ORGANIZING AROUND WORKPLACE ISSUES

Total Time—2 hours

Learning Goals

- O Explore the relationship between how members view our union and worksite organizing
- O Consider different approaches for solving worksite problems
- O Discuss situations where organizing around workplace issues makes sense
- O Become familiar with a flow-chart tool that can help you decide how to solve problems
- O Practice identifying issues that are appropriate for workplace organizing

Sections—Time

- I. Welcome, Review Goals of the Training—5 minutes
- II. How Members Think About Themselves and Our Union—10 minutes
- III. Solving Worksite Problems: Different Approaches—25 minutes
- IV. "Turn it Around" Video & Discussion—30 minutes
- V. Solving Worksite Problems Chart—15 minutes
- VI. Selecting An Issue to Organize Around—30 minutes
- VII. Wrap-Up—5 minutes

Materials Needed

Flip Chart, Markers, Tape

Copies of the UFCW Steward Handbook

Copy of the "Turn it Around" DVD (available from the UFCW International Union's Organizing Department)

DVD player/projector, Speakers, Screen/blank wall

Handouts/Worksheets

How Members View Our Union Handout

Problem Solving Options Worksheet

Solving Worksite Problems Chart

Mobilizing to Solve Problems—Sample Form

I. Goals for the Training—5 mins



Post and review the goals for the training:

- Explore the relationship between how members view our union and worksite organizing.
- Oconsider different approaches for solving worksite problems.
- Discuss situations where organizing around workplace issues makes sense.
- Become familiar with a flow-chart tool that can help you decide how to solve problems.
- Practice identifying issues that are appropriate for workplace organizing.

II. How Members Think About Themselves and Our Union— 10 mins



Distribute and review the How Members View Our Union handout.

Ask the participants, using a show of hands, whether diagram #1 or #2 best represents the views of the members at their worksite.

If the response is that most fit within diagram #2, explain that this is common.

Ask if there are times when the participants have encountered members who seem to fit more with diagram #1.

Note patterns in people's responses (i.e. when there is an issue that many members care about, then there's increased activity and communication, perhaps during bargaining and other times as well).

Ask the stewards what kinds of experiences they think might lead to the opposite—to members viewing our union as separate.

Note patterns in people's responses (i.e. "when nothing changes," "when we don't keep the members informed," etc).

Explain that the kinds of experiences members have as part of our union determines their views, as well as how they think about our union's power.

Module Icon Key









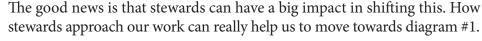
Flip Chart

In Handbook

Worksheet/ Handout

ORGANIZING AROUND WORKPLACE ISSUES

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Explain that the rest of the workshop is going to explore different approaches to solving worksite problems, as this is one key way for members to experience collective power and to understand that they truly are the union.



Note that the diagrams just discussed are in the Steward Handbook.

III. Solving Workplace Problems: Different Approaches—25 mins

Observe that it's important for stewards to think about different approaches for solving worksite problems.



Distribute the Problem-Solving Options worksheet. Break the participants into small groups and ask them to read and discuss the different scenarios and to come back to the full group ready to report on the advantages and disadvantages of the different approaches. Explain that they have fifteen minutes for the exercise.



On multiple flip chart pages, create charts to record responses:

Scenario 1/Approach A: Advantages/Disadvantages Scenario 2/Approach B: Advantages/Disadvantages

Bring everyone back together and call on different groups, asking for the advantages to Solution A and B for the scenarios, recording the responses.

Explain that all problem-solving approaches have advantages and disadvantages and that it's critical for stewards to consider a variety of options.



It's important for stewards to ask "How can I use worksite problems to build union power and involve members?"

IV. "Turn it Around" Video and Discussion—30 mins

Play the "Turn it Around" video.

Explain that while the DVD was produced by the Teamsters (a different union), the scenario it portrays—favoritism in work assignments—applies to many UFCW worksites as well.

Note: The video follows a story, pausing at different points, with questions for the participants. While you may decide to play the video all the way through, followed by discussion at the end, it's most effective to stop the video when the questions appear and to ask the group for their responses.

When the video concludes, ask if any of the participants have ever done something similar before at their current worksite or somewhere else. Ask

ORGANIZING AROUND WORKPLACE ISSUES

them to describe these worksite actions and whether they thought the approach was successful.

Note: In advance of the training, try to research a few examples of worksite organizing from the local or region to share. Often, people will have stories about collective actions (i.e. petitions or "marches on the boss"—during contract campaigns, etc) but may not think of it as "organizing around issues." Try to draw out these experiences, as it's important for the participants to be exposed to a variety of real-life examples.



Ask "Why would you choose to organize around a problem, even if you might be able to succeed soley through the grievance process?" Chart the responses.

Add the following, if not mentioned:

- Many members have not experienced what it feels like to be a part of collective action. Joining together to solve workplace problems is the best way for any of us to have a "union power" experience directly. Telling workers that "they are the union" may only seem like words until members can feel what this means, concretely.
- Organizing around issues increases our power—for future contract and organizing campaigns.
- The grievance process can take a long time. Organizing around issues can provide a more timely resolution.

V. Solving Worksite Problems Chart—15 mins



Distribute the handout A Steward's Guide to Problem-Solving and explain that this chart provides a step-by-step road-map for approaching worksite issues.

Explain that the chart shows that we don't have to choose between filing grievances and organizing around issues. Often, the best thing is to do both. Similarly, some problems are not appropriate for grievances, nor do they make sense to organize around. The chart allows for this as well. Note that all points on the chart lead to considering whether the issue might be something to raise during future contract negotiations. Observe that as we saw in the video, it's often most effective to a) file a grievance, b) organize around an issue and c) try to address the issue during bargaining.

Ask what questions the participants have about the chart. Observe that it's most useful as a tool when it's referred to regularly. Suggest that the participants get in the habit of using the chart when faced with new (or existing) worksite problems.



Point out that the chart is also included in the Steward Handbook.

NOTES

VI. Selecting An Issue to Organize Around—30 mins



Distribute the handout Mobilizing to Solve Problems—Sample Form.

Ask the participants to work in small groups to pick an issue that they can imagine organizing around.

Note: If the training participants are from different worksites, make sure that people from the same worksite come together for this exercise.

Explain that each group should begin by brainstorming current worksite problems and then select a problem to focus on, according to the questions on the handout.

Ask each group to select a reporter and explain that they have 15 minutes to complete the exercise.

Bring everyone back together and ask the groups to present the issues they selected and why.

VII. Wrap Up—5 mins

Conclude by encouraging the participants to follow-up by discussing their ideas with other members and with their union representatives.

Observe that the worksheets they began to complete during the last exercise are the beginnings of a worksite organizing plan.

Explain that steward trainings are most successful when the participants leave and try to put some of their plans into action.



Note that the Mobilizing to Solve Problems—Sample Form is also in the Steward Handbook.

DIAGRAM # 1	DIAGRAM # 2
Union = Members/ Stewards	Union
	Stewards Members
Members see that winning better conditions depends on them.	Members expect services for their dues.
When there is a problem, they ask what "we" are going to do about it.	When there is a problem members ask what is the "union" going to do about it.
Members see the stewards, staff and officers as leaders, not as people who will fix their problems.	Members think the steward's, staff and officer's job is to fix things for them.
Stewards, staff and officers discuss problems (and options for addressing them) with members.	It is difficult for members to learn about our union.

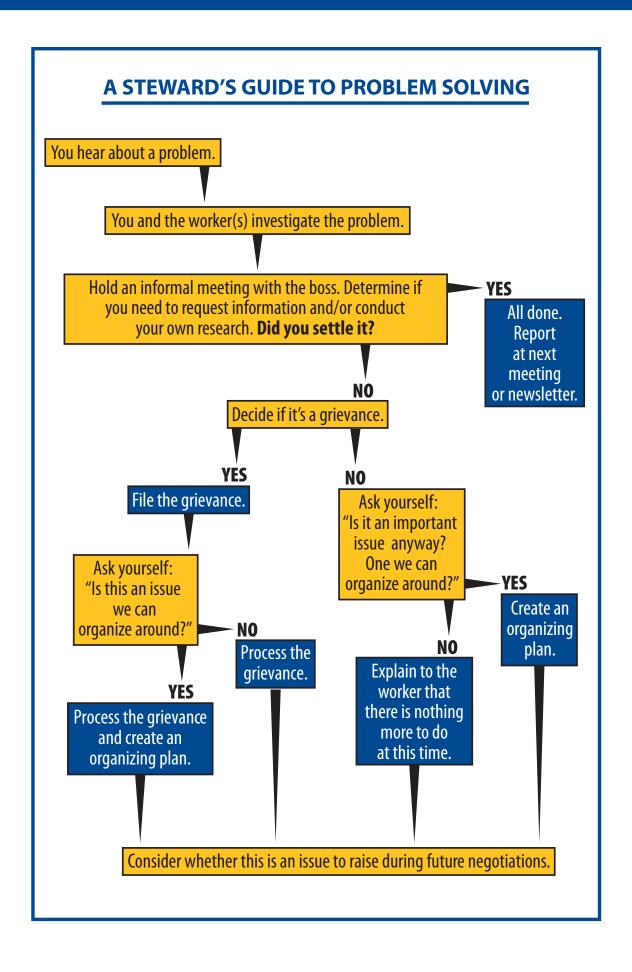
These are real situations faced by UFCW stewards. In your group, review and discuss both approaches and list the advantages and disadvantages for each.

SITUATION 1: DISRESPECTFUL SUPERVISOR

Since Jones became a supervisor a year ago, the number of suspensions has greatly increased. Jones is always on everyone, pushing them to work faster and harder. Whenever anyone questions him, Jones writes them up for insubordination. Top management likes Jones because he gets the work done with fewer people.

Approach A

Our union keeps filing grievances on all of the suspensions and writes another grievance charging Jones with harassment.
Approach A Advantages:
Approach A Disadvantages:
Approach B
Our union keeps filing grievances and also holds a meeting with all of the members who wor under Jones, as well as the other stewards at the facility. They brainstorm what they can do and come up with the following steps:
Start a petition to Jones' boss and get as many names as possible protesting his actions.
Have everyone wear stickers that read "no harassment zone."
Send a delegation of stewards and members to top management and demand a meeting to talk about the problem with Jones.
Approach B Advantages:
Approach B Disadvantages:



SITUATION 2: WORKING OUT OF TITLE

Supervisors frequently assign jobs to members that are outside their job description and threaten discipline for insubordination unless the member "obeys now and grieves later." Grievances are piling up, but the practice continues and members are wondering why it is taking so long for the situation to be resolved.

Approach A:

Approach A Advantages:

The union representative asks to meet with the Human Resources Director to persuade him of the negative impact of the inappropriate job assignments and the regular disciplinary slips on the morale of the workforce. He warns the HR Director that if it doesn't stop, there will continue to be a steady stream of grievances.

A LARY I .
Approach A Disadvantages:
Approach B
All the stewards meet and decide to create forms entitled, "Assignment Despite Objection" (ADO). Whenever a member is given an inappropriate assignment, the steward helps the member to "write up" the supervisor. At the end of the first week, the stewards post, on the union bulletin board, a rating list of the supervisors, with negative points associated for each ADO.
Approach B Advantages:
Annua ch P Dica duanta cas
Approach B Disadvantages:

Mobilizing to Solve Problems—Sample Form

Number of members in work area:
Issue:
Who cares about this issue?:
How many people are affected by this issue?:
Members already involved with this issue:
Members who would need to get involved:
Can this issue:
☐ Yes ☐ No Increase visibility of our union?
Yes No Improve representation of underrepresented groups in our union?
☐ Yes ☐ No Be used to mobilize around?
How can pressure be exerted on:
Decision-makers in Management:
Outside decision-makers (government agencies, employer associations, public, etc.):
Remedy or Goal to be achieved:

INVESTIGATING AND WRITING GRIEVANCES

Total Time—2 hours

Learning Goals

- O Review the definition of and types of grievances.
- O Practice resolving problems informally.
- O Understand how to effectively investigate grievances.
- O Learn how to write grievances.

Sections—Time

- I. Welcome, Review Goals of the Training—5 minutes
- II. What is a Grievance?—10 minutes
- III. Steps in the Grievance Process—5 minutes
- IV. Resolving Problems Informally—30 minutes
- V. Investigating Grievances—30 minutes
- VI. Using Open-Ended Questions—10 minutes
- VII. Writing Grievances—20 minutes
- VIII. Meeting with Management— 5 minutes
- IX. Wrap-Up—5 minutes

Materials Needed

Flip Chart, Markers, Tape Five different colors of post-it notes Copies of the Steward Handbook

Handouts/Worksheets

Resolving Grievances Informally Grievance Fact Sheet Using Open-Ended Questions Sample Written Grievances Grievance Handling Checklist

I. Goals for the Training—5 mins

Post and review the goals for the training:

- Review the definition of and types of grievances.
- Practice resolving problems informally.
- Understand how to effectively investigate grievances.
- Learn how to write grievances.

II. What is a Grievance?—10 mins



Ask "what is a grievance?" Chart the responses.

Explain that the items listed can be categorized as violations of: (chart these categories).

- The contract
- Caws
- Company policy
- O Past practice

Define each of the categories:

- The contract. Violations of language written in the collective bargaining agreement.
- Laws. Federal, state, or municipal laws including wages and hours, fair labor standards, equal opportunity, and civil rights. May also include "equal treatment"—laid out by laws and agencies such as the Americans with Disabilities Act, the Equal Employment Opportunity Commission and other widely accepted understandings of unequal treament.
- Company policy. The employer's personnel policies, work rules or administrative procedures.



● **Past practice.** Something that regularly, previously occurred. The right to grieve past practice violations may be affected by what specific contract language. Explain that there is more information pertaining to past practice grievances in the Steward Handbook.

Module Icon Key







In Handbook



Flip Chart

Ideas

Worksheet/ Handout

Ask for a volunteer to find and read the definition of a grievance in their contract (if participants have different contracts, ask for a few volunteers).

Explain that most grievances fall into two categories:

- Disciplinary grievances
- Contract violation grievances



Explain that regardless of which type of problem members are facing, we need to follow the chart in the Steward Handbook, A Steward's Guide to Problem Solving.

Observe that even when we reach the bottom right box on the chart, where it reads "Tell the worker that there is nothing more we can do at this time," it still might be possible to raise the issue during future contract negotiations.

Ask "what if the issue is truly not a workplace problem?" Note that, in some cases, our union may be able to refer members to a union-connected community services office that may be able to provide appropriate assistance. Suggest that the participants check with their union representatives in such situations.



Point out that additional information on what constitutes a grievance can be found in the Steward Handbook.

III. Steps in the Grievance Process—5 mins

Explain that most grievance procedures consist of a series of meetings or "steps" designed to give our union an opportunity to contest some decision or action taken by management (or for the company to defend its actions).

Usually, the first step is a meeting between the grievant and the grievant's immediate supervisor. In some contracts, the first step is "informal," meaning that the grievance does not have to be in writing. The last step in the process is almost always arbitration. Between the first step and arbitration, most contracts have one or more intermediate steps.

Generally, each step moves the dispute through the levels of management. If the second step is a meeting with the department head, for example, the third step might be a meeting with the company's administrator. Although the first step might not even be in writing, in almost all contracts, the grievance must be in writing after that.

Almost every contract outlines time limits for filing grievances, for management's response and for taking grievances from one step to the next.



A steward must know the time limits and be especially careful to meet deadlines. Failure to meet contractual time limits usually means that a

grievance can't be advanced to the next step, even if the situation is a very blatant contract violation.

Ask the participants to find the language in their contract(s) that pertains to step deadlines.

IV. Resolving Problems Informally—30 mins

Ask for examples of times when the participants (or others they know) have resolved problems informally (without filing written grievances) by talking with supervisors. Ask what went well in these situations and what could have been done differently.



Distribute and review the Resolving Grievances Informally Handout. Ask if the participants have any other tips or additions to the handout.

Explain that we're now going to practice (role-play) solving problems informally.



Read the following scenario (or another, based on your knowledge of the participants' worksites) and pre-chart the highlights for people to reference during the role-play exercise:

- Elsa was reprimanded by her supervisor, and given disciplinary points, for being late.
- She'd left her house in plenty of time, but the bus she takes to get to work was ten minutes late (it's usually on time).
- When she told her supervisor this, he said that she should plan better, and to be at the bus stop even earlier, in time for an earlier bus (so that even if it was late, she'd still be on time).
- Elsa explained that this isn't possible, as she needs to take her child to his bus right before she gets on hers.
- Elsa would like to have the disciplinary points removed.

Divide the participants into groups of three and ask them to select one person to play themselves (a steward), one to play Elsa and the other her supervisor. Explain that they'll have five minutes to prepare (the steward and Elsa) and then five minutes to role-play the conversation. Inform the participants when it's time to move through the different stages of the exercise.

Bring everyone back together to de-brief their experience. Were they able to resolve the issue informally (why/why not)? What did they do well? What might they do differently?



Observe that many grievances can be resolved informally and that this is a key role for stewards in our union.

V. Investigating Grievances—30 mins

Explain that even when we try our best, we still may not be able to solve problems informally.

Observe that while we need to try to gather as many facts as we can before any meeting with management, thorough investigations are most critical when preparing for a written grievance.



Ask if the participants have heard of the "5 W's". Chart the responses (who, what, when, where, why).

Break the participants into five groups and give each a stack of post-it notes (if possible, give the groups different colored post-its). Assign each group a W: Who, What, When, Where, Why.



Pre-chart a scenario of a potential grievance that fits well for the stewards in the training. Use one of these examples or write your own:

Cesar is assigned to light duty following a documented injury. While on light duty, he received a write up for poor job performance. Cesar has told his steward that he wants to file a grievance. What information do you need?

Cindy's supervisor yelled at her while she was on the ham line. She left the line in tears. On her way out the door, she told the steward, "I want to file a grievance." What information do you need?



Using the scenario on the chart, ask each group to brainstorm as many questions as they can for their "W." Give the groups ten minutes for this exercise.

On a separate flip chart, write Who, What, When, Where, Why in one vertical column, on the left side of the flipchart.

Ask a representative from each group to post their questions on the flip chart next to the W they were assigned. Review and discuss the post-it notes with the participants.

Explain that, in addition to the 5 Ws, there is also an "R" that's very important. The "R", for remedy, represents how the grievant and other members want the problem to be settled. We can conduct a great investigation, but if we don't know what the worker's looking for, we won't be able to proceed.

Explain the importance of taking good notes when investigating a grievance or with any of our other work as stewards. Ask what tools people currently use to take notes and suggest that they keep a notebook and pen with them at work.



Distribute and review the Grievance Fact Sheet handout.

Ask if there's anything else that the participants would include during their investigations.

INVESTIGATING AND WRITING GRIEVANCES



Explain that this handout is also in the Steward Handbook.

VI. Open-Ended Questions—10 mins

Observe that most of the questions that the groups brainstormed were open-ended, meaning that they cannot be answered with a yes or no.



Ask why open-ended questions are important when investigating grievances. If not mentioned, include:

- Open-ended questions allow for more details
- People may say yes or no based on what they think you'd like to hear Distribute and review the Using Open-Ended Questions Handout.



VII. Writing Grievances—20 mins

Explain that well written grievances are often very brief—covering three basic points: (Pre-chart these.)



What happened

- Why the problem is a grievance
- What we want management to do to about it.

Pre-chart the following example of a written grievance:



DATE: May 2, 2013

FROM: A. Union Steward

TO: Manny Manager

On or about May 1, 2013, management unjustly reprimanded Ms. Jane Hardworker.

This violates Article IV, Section 9, and all other relevant Articles of the contract.

The Union demands that management immediately revoke the reprimand, remove all references to the discipline from Ms. Hardworker's record, and make her whole in every other way.

Ask what the participants notice about the words used in this example.

If not mentioned, note the importance of using catchall phrases (i.e. "all other relevant Articles" and "make her whole in every other way") to insure that all articles of the contract and possible remedies are included.

Distribute and review the Sample Written Grievances Handout.



If time allows, prior to distributing the handout, chart one or more of the scenarios on the handout and ask the participants to practice writing them up as grievances (in pairs or small groups).

NOTES

INVESTIGATING AND WRITING GRIEVANCES

VIII. Meeting with Management—5 mins

Ask if anyone's met with management as part of a grievance process. Ask them to describe their experience.

Ask what tips people have for such meetings. Stress the importance of preparation—both for the steward and for the grievant.



Explain that there is more information on meeting with management—including what to do if the employer says "no," in the Steward Handbook.

IX. Wrap-Up—5 mins



Distribute and review the Grievance Handling Checklist handout. Point out that the checklist is also in the Steward Handbook.



NOTES

BEFORE AN INFORMAL DISCUSSION WITH MANAGEMENT:

- Find out what the involved member(s) want and what they would settle for.
- Explain to the member(s) involved that this is a chance to work things out before a grievance is written.
- Anticipate what management is likely to say, and think about how to respond.
- Decide what the member(s) involved will say during the discussion and explain that it's often best for the steward to do most of the talking.
- Based on how the supervisor has acted in the past, determine what seems best in terms of your approach with management.

AT THE INFORMAL DISCUSSION:

- Set the right tone for a calm, non-confrontational conversation.
- Explain that your goal is to see if the issue can be resolved informally (without writing a grievance).
- Remind management that by resolving issues early, they can avoid further employee dissatisfaction.
- If management issues discipline, ask them to explain why.
- · Listen.
- If necessary, caucus with the member(s) privately, before continuing the discussion.
- In some cases, ask the member(s) to explain what happened and/or their feelings about the case
- Point out the strengths of our union's position and weaknesses in management's.

DETERMINE IF MANAGEMENT IS OPEN TO A SETTLEMENT. IF YES:

- Try to find out what settlements the supervisor might agree to.
- Don't make any agreements without talking with the impacted member(s) first and getting their approval.
- When you reach a settlement, make sure that everyone affected understands the agreement.
- Put the settlement in writing if it is complicated or if it will be helpful (to reference the agreement) in the future.

IF MANAGEMENT IS NOT OPEN TO A SETTLEMENT:

- Don't keep arguing.
- Learn as much as you can about management's position.
- Take notes after the meeting, especially about management's version of what occurred.
- Make sure that you understand management's position.
- Inform management that our union may file a grievance and end the meeting.

Grievance Fact Sheet

(This sheet is not intended to go to management. It is only for our union's investigation of grievances. It should be kept in the union's files.)

Grievant Name	
Department	Job
Date of hire	Phone
WHO (workers) is involved	ed?
WHO from management	is involved?
WHAT happened? (If the WHO saw it?)	re was an incident, WHERE, WHEN, and
-	o this case? (Grievant's record, other history of "just cause", management's position, etc.?)
WHY is this a grievance? rules, laws?)	(contract violation, past practice, company
WHAT do we want the co	ompany to do to make it right?
Steward	Date

HANDOUT: USING OPEN-ENDED QUESTIONS

GETTING STARTED

"Tell me what happened."

"What do you think management will say happened?"

"What do you have in writing about what happened?"

"Why do you think this happened?"

CLARIFYING

"How do you know that?"

"Can you give me an example of what you mean?"

"Why did you do that?"

GETTING THE SPECIFICS

"What time was it when that happened?" "How do you know?"

"How many times did it happen?"

"What were the exact words used?"

"Tell me the order in which things happened."

"Who saw what happened?" "Who else should I talk to?"

PULLING IT TOGETHER

"What else should I know?"

"What do you want?" "What will resolve this?"

"Here's what I heard so far, can you tell me what I left out?"

HANDOUT: SAMPLE WRITTEN GRIEVANCES

WHAT HAPPENED

Kevin Jones, produce coordinator at Market Fresh, worked 45 hours last week but received only 40 hours pay.

HOW IT WAS WRITTEN UP

"Kevin Jones received only 40 hours pay for the 45 hours he worked during the week of July 7. This violates Article 9, Hours and Overtime, and all other relevant articles of the contract. Kevin Jones should be made whole including, but not limited to, being paid for five hours at time and a half."

WHAT HAPPENED

Without any notification from management, the Company increased the chain speed on the picnic ham line in the Pork Department without adding extra crew.

HOW IT WAS WRITTEN UP

"The union grieves the increased chain speeds in the Pork Department on October 28 and October 30 when the speeds ran over the established speed/crew ratio. This action violates Article XVII, Workloads; all relevant articles of the contract as well as the Company's written health and safety policy; the Company's past practice of maintaining correct chain speed/crew ratios; and the State and Federal OSHA guidelines. Management should make all affected employees whole including, but not limited to, compensation for the additional workload, and the Company should follow established health and safety requirements."

A MEMBER WITH A POTENTIAL GRIEVANCE

- Talk to member as soon as possible.
- Let member tell the story.
- Listen attentively. Do not interrupt. Create a positive and sympathetic atmosphere.
- · Take notes.
- When member finishes the story, ask questions.
- Get details, names of witnesses and types of documents the member believes will help with the grievance.
- Discuss what member wants. Explain the possible and realistic remedies. Inform members of strengths and weaknesses of the grievance.
- Recap your understanding about what the grievance is and the settlement sought.

FILE GRIEVANCE

- Check the contract's filing time limit.
- Write grievance citing as many contract provisions as possible and describing facts as generally as possible.
- Within the contract's time limit, file the grievance.

INVESTIGATE THE GRIEVANCE

- Investigate with an open mind. Do not personalize issues or prejudge the grievance's merits. Maintain an objective attitude.
- Review relevant contract provisions and company policies or rules.
- Interview the member and the member's witnesses. Then, interview the company's witnesses. Take notes.
- In past practice cases, identify as many examples of the practice as possible. Obtain first-hand accounts.
- Request all relevant information and documents from company.

WHILE PROCESSING THE GRIEVANCE

- Answer the member's calls and questions.
- Involve the member as much as possible in grievance meetings.
- Regularly inform the member of the status of the grievance, including what occurred at grievance meetings and of upcoming grievance steps. Do so as soon as possible.
- Coordinate with union representatives.
- Continually update the member on what is happening with the grievance.