

## A Dozen Points on Grievance Presentation

Many stewards do the basic work of grievance preparation. They listen to the grievant, investigate the issue and then decide whether the problem is grievable under the contract. Once the decision is made to go ahead with the grievance, the steward usually requests a meeting with his or her counterpart in management. The grievance is then presented in an oral or written form. Here are some hints on what to do prior to and at that meeting.

### **1. Prepare the case beforehand.**

Have your facts down in writing. Organize and understand your notes to guide your presentation. Be confident. Anticipate the company's argument and have your answers ready. Make an effort to talk to the worker alone before you meet the supervisor.

### **2. Avoid arguments among union people in the presence of the company.**

Once you are in the meeting with management, maintain a united union front. If you have a difference of opinion during a meeting, take a recess and iron the problem out in private. It does not look unprofessional to call a short recess. If the grievant looks as if he or she is damaging the case, stop the meeting and ask for a short break until things calm down.

### **3. Stick to the point, avoid getting led off on side issues by the company.**

Insist on discussing the issue raised by the grievance only, nothing else. Take notes during the conference.

### **4. Get the main point of the company's argument.**

Try to narrow the area of difference between union and company. Listen intently and look for solutions to the problem that the company may feel it can only reveal by subtle implications, hints, indirect suggestions, or body language.

### **5. Disagree with dignity.**

Avoid getting excited, angry or hostile. On rare occasions, after you have reasoned that there would be an advantage to the union, such behavior may be advisable. The steward is cautioned to keep him/herself under complete control less he/she lose the advantage. Don't get goaded into anger. When the company has no case at all, they may try to provoke you.

### **6. Avoid unnecessary delays. Justice delayed is justice denied.**



If the company asks for more time, try to determine whether it is an attempt to stall or it is based on a sincere desire for more facts needed to settle the case. If the company is not trying to stall, you should grant a reasonable extension. You may need to go back to the company on another grievance and ask for more time. But when company delays are intentional, the more time that passes, the "cooler" the grievance becomes and the less support you will get from the worker or workers involved. The more grievances that are piled up in the procedure, the more likely that the company will try to "horse trade" a settlement of a few

grievances for dropping of others.

### **7. Settle the grievances at the lowest possible step of the grievance machinery.**

But make sure they are properly settled. It helps to build better relationships in the department. The union representative will feel like the vital part of the union that he/she is. The union representative also wins respect from the members of his/her department. Don't pass the buck. If you can settle the grievance in the first step, do so.

### **8. The burden of proof is on the supervisor.**

In discipline cases, this is true. In money grievances, you might try to apply the same strategy. Let the supervisor try to justify and prove that the action he/she has taken is correct. Don't try to show where he or she is wrong. Let the supervisor first carry the burden of proof in telling you how he/she is right.

### **9. Avoid bluffing**

It is only a matter of time until your bluff is called; it is in the long run wiser to develop a reputation for



**BODY OF  
PROOF**

honesty.

**10. Maintain your position on a grievance until proven wrong.**

Avoid hasty conclusions that you were wrong. Take time to give the matter considerable thought.

**11. Be prompt...Follow the grievance through.**

Refer the grievance to the next step when not settled. Give the representative above you all the facts; also the arguments used in your discussion with the supervisor. Don't allow the grievance to lay around. Delayed grievances mean delayed justice. Keep a constant check on the progress of the grievance and at what step it is. Report back to the grievant and the department--they're concerned too.

**12. Enforce the contract!**

Contract administration is a day-to-day activity and should involve the stewards and the rank-and-file. The best contract in the world has no value if the workers and the union representatives do not require the company to live up to its terms.

