwide. The AFL-CIO was formed in 1955 by the merger of the American Federation of Labor and the Congress of Industrial Organizations.

## ATTRITION

Reduction in the labor force through conditions such as voluntary resignations or retirements, as opposed to layoffs.

## AWARD

The binding decision of an arbitrator, which is binding on both parties.

## BARGAINING RIGHTS

These rights are outlined by law, ordinance or in some circumstances by executive order for public employees because they are excluded from the National Labor Relations Act. Private sector employees have rights outlined in Section 7 of the National Labor Relations Act. These are rights of workers to negotiate the terms and conditions of employment through chosen representatives.

## BARGAINING UNIT

A group of workers who bargain collectively with the employer. The unit may include all the workers in a single location or in a number of locations, or it may include only the workers in a single craft or department. The final unit is determined by the appropriate labor authority, or agreed to jointly by the union and the employer.

## BURDEN OF PROOF

When management takes disciplinary action against an employee, management must then prove it had cause to take the action. Management has the burden of proof, incorporating the

theory of “innocent until proven guilty.” In all other instances, when the union is claiming that management has violated the contract or work rules, the union has the burden of proof.

### **CERTIFICATION**

Official designation by a labor board that a labor organization is supported by a majority of the employees in a bargaining unit, requiring the employer to negotiate with the union in good faith over the employees’ working terms and conditions.

### **COMMON LAW**

The law of a county or state based on custom, usage, and/or the decisions and opinions of a court.

### **CONTRACT OR COLLECTIVE BARGAINING AGREEMENT**

A formal written agreement over wages, hours and conditions of employment entered into by an employer and the union representing the employees in the bargaining unit. Sometimes these are also referred to as a Memorandum of Understanding.

### **DECERTIFICATION**

Withdrawal — by an official labor authority — of the certification of a union if a majority of employees vote against union representation in a decertification election.

### **DISCRIMINATION**

The unequal treatment of workers because of race, gender, age, religion, disability, marital status, sexual orientation, nationality, union membership or union activity, political affiliation

or some other unfair basis. Discrimination may occur in hiring, types of jobs given, rates of pay, promotions and transfers, layoffs or other areas. Some employee classes are protected by law while protection for others is negotiated.

### **DOL**

Department of Labor.

### **EQUAL EMPLOYMENT OPPORTUNITIES COMMISSION (EEOC)**

Federal government agency that administers most discrimination lawsuits.

### **EQUAL TREATMENT**

Management’s rules, policies and procedures must be applied in the same way to all bargaining unit employees.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

A confidential information, support and referral service designed to help employees cope with personal problems that have a negative impact on their lives and, subsequently, on their work productivity. Deteriorating job performance can lead to an employer taking disciplinary action. Such programs often provide assistance in such situations as emotional stress, marital and family problems, financial and legal difficulties, and drug or alcohol abuse.

### **FAIR LABOR STANDARDS ACT (FLSA)**

A 1938 federal law that established a minimum wage and overtime pay requirements.

## FREE RIDER

An employee who chooses not to join the union that has negotiated the contract over his/her wages and working conditions and who reaps the benefits from that contract.

## FRINGE BENEFITS

Vacations, holidays, insurance, medical benefits, pensions and other economic benefits that are provided to employees under the union contract in addition to direct wages.

## GRIEVANCE ARBITRATION

Grievance arbitration is often the last step of the grievance procedure. A third party makes a decision that is usually final and binding on both parties (see [page 34](#)).

## GRIEVANCE MEDIATION

Grievance mediation is a voluntary and less formal method of dispute resolution in which a neutral party serves as a facilitator in efforts to resolve a grievance. The ultimate acceptance, rejection or modification of a settlement remains with the two parties.

## LABOR RELATIONS BOARD

Quasi-judicial agency set up under national or state labor relations acts. Defines appropriate bargaining units, conducts elections to determine if workers want union representation, certifies unions to represent employees and applies legal provisions prohibiting certain employer or union unfair labor practices.

## MADE WHOLE

Phrase that unions include in their remedies for grievances that involve loss of pay and/or other benefits (e.g., disciplinary actions or improper denial of overtime or promotions). The term means that the grievant is treated as though management never took the improper action. In discipline cases, it asks that the grievant be restored to the status they had before management took the action. In instances such as when a promotion or overtime is denied, it asks that the grievant be treated as though management took the correct action. When “be made whole” is included in the remedy — and the grievance is upheld — it ensures the grievant will receive all back pay and any benefits that are due. It would cover such areas as seniority, vacation and sick leave, pension and medical coverage. Being made whole covers all the bases, so the steward doesn’t have to remember each and every possible injury when writing the grievance.

## MANAGEMENT RIGHTS CLAUSE

This section in the contract specifies that management retains certain functions and rights regarding the “method and means” of managing of the workplace. These often include such areas as hiring, promoting, transferring, laying off, establishing work standards and policies, scheduling, deciding qualifications for positions, deciding locations of facilities, and so on.

## MEMBER ACTION TEAM (MAT)

A communication and mobilization network within the workplace.

**MEMBERSHIP CARDS**

A card authorizing the union as the collective bargaining agent and authorizing dues deduction.

**NATIONAL LABOR RELATIONS ACT (NLRA)**

Federal law guaranteeing private sector workers the right to participate in unions without management reprisals.

**OPEN SHOP**

Where employees do not have to belong to the union or pay dues to secure or retain benefits even though there may be a collective bargaining agreement.

**OUTSOURCING (CONTRACTING OUT/SUBCONTRACTING)**

An employer’s practice of having work performed by an outside contractor and not by regular employees in the unit.

**PAY EQUITY**

A term referring to the concept that female-dominated jobs or professions were traditionally undervalued, based on levels of responsibility and required education, and that pay for these jobs should be raised to levels of comparable jobs that are traditionally held by men.

**PICKETING**

The act of carrying of signs and patrolling, usually around the entrances to an employer’s worksite. Picketing occurs during a strike or in the form of an informational picket. During an informational picket, which is designed

to put pressure on the employer, union members inform the public and other workers about the conditions they feel are unfair.

**PRECEDENT**

A precedent is a decision that is later used as a guideline for making a decision on a case that has similar circumstances. Precedents may be used to interpret and apply the collective bargaining agreement or work rules. Precedents can be established by grievance settlements, arbitration awards or even union withdrawal of a grievance (thereby letting management’s interpretation stand).

**RANK AND FILE**

The members of our union.

**RATIFICATION**

Formal approval of a newly negotiated agreement by vote of the union members affected.

**REPRESENTATION ELECTION**

A vote conducted by an appropriate labor board or agency to determine whether a majority of the workers in a bargaining unit want to be represented by a given union.

**“RIGHT-TO-WORK” STATES**

States that have passed laws mandating open shops and which prohibit unions from negotiating agency shop clauses in their contracts with employers.

**SCAB**

Someone who takes a striking worker’s job



or refuses to go on strike with co-workers. By filling the jobs of striking workers and keeping the employer operational, scabs may weaken or help break the strike.

### SENIORITY

Length of service with an employer. Preference can be accorded to employees, based on their seniority, in such areas as promotion, transfer, shift assignment, scheduling, vacation accrual, layoff, recall, etc.

### SERVICE FEE

A monetary assessment of nonmembers in a bargaining unit to help defray the union's costs in negotiating and administering the contract (see Agency Shop).

### STRIKE

A concerted act by a group of employees who withhold their labor for the purpose of bringing about a change in wages,

hours or working conditions.

### TAFT-HARTLEY ACT OR LABOR MANAGEMENT RELATIONS ACT (LMRA)

An amendment of the NLRA that added provisions allowing unions to be prosecuted for a variety of activities, such as secondary picketing.

### UNFAIR LABOR PRACTICE

Those employer or union activities classified as “unfair” by federal or state labor relations acts.

### WEINGARTEN RIGHTS

The rights of employees covered by the NLRA to request union representation during investigatory interviews if they reasonably believe that the interview could result in discipline. Weingarten rights also guarantee the rights of union representatives to assist and counsel employees during interviews that could lead to discipline.





Here is a list of resources that can help you do the most important job in our union — be a steward.

All of these resources are downloadable from AFSCME’s website at the following web address:  
[www.afscme.org/member-resources/education-training/publications-and-resources](http://www.afscme.org/member-resources/education-training/publications-and-resources)

### ■ The AFSCME Online Leadership Academy

Whether you’re a dedicated union member, a steward, or a local leader, this cutting-edge platform is designed to empower you with the knowledge and skills needed to make a real impact in your community and workplace. Getting started is easy!

Simply visit [education.afscme.org](http://education.afscme.org) and sign up for the AFSCME Online Leadership Academy. Once you’re in, you’ll have access to a treasure trove of resources and courses designed to enhance your steward and leadership abilities.

### ■ AFSCME Officers Handbook

This handbook contains information for local union officers on such topics as leadership roles, the duties of officers, local union committees and conducting effective meetings.

### ■ How to Take Part in Local Union Meetings

This downloadable brochure will give you tips on how to participate fully in meetings that use Robert’s Rules of Order, a guide that helps us conduct our union’s business in a democratic, effective and orderly manner. It will coach you on how to make a motion, speak on issues, and more.

### ■ How to Chair a Meeting

This downloadable brochure will provide you with guidance on how to lead a meeting using Robert's Rules of Order.

### ■ Student Debt Resources

This resource provides information about the Public Service Loan Forgiveness Program, a federal student loan relief program established in 2007 and designed to encourage individuals to enter and continue to work full time in public sector jobs. It also provides tutorials, videos, forms and resources to help you navigate and mitigate student debt.

Here is what else you can find on AFSCME's website, [afscme.org](http://afscme.org):

■ **AFSCME Now**, a blog that continuously posts the latest news from our union; resources for members, including exclusive AFSCME member benefits; deep dives into the priorities we fight for; explainers on the countless jobs that AFSCME members perform; tools to learn more about the union difference; background on AFSCME's history and its leadership; and much, much more.

### ■ AFSCME Directory

Contact information and links to AFSCME affiliates and national union offices across the country. You can find this at [afscme.org/contact](http://afscme.org/contact).

### ■ Member Benefits

An entire section dedicated to the AFSCME Advantage member benefits, discounts and savings program.

### ■ Press Releases and Commentary

Find out AFSCME's position on key issues and current events, as well as statements and op-eds from President Saunders and Secretary-Treasurer McBride.

## Additional Resources

Following are additional resources that may be helpful to the union steward:

- *The Legal Rights of Union Stewards*, by Robert M. Schwartz. [laborsbookstore.com/products/the-legal-rights-of-union-stewards](http://laborsbookstore.com/products/the-legal-rights-of-union-stewards)
- *Just Cause: A Union Guide to Winning Discipline Cases*, by Robert M. Schwartz. [laborsbookstore.com/products/just-cause](http://laborsbookstore.com/products/just-cause)
- *How to Win Past Practice Grievances*, by Robert M. Schwartz. [labornotes.org/store/catalog/books](http://labornotes.org/store/catalog/books)
- *Organizing for Social Change: A Manual for Activists*, by Kim Bobo, Jackie Kendall and Steve Max. [abebooks.com](http://abebooks.com)
- *A Troublemaker's Handbook: How to Fight Back Where You Work — And Win!*, by Dan La Botz. [abebooks.com](http://abebooks.com)
- *The Union Steward's Complete Guide*, edited by David Prosten. Union Communication Services. [laborsbookstore.com/collections/new-books/products/the-union-steward-s-complete-guide-2nd-edition-updated-edited-by-david-prosten](http://laborsbookstore.com/collections/new-books/products/the-union-steward-s-complete-guide-2nd-edition-updated-edited-by-david-prosten)

# Steward Essentials

Here is a list of materials and information that all stewards should have.

- Contract and/or work rules
- National constitution
- Local constitution
- Steward handbook
- Grievance forms
- Grievance fact sheet
- Notebook
- Steward buttons
- List of union members
- List of nonmembers
- Member sign-up cards
- Membership buttons
- Seniority list
- PEOPLE materials and PEOPLE sign-up cards
- Benefits information
- EAP (Employee Assistance Program) information
- Local officers' names and phone numbers
- Council or affiliate staff representative's name and phone number
- AFSCME Advantage/Union Plus benefit information

# Kits for New Employees & New Members

## Sample Welcome Kit for New Employees

- Information about AFSCME
- Letter from the local president
- History of the local and summary of the latest victories
- Information on negotiated benefits
- Contract or work rules
- Membership card and PEOPLE card
- Information on AFSCME Advantage “member only” benefits



## Sample Kit for New Members

- Welcome letter from the local president
- Contract or work rules
- Local constitution
- Local and council newsletter
- List of local officers and stewards, including a phone number and email for each person (and pictures are an added value!)
- PEOPLE information
- Information on AFSCME Advantage “member only” benefits
- EAP (Employee Assistance Program) information
- AFSCME buttons and bumper stickers
- Membership meeting schedule and information
- List of committees and points of contact

01

02

03

04

05

06

07

08

09

10

A

B

C

D

E

F

G

# Forms & Charts

## AFSCME GRIEVANCE FORM

### Official Grievance Form



Name of Employee \_\_\_\_\_ Department \_\_\_\_\_  
 Classification \_\_\_\_\_  
 Work Location \_\_\_\_\_ Immediate Supervisor \_\_\_\_\_  
 Title \_\_\_\_\_

#### Statement of Grievance:

List applicable violation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Adjustment required: \_\_\_\_\_  
 \_\_\_\_\_

#### Authorization:

I authorize AFSCME Local \_\_\_\_\_ as my representative to act for me in the disposition of this grievance.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

Signature of Union Representative \_\_\_\_\_ Title \_\_\_\_\_

Date Presented to Management Representative \_\_\_\_\_

Signature of Management Representative \_\_\_\_\_ Title \_\_\_\_\_

#### Disposition of Grievance:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**THIS STATEMENT OF GRIEVANCE IS TO BE MADE OUT IN TRIPLICATE. ALL THREE FORMS ARE TO BE SIGNED BY THE EMPLOYEE AND/OR THE AFSCME REPRESENTATIVE HANDLING THE CASE.**

Original (white) to \_\_\_\_\_

Copy (yellow) to \_\_\_\_\_

Copy (pink) to: Local Union Grievance File \_\_\_\_\_

**NOTE: One copy of this grievance and its disposition to be kept in the Grievance File of the Local Union.**  
 American Federation of State, County and Municipal Employees, AFL-CIO

**AFSCME GRIEVANCE FACT SHEET**

### Grievance Fact Sheet



**Stewards:** Use this form to aid in investigating a grievance. This sheet outlines the information that will be necessary to develop a strong case. Document more details with additional pages, if needed.

This information is for the union's use only. Do not turn this form in to management.

Grievant \_\_\_\_\_ Department \_\_\_\_\_

Classification \_\_\_\_\_ Date of Classification \_\_\_\_\_

Date of Hire \_\_\_\_\_ Work Location \_\_\_\_\_

**What happened?** Describe incidents which gave rise to the grievance. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Who was involved?** Give names and titles (include witnesses): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**When did it occur?** Give date and time \_\_\_\_\_

\_\_\_\_\_

**Where did it occur?** Specify locations \_\_\_\_\_

\_\_\_\_\_

**Why is this a grievance?** What is management violating: contract, rules and regulations, unfair treatment, existing policy, past practice; local, state, federal laws, etc. \_\_\_\_\_

\_\_\_\_\_

**What adjustment is required?** What must management do to correct the problem? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Additional comments.** (Use reverse side if needed) \_\_\_\_\_

\_\_\_\_\_

Grievant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Grievant's Home Address \_\_\_\_\_

Steward's Signature \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** A copy of this form is to be completed by steward or officer filing grievance and be filed in local grievance file along with copy of grievance and disposition.

01  
02  
03  
04  
05  
06  
07  
08  
09  
10  
A  
B  
C  
D  
E  
F  
G



## GRIEVANCE PROCEDURE TIME LIMITS CHART

Every grievance procedure has specific time limits for filing a grievance for management to hear the grievance, for management to respond in writing and for our union to appeal an unsatisfactory outcome to the next step. Below is a chart you can fill in to help you keep track of the time limits in your local's grievance procedure.

Keep in mind that different grievance procedures have different numbers of steps, so only fill in the steps appropriate for your grievance procedure.

### Grievance Time Limits

If your local's grievance procedure includes the final step of arbitration, describe how you appeal a grievance to arbitration.

---



---



---



---



---

	UNION		MANAGEMENT	
	Union, Number of Days to File	Person/Appeal Filed With	Management, No. of Days to Hear the Case	Management, No. of Days to Respond
1.				
2.				
3.				
4.				

# Planning a Strategic Campaign

## Organize and Demand Change

When problems and concerns arise on the job, and you want to organize your co-workers to demand change, you can use the following planning process to develop a strategic campaign plan. The questions listed under each step of the process are there to help you and your team think strategically about your campaign.

### STEP 1 Set Campaign Goals

- What is the issue and whom does it affect?
- What is the remedy or goal you want to achieve?
- What is your specific demand?
- What would a total victory look like?
- Are there short-term or partial victories you could win along the way?
- When you choose an issue to take action on, make sure to use the Checklist for Choosing Issues, which is in **Section 3, page 14** of this handbook.

### STEP 2 Name the Target

- The target is the person who has the power to give you what you want.
- Who is the target for this campaign?
- Who can solve this problem?
- Who can say yes to your demand?

### STEP 3 Identify Your Resources

What do you have going for you? List resources your local union brings to this campaign. Include people (activists and staff), communication vehicles such as member action teams and social media, relationships, reputation and money.

### STEP 4 Analyze Your Opponents

- Who will oppose you in this campaign and how?
- What will a victory for you cost them?
- How strong are they?
- What are their assets and resources?



# Planning a Strategic Campaign

## STEP 5 Brainstorm Possible Allies

- What outside groups care about this issue enough to join you or help you in this campaign?
- What can they do to help?
- How would it benefit them if you win?
- What risks are they taking by helping you?

\*This planning process is adapted from the Midwest Academy Strategy Chart.

For more information, please see *Organizing for Social Change* by Kim Bobo et al. To order a copy, visit [abebooks.com](http://abebooks.com).

## STEP 6 Agree on Tactics

What are some unifying group actions you and other members might take to exert pressure on decision-makers in management? You should plan a series of actions so that if management is unwilling to move to resolve the problem, you can “escalate” your pressure.

What are some group actions you can take to exert pressure on outside decision-makers (e.g., government officials or agencies, community leaders, etc.)? Again, plan a series of actions (if appropriate for the problem).

How will you communicate with the members about the problem and the actions (e.g. one-to-one, through worksite meetings, flyers, phone trees, etc.)?

See Appendix E — Rules of Tactics.

## STEP 7 Agree on Tasks, Assignments and Deadlines

Possible Actions	Assigned To	Deadline
Group Grievance	_____	_____
Newsletter Article	_____	_____
Contact Community Allies	_____	_____
Group Meeting with Decision-maker	_____	_____
Distribute Leaflets	_____	_____
Petition	_____	_____
Button Day or T-shirt Day	_____	_____
Rally or Informational Picket	_____	_____
Other	_____	_____

# Rules of Tactics\*

“Tactics means doing what you can with what you have.”

1. Power is not only what you have but what the opposition thinks you have.
2. Never go outside the experience of your people.
3. Whenever possible, go outside the experience of the opposition.
4. Make the opposition live up to its own book of rules.
5. Poking fun at the opposition is often a potent weapon.
6. A good tactic is one that your people enjoy.
7. A tactic that drags on too long becomes a drag.
8. Keep the pressure on.
9. The threat is usually more terrifying than the action itself.
10. The major premise for tactics is the development of operations that will maintain a constant pressure on the opposition.

\*These “rules of tactics” are adapted from Rules For Radicals by Saul Alinsky, Random House, 1971.



# PEOPLE Materials

## The Process for PEOPLE Payroll Deductions

### STEP 1

- Member signs PEOPLE Authorization for Voluntary Payroll Deduction Card at MVP level.
- Recruiter issues MVP PEOPLE jacket. (No jacket for non-MVP contributors.)
- If no jacket is available, national union will ship once the card is received.
- Jacket size and jacket received **MUST** be indicated on card.



Circle jacket size:

S M L **XL** 2XL 3XL 4XL

**For Office Use Only**

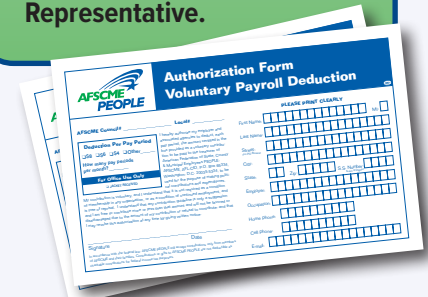
JACKET RECEIVED

### STEP 2

- Recruiter makes two (2) copies of signed PEOPLE payroll authorization cards and sends to:
  - 1) Council/local to keep on file, and
  - 2) Political Representative

### STEP 3

- Recruiter submits **ORIGINAL** signed PEOPLE payroll authorization card(s) to designated council/local payroll staff within two (2) business days.
- If no designated staff at council or local, recruiter sends original card to Political Representative.



### STEP 5

**EVERY PAY PERIOD**

- Employer processes PEOPLE payroll authorization card for recurring payroll deductions through their internal accounting process.

### STEP 4

- Council/local staff or Political Representative gives **ORIGINAL** PEOPLE payroll authorization card(s) to the proper employer payroll contact within five (5) business days.

### STEP 6

- Employer OR council/local payroll professional transmits electronic funds transfer (or check) and an **ELECTRONIC BACK-UP CONTRIBUTOR LIST** to the national union within thirty (30) days of receiving the money.
- The list should include the name of the contributor(s), the amount of the contribution(s) and other data per Electronic Banking Instruction Form.

### STEP 7

- Affiliates report weekly MVP totals to Political Representative.
- Political Representatives submit weekly MVP reports to the national union.

## Authorization for Voluntary Payroll Deduction

Local # \_\_\_\_\_

**Deduction Per Pay Period**

MVP (\$4.20/every two weeks)  Other \_\_\_\_\_ / \_\_\_\_\_  
Frequency

As a first time MVP, we'll send you a PEOPLE jacket.  
Check your size:  S  M  L  XL  Other \_\_\_\_\_

I hereby authorize my employer and associated agencies to deduct, each pay period, the amount certified as a voluntary contribution to be paid to the treasurer of American Federation of State, County and Municipal Employees PEOPLE, AFSCME, AFL-CIO, P.O. Box 65334, Washington, D.C. 20035-5334, to be used for the purpose of making political contributions and expenditures. My contribution is voluntary, and I understand that it is not required as a condition of membership in any organization, or as a condition of continued employment, and is free of reprisal. I understand that any contribution guideline is only a suggestion and I am free to contribute more or less than that amount and will not be favored or disadvantaged due to the amount of my contribution or refusal to contribute, and that I may revoke this authorization at any time by giving written notice.

Signature \_\_\_\_\_ Date \_\_\_\_\_

PLEASE PRINT CLEARLY

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ MI \_\_\_\_\_

Home Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

SSN \_\_\_\_\_

Cell Phone\* \_\_\_\_\_ Home E-Mail \_\_\_\_\_

Name of Employer \_\_\_\_\_ Occupation \_\_\_\_\_

Contributions or gifts to AFSCME PEOPLE are not deductible as charitable contributions for federal income tax purposes. In accordance with the federal law, AFSCME PEOPLE will accept contributions only from members of AFSCME and their families. Contributions from other persons will be returned.



## Contribute Today!

### MVP Deduction Amounts

**Contribute at the MVP level** to make your voice heard and support pro-worker candidates and hold our allies accountable in office. When you contribute at least \$100/year or more, you will also receive a hoodie.

\$100

PAYMENTS PER YEAR	AMOUNT
52 .....	\$1.93
26 .....	\$3.85
24 .....	\$4.20
21 .....	\$4.77
20 .....	\$5.00
19 .....	\$5.27
17 .....	\$5.89
16 .....	\$6.25
12 .....	\$8.35
10 .....	\$10.00

PEOPLE RECRUITERS—This is a guide. When signing members, please round up to the nearest whole dollar.

# Solidarity Forever

*Solidarity Forever* has become the unofficial anthem of the American labor movement.

It was written in 1915 by Ralph Chaplin, a poet, writer and organizer for the Industrial Workers of the World (IWW), a militant union known to all as the Wobblies. Chaplin said, “I wanted a song to be full of revolutionary fervor and to have a chorus that was singing and defiant.”

**SING** to the tune of *Battle Hymn of the Republic*.

When the union’s inspiration through  
the workers’ blood shall run,  
There can be no power greater anywhere  
beneath the sun.  
Yet what force on earth is weaker than  
the feeble strength of one?  
But the union makes us strong.

**Chorus:**

Solidarity forever!  
Solidarity forever!  
Solidarity forever!  
For the union makes us strong.

Is there aught we hold in common  
with the greedy parasite  
Who would lash us into serfdom and  
would crush us with his might?  
Is there anything left to us but to  
organize and fight?  
For the union makes us strong.

It is we who plowed the prairies, built  
the cities where they trade,  
Dug the mines and built the workshops,  
endless miles of railroad laid.  
Now we stand outcast and starving ‘mid  
the wonders we have made,  
But the union makes us strong.

All the world that’s owned by idle drones  
is ours and ours alone.  
We have laid the wide foundations, built it  
skyward stone by stone.  
It is ours, not to slave in, but to master  
and to own  
While the union makes us strong.

They have taken untold millions that they  
never toiled to earn,  
But without our brain and muscle not a  
single wheel could turn.  
We can break their haughty power, gain  
our freedom when we learn  
That the union makes us strong.

In our hands is placed a power greater  
than their hoarded gold.  
Greater than the might of armies  
magnified a thousand fold.  
We can bring to birth a new world from  
the ashes of the old,  
For the union makes us strong.







American Federation of State, County  
and Municipal Employees, AFL-CIO

1625 L Street, NW  
Washington, D.C. 20036

**AFSCME.org**