

INITIAL STEP GRIEVANCE MEETING OUTLINE

UTILIZE THIS PAGE TO PREPARE A "BUSINESS PLAN" TO BE USED TO CONDUCT THE FIRST PART OF THE INITIAL STEP GRIEVANCE MEETING. (HANDLE ONE GRIEVANCE/COMPLAINT AT A TIME. DO NOT COMBINE GRIEVANCES.)

NATURE/TOPIC OF GRIEVANCE:

DATE _____

SUPERVISOR #1 _____ SUPERVISOR #2 _____

STEWARD/UNION
REPRESENTATIVE _____
GRIEVANT(S) _____

___ IDENTIFY AT THE START OF THE MEETING THE SUPERVISOR'S UNDERSTANDING OF THE GENERAL NATURE OF THE GRIEVANCE AND THE PURPOSE OF THE MEETING. (REVIEW BACKGROUND FACTS BRIEFLY.)

___ REQUEST THE GRIEVANT/UNION REPRESENTATIVE TO IDENTIFY THE AGREEMENT ARTICLE/SECTION ALLEGEDLY VIOLATED/INVOLVED AND "HOW" VIOLATED. (HAVE COPIES OF THE AGREEMENT AVAILABLE) (SUMMARIZE BEFORE MOVING TO REMEDY DISCUSSION)

___ REQUEST THE GRIEVANT/UNION REPRESENTATIVE TO IDENTIFY THE REMEDY REQUESTED.

___ WHAT IS DESIRED

___ WHAT WILL SATISFY THE GRIEVANT

(SUMMARIZE BEFORE MOVING ON TO DISCUSSION OF "ISSUES.")

___ DETERMINE ITEMS TO COVER FROM MARC GRIEVANCE HANDLING CHECKLIST (ATTACH GRIEVANCE CHECKLIST PAGES G-1, G-2) (REVIEW SPECIFIC MISCONDUCT CHECKLIST IF GRIEVANCE CONCERNS DISCIPLINARY ACTION) DETERMINE ADDITIONAL QUESTIONS/ITEMS TO COVER, IF ANY.

___ ATTEMPT TO IDENTIFY "ISSUES" OF IMPORTANCE TO GRIEVANT/UNION REPRESENTATIVE.

___ LIST ISSUES ON CHECKLIST PAGE G-2A AS THEY ARE IDENTIFIED

(SUMMARIZE "ISSUES" BEFORE END OF MEETING)

NOTE: ONCE THE ITEMS ON THE OUTLINE SHEET HAVE BEEN COVERED, THE SUPERVISOR SHOULD ASK THE "ONE-MILLION-IN-ONE" QUESTION AND END THE MEETING. (IS THERE ANYTHING ELSE OF WHICH YOU ARE AWARE WHICH WILL ASSIST IN MAKING A DECISION FOR THIS GRIEVANCE?)

NOTE: THE SUPERVISOR SHOULD NOT ASK QUESTIONS TO WHICH THE SUPERVISOR ALREADY KNOWS THE ANSWERS. INSTEAD, THE SUPERVISOR SHOULD SIMPLY STATE THE FACTS HE/SHE BELIEVES TO BE ACCURATE AND ASK FOR VERIFICATION AND ALLOW THE EMPLOYEE OPPORTUNITY TO COMMENT OR CLARIFY.

SUPERVISOR'S CHECKLIST
INVESTIGATING/HANDLING INITIAL STEP COMPLAINTS AND GRIEVANCES

Attempt to cover the items on this page when the complaint is first raised, and attempt to resolve the matter informally.

Date _____ Time _____ Persons Present _____.

REMEMBER THE EMPLOYEE CHOOSES THE TIME TO COMPLAIN OR GRIEVE, THE SUPERVISOR CHOOSES THE TIME TO INVESTIGATE AND THE TIME FOR AN INITIAL STEP GRIEVANCE MEETING. (CONSISTENT WITH THE SPECIFIC TERMS OF THE AGREEMENT AND PRODUCTION/PERSONNEL NEEDS.)

___ **LISTEN** to the general nature of the complaint or grievance **IMMEDIATELY** on the spot. Do not put the employee or steward off. Be friendly and courteous. Do not take it "personally." Do not be defensive. Be interested in **RESOLVING** the issue.

___ **REMEMBER** the problem the employee has brought you is the most important one he/she has at the moment, otherwise he/she would have brought you another problem. **LISTEN**. If time limits have been exceeded, tell the employee, "The time limits have been exceeded, but I will listen as a courtesy. This is an untimely grievance."

___ Attempt to determine the following before setting the time for the initial step "part one" "fact-finding" meeting and make notes:

- ___ Ask specifically "What is the grievance about?"/"When did it occur?"
- ___ Ask, "When did you first know or suspect you had a grievance?"
- ___ Ask if any other supervisors have been made aware of the matter.
- ___ If you notice areas lacking detail, ask questions, and make notes on those matters.
- ___ Ask the employee to identify the article and section of the Agreement allegedly violated. **DON'T IDENTIFY IT FOR THE GRIEVANT.**
- ___ Ask the employee to briefly explain how he/she feels the article and section were violated.
- ___ Make absolutely sure to ask the employee at the end of the initial discussion, "Is this a grievance?"

___ If it is necessary to hold the initial step "part one" "fact-finding" meeting, do so as soon as possible, consistent with the Agreement, after completing Grievance Checklist Page G-0.

___ **REMEMBER**, no answer from the supervisor is yet needed! If the matter being raised is a safety complaint, do the items on Pages G-0 and G-2 immediately, while the employee is still present.

___ **DO NOT** tell the employee, "It's not covered by the Agreement."

(This page is only for the purpose of determining the GENERAL NATURE of the alleged grievance before even setting a date and time for a "fact-finding" initial step "part one" meeting.)

CHRONOLOGICAL-TIME-SEQUENCE NOTE TAKING

Two supervisors should be present at all times during union management business meetings and grievance/complaint meetings. One supervisor should be present as a witness and should take notes in chronological time-sequence fashion. The date and the exact time of the start of the meeting should be noted at the beginning of the notes. Periodically, the note taker should consult his/her watch, draw a horizontal line completely across the notes page, and enter the time on the line. As specific topics are raised a "time line" can be drawn for reference and to allow the supervisor to ultimately determine precisely how much time was devoted to each specific topic. This procedure assists in prioritizing "issues" discussed and aids in prevention of future "out-of-context" references.

The supervisor should not attempt to prepare a written verbatim transcript of meetings. The notes should be "cryptic" or "topical" in nature and should serve to assist the supervisors in recalling what was covered in the meeting. If an attempt is made to capture a sentence in its entirety, use of quotation marks will distinguish such statements from the otherwise brief topical notes.

At the conclusion of the meeting a final "time-line" should be drawn. The time should be noted and each of the supervisors should sign and date the notes, thereby making them "formal employer business records" or supervisory "work-product."

The employee and union official should not be asked to sign the notes, and copies should not be given to the employee or the union official, unless specifically required by the Agreement.

If it is necessary to modify or reconcile notes for any reason (errors or omissions), such modifications should be made in a different color ink and by writing at a different angle than the original "in-situ" notes. All such changes should be dated and initialed by the writer, with reasons explained for the modification.

DO NOT TAPE RECORD UNION-MANAGEMENT MEETINGS

Supervisors should not tape record meetings and they should not agree to allow employees or union officials to do so, unless the Agreement specifically requires tape recordings be made. Tape recording stifles and stills the discussion and may inhibit venting. The initial step is usually designed to be verbal and informal. The NLRB has ruled that verbatim transcripts are not mandatory topics for bargaining; therefore, the union cannot refuse to meet because the employer won't agree to a tape recording.

Do not refuse to meet, but object to meeting under such "unreasonable" conditions, and arrange another meeting.

THE INITIAL STEP "PART ONE" "FACT- FINDING" MEETING

COVER THESE ITEMS AS SOON AS POSSIBLE AFTER THE COMPLAINT IS RAISED. IF THE COMPLAINT REGARDS SAFETY, COVER THESE ITEMS IMMEDIATELY WITH THE ITEMS ON PAGES G-0 AND G-1.

- ___ The supervisor conducts the interview, asks the questions and LISTENS. TWO SUPERVISORS SHOULD BE PRESENT. Bring three to four copies of the Agreement to the meeting.
- ___ Make notes using the chronological "time sequence" method. (Do not tape record meeting.)
- ___ Let the employee talk and explain his/her claims. Put the employee at ease.
- ___ If the grievant or steward asks specific questions, write down the questions and assure them you will provide answers for them once the entire grievance has been identified.
- ___ Without MAKING PROMISES, indicate interest to RESOLVE and investigate.
- ___ Do not ATTEMPT TO JUSTIFY YOUR ACTION-GET THE FACTS FIRST. Do not make threats.
- ___ Attempt to determine what if anything is wrong, not who is wrong.
- ___ Inform the employee that you will make a decision after you make an investigation, that you will answer within time limits, and that you may need to talk with the employee again before deciding.
- ___ Make space on the meeting table for the employee's and the steward's papers.

- ___ Ask the grievant/steward to identify the Articles/Sections of the Agreement allegedly violated. Read the Agreement with the grievant and the steward, and ask them to discuss "how" they believe those Articles/Sections were violated.
- ___ Ask if there are extenuating circumstances/conditions.
- ___ Review or recap what the supervisors understand the problem to be.
- ___ Ask how the employee desires to solve the problem. Ask what will satisfy the employee.
- ___ Review or recap what the supervisors understand the requested remedy to be.
- ___ Ask the employee, "Is there anything else bothering you?" (if appropriate or if the grievant has been reluctant to discuss the matter or answer questions).
- ___ If the grievance involves refusal to do a job, ask the employee, "Is there any reason you cannot do/could not do the job?" (Work now/grieve later grievances.)
- ___ Ask if other employees have the same problems (if appropriate).
- ___ If the grievance arose out of disciplinary action ask the grievant and the steward if they know of any employees who have had the same problem who were not disciplined or who were treated differently. If they claim they do, ask them to identify the person and the date of the incident.
- ___ Ask the grievant and steward if anything new has come to light since the disciplinary fact-finding interview.
- ___ Attempt to determine if the disciplinary action was effective.
- ___ Before the meeting ends ask the "one-million-in one: question, "Is there any other information you know about which may help us to make a decision in this grievance?"
- ___ Do not interrupt the steward or grievant when he/she is speaking, and this will allow the supervisor to demand the same courtesy when the supervisor is speaking.

- ___ Utilize periodic summaries to confirm points made and keep the meeting "on track."
- ___ If the grievant does not answer a question, note that there was no answer given. Ask why there was no answer. If the steward answers for the employee, make a note of it, then ask if the employee has anything to add.
- ___ Do not allow the meeting to deteriorate to the level where "hypothetical" questions are raised regarding possible future problems. The grievance meeting deals with what has already happened.
- ___ REMEMBER, AT THIS POINT, NO DECISION IS NEEDED.

FINALIZING INFORMATION NEEDED FOR DECISION MAKING

DO THE ITEMS ON THIS PAGE AFTER THE INITIAL STEP PART ONE FACT-FINDING MEETING WITH THE GRIEVANT. THE SUPERVISOR DOES THESE ITEMS ON HIS/HER OWN OR WITH ASSISTANCE OF ANOTHER SUPERVISOR BEFORE CONDUCTING THE INITIAL STEP "PART TWO" ANSWER MEETING.

- ___ Gather the facts yourself. (Abide by time limits.) Don't sit in your office and think about it.
- ___ Don't "politic" and choose up sides to talk down the complaint.
- ___ Visit the area of the incident at about the same time or during the phase of the production process when the incident occurred. During the visit observe employees as they work.
- ___ While at the scene, imagine yourself in the employee's position at the time of the incident.
- ___ Make notes. Distinguish between facts, opinions, and rumors.
- ___ Talk PRIVATELY to those involved (labor and management). Talk to MORE THAN ONE PERSON. (Do not make snap judgments.)
- ___ If you ask questions and get no answers, write that down.

ON HIS/HER OWN, THE SUPERVISOR SHOULD BE ABLE TO ANSWER THESE QUESTIONS AND MAKE NOTES FOR FUTURE REFERENCE:

- ___ Who acted? Whom was the act directed toward?
- ___ What precisely occurred or was done?
- ___ When exactly did the incident occur? What happened during the time immediately prior to and after?
- ___ Where precisely did the incident occur?
- ___ Why was the action taken? Why did the incident occur?
- ___ How was the action directed/how was it done?
- ___ If the grievance arose out of disciplinary action, review the comments of the grievant to determine if there exists "state-of-mind" evidence indicating that the employee has or has not learned the lessons intended.

- ___ Do not negotiate by rumor! Do not apologize for asking questions.
- ___ Reread the Agreement clauses from the employee's viewpoint.
- ___ CONSIDER IF FACTS GATHERED PROVE THE INCIDENT DID OCCUR AS YOU WERE TOLD AND IF THERE WAS A VIOLATION OF THE AGREEMENT.
- ___ Reinvestigate or revisit the scene to resolve questions or discrepancies and resolve them to your satisfaction, not necessarily in your favor. Note both the strengths and weaknesses of the employee's case. Consider the employee's point of view.
- ___ Do not try to wiggle out of the complaint/grievance on the basis of a technicality or favorable or similar past grievances. (Each complaint/grievance should be settled on the merits of the grievance itself.) NO SPECIAL DEALS OR SWAPS. DO NOT "TRADE" GRIEVANCES.
- ___ Do not ask the steward or anyone else to manage or discipline for you, to get you off the hook, or to arrange a deal. Do not pass the buck!
- ___ REMEMBER, A PREPONDERANCE OF THE FACTS SHOULD DECIDE THE MERITS OF THE GRIEVANCE.

CONSENSUS DECISION-MAKING CHECKLIST

DO THE ITEMS ON THIS PAGE IN ORDER TO COORDINATE WITH OTHER INVOLVED SUPERVISORS, UPPER-LEVEL MANAGERS, AND THE LABOR RELATIONS DEPARTMENT TO OBTAIN CONSENSUS, BEFORE ANNOUNCING A DECISION TO THE GRIEVANT/STEWARD.

- ___ REMEMBER: THERE IS STRENGTH IN THOROUGHNESS AND IN ASKING QUESTIONS.
- ___ THIS IS THE PRUDENT STEP BEFORE MAKING THE DECISION.
- ___ EVALUATE FACTS, OPINIONS, HEARSAY, AND ALL NOTES FROM THE PART 1 MEETING OF THE INITIAL STEP OF THE GRIEVANCE PROCEDURE.
- ___ UTILIZE CHECKLIST PAGE G-2A TO LIST "ISSUES" RAISED BY THE GRIEVANT AND THE UNION REPRESENTATIVE AND TO BEGIN TO COORDINATE "ANSWERS" WHICH WILL BE GIVEN IN THE PART 2 MEETING OF THE INITIAL STEP GRIEVANCE.
- ___ MAKE NOTES/FOLLOW UP ON AREAS THAT ARE STILL UNCLEAR/STAY WITHIN TIME LIMITS.
- ___ REMEMBER, IF YOU EXCEED YOUR TIME LIMITS THE UNION GOES TO THE NEXT STEP IF IT DESIRES (SEE SPECIFIC TERMS OF THE AGREEMENT REGARDING TIME LIMITS).
- ___ DON'T GET SIDETRACKED BY IRRELEVANT ISSUES AND RUMORS.
- ___ KNOW WHEN TO STOP TALKING. DON'T JUST LOOK FOR FACTS YOU WANT TO HEAR. LEARN "HARMFUL" FACTS NOW, NOT LATER.
- ___ DISCUSS THE COMPLAINT OR GRIEVANCE WITH THE DEPARTMENT HEAD AND, AS NECESSARY, THE LABOR RELATIONS DEPARTMENT.
- ___ DETERMINE THE APPROACH OR DECISION THAT HAS CONSENSUS APPROVAL OF THE DEPARTMENT HEAD AND LABOR RELATIONS DEPARTMENT. DISCUSS ANY POSSIBLE MANAGEMENT CONSENSUS CONFLICTS AND RESOLVE THEM.
- ___ CONSIDER POSSIBLE ALTERNATE COURSES OF ACTION/DECISION.
- ___ REREAD THE AGREEMENT CLAUSES, RULES/POLICIES.
- ___ MAKE THE DECISION BASED ON FACTS, NOT OPINIONS, FEELINGS.
- ___ THE SUPERVISOR'S RECOMMENDATION IS OF PRIME IMPORTANCE, BUT IT SHOULD BE BASED ON FACTS AND THOROUGHNESS.
- ___ CONSIDER POSSIBLE REPERCUSSIONS OR POTENTIAL PROBLEMS.
- ___ CONSIDER EFFECTS OF DECISION ON THE OTHER SUPERVISORS.
- ___ CONSIDER IF OTHER EMPLOYEES COULD HAVE THE SAME OR SIMILAR GRIEVANCES AND IF THEY MIGHT FILE A SIMILAR GRIEVANCE AFTER THE DECISION IS ANNOUNCED.
- ___ READ AND CONSIDER THE ITEMS ON PAGE G-5 OF THIS CHECKLIST.
- ___ REMEMBER: MANY STEWARDS HAVE BEEN TRAINED THAT "WHEN YOU SETTLE GRIEVANCES, YOU ARE ACTING AS A NEGOTIATOR, JUST AS THE NEGOTIATORS OF THE AGREEMENT." REVIEW PAGES G-5 AND G-6 BEFORE ANNOUNCING ANSWER. DO NOT ALLOW THE GRIEVANCE PROCEDURE TO BE USED AS BARGAINING.
- ___ AS A SUPERVISOR DO NOT COMPROMISE THE AGREEMENT'S TERMS.

NOTE: IN GRIEVANCES ARISING OUT OF DISCIPLINARY ACTION, ATTEMPT TO DETERMINE IF THE GRIEVANT WAS INDEED THE "WORST OFFENDER." IF NOT, DETERMINE WHAT COURSE OF ACTION WAS TAKEN FOR EMPLOYEES WITH THE SAME OR WORSE CONDUCT AND CONSIDER IF THERE WERE JUSTIFIABLE REASONS FOR ANY DIFFERENCE IN TREATMENT.

DEVELOPING LANGUAGE FOR THE GRIEVANCE ANSWER

NEVER USE COMBINATIONS OF THESE WORDS AND PHRASES IN ANNOUNCING

YOUR DECISION OR IN SETTLING A GRIEVANCE AT ANY STEP

<u>P</u> PROMISE	THESE WORDS WILL ONLY LIMIT YOUR FUTURE FLEXIBILITY OR WATER DOWN MANAGEMENT'S
<u>A</u> WAYS	RIGHT TO MAKE CHANGES NECESSITATED BY CHANGING CONDITIONS IN THE FUTURE.
<u>I</u> N THE FUTURE	
<u>N</u> EVER AGAIN	THESE WORDS MAY START A PAST PRACTICE THAT MODIFIES THE INTENT OF THE AGREEMENT.

___ USING THESE FOUR WORDS WILL ONLY CAUSE SUPERVISORS "P-A-I-N" IN PROCESSING THE FUTURE STEPS IN THE GRIEVANCE PROCESS. USE OF THESE WORDS OR PHRASES GIVES "PRECEDENT-SETTING" VALUE TO THE ANSWER. GRIEVANCES DEAL WITH INCIDENTS THAT HAPPENED IN THE PAST.

___ REMEMBER: THIS SETTLEMENT APPLIES ONLY TO THE PARTICULAR SET OF CIRCUMSTANCES WHICH PREVAILED AT THE TIME OF THE ACTION BEING GRIEVED. THIS SETTLEMENT MAY INFLUENCE YOU IN FUTURE SIMILAR INSTANCES UNDER SIMILAR CONDITIONS, BUT IT SHOULD NOT BIND YOU OR LIMIT YOUR FLEXIBILITY, UNLESS OTHERWISE STIPULATED OR AGREED TO BY THE PARTIES.

___ DO NOT "SWAP" OR "TRADE" GRIEVANCES, OR YOU WILL BE ENCOURAGING MULTIPLE GRIEVANCES IN THE FUTURE.

REVIEW THE "ISSUES" AND "ANSWERS" ITEMS ON PAGE G-2A WITH TOP-LEVEL MANAGERS AND THE LABOR RELATIONS DEPARTMENT BEFORE GIVING AN ANSWER TO THE GRIEVANT AND THE UNION REPRESENTATIVES IN PART 2 OF THE INITIAL STEP OF THE GRIEVANCE PROCEDURE. (G-2A IS THE MEETING OUTLINE FOR THE "PART 2" ANSWER MEETING.)

**COMMUNICATING THE SUPERVISOR'S
INITIAL STEP ANSWER TO THE EMPLOYEE**

AFTER CONSIDERING THE ITEMS ON PAGES G-4, G-2A, AND G-5 OF THE CHECKLIST, THE SUPERVISOR SHOULD CONSIDER THE FOLLOWING ITEMS BEFORE HE/SHE GIVES THE EMPLOYEE THE DECISION:

- 1) CAN I ACCEPT ACCOUNTABILITY/RESPONSIBILITY FOR THE DECISION?
- 2) AM I COMFORTABLE WITH IT? CAN I LIVE WITH IT IN THE FUTURE?
- 3) CAN I GIVE IT WITHOUT PASSING THE BUCK? DOES IT REPRESENT CONSENSUS?

TO AWARD A GRIEVANCE: USE THE VERBAL ANSWER: "YOUR GRIEVANCE HAS MERIT, I WILL (EXPLAIN AS BRIEFLY AS POSSIBLE, WITHOUT DETAIL) ... AND THIS PROPOSAL APPLIES ONLY TO THIS GRIEVANCE AT THIS TIME (STATE DATE)."
(EXPLAIN THE "ISSUES" AND "ANSWERS" FROM CHECKLIST PAGE G-2A.)

TO DENY A GRIEVANCE: USE THE VERBAL ANSWER: "AFTER CAREFUL EXAMINATION OF THE FACTS YOU PRESENTED, AND AFTER THOROUGH INVESTIGATION, YOUR GRIEVANCE IS DENIED. THERE WAS NO VIOLATION. (EXPLAIN THE "ISSUES" AND "ANSWERS" FROM CHECKLIST PAGE G-2A, WITHOUT DETAIL, AND DO NOT RAMBLE AND DO NOT USE "HYPOTHETICALS.")

___ REMEMBER: IF THE AGREEMENT CALLS FOR A WRITTEN ANSWER FROM THE SUPERVISOR IN THE INITIAL STEP, USE ONLY THE ABOVE TWO FORMAL ANSWERS IN WRITING, BUT ADDRESS VERBALLY ALL "ISSUES" AND THE FACTS THAT LED TO THE DECISION. KEEP IT BRIEF.

___ REMEMBER: THE SUPERVISOR'S ANSWER BECOMES THE BASIS FOR THE UNION'S APPEAL IN THE ADVANCED STEPS OF THE GRIEVANCE PROCEDURE.

___ DO NOT KEEP NOTES OR COPIES OF GRIEVANCES IN AN EMPLOYEE'S PERSONNEL FOLDER.

ADDITIONAL POINTS TO REMEMBER IN HANDLING GRIEVANCES/COMPLAINTS

- 1) Don't bypass any steps in the grievance procedure. Attempt to resolve at the lowest step.
- 2) Stick to the facts and LISTEN carefully to what is said. Don't bluff or threaten.
- 3) Don't permit stalling. Abide by the time limits of the Agreement.
- 4) Don't trade grievances. Don't make "side deals." Cooperate without being conciliatory.
- 5) Don't withhold facts or evidence.
- 6) RESOLVE does not mean to prove "right or wrong," "win or lose."
- 7) Settle grievances on the facts and merits of the grievance. Address all issues raised.
- 8) Don't argue with the grievant. Don't lose your temper. Keep cool.
- 9) Keep the employee informed of the progress of the grievance.
- 10) Do your own leg work. Don't pass the buck.
- 11) Don't expect the steward to manage/discipline for you.
- 12) Know when to ask for help and communicate upward. (Signs of strength)
- 13) If the employee or the steward threatens to walk off or leave unless you give a decision, remind them of the time limits for the grievance procedure, the "no-strike" clause, and the practice of retroactive adjustment and how it works. Inform them that they are to continue to work as the Agreement requires in exchange for their right to grieve and that to leave would subject them to needless and strict disciplinary action. Remind the steward of his/her obligation to set a good example and tell him or her that it is in his/her best interest not to interfere with others' jobs.
- 14) You as a supervisor set the "reasonable times," consistent with the terms of the Agreement, in which to deal with grievances and complaints. If production schedules or personnel needs of your department demand or warrant waiting, tell the employee and steward when you intend to follow up and stick to what you tell them. (In the case of safety item complaints or grievances, immediate action is necessary. If harm is suffered, retroactive adjustment could not compensate the employee or make the employee whole.)
- 15) The raising of a grievance does not give the employee or steward cause for ignoring present job duties.
- 16) REMEMBER, the COMPANY acts and the UNION may grieve. Management has the burden of proof as to why management acted, and that the action was right. In discipline grievances management should prove there was "just cause" for the action. In management's rights cases, the union has the burden of proof.
- 17) Of major concern to the supervisor is, "Did the action cited violate the Agreement?" When in doubt, consult. If there is doubt, give the benefit of doubt to the COMPANY.
- 18) Strive for continuity and consistency between departments in settling complaints/grievances. Consider how your solution will affect other supervisors/other departments.
- 19) Explain answers thoroughly (verbally) in a professional and dignified manner. Keep written answers brief, if they are required.
- 20) Just because an employee didn't grieve your act in the past does not mean the employee cannot grieve the act the next time it occurs.
- 21) Examine the remedy requested to make sure it is consistent with the provisions of the Agreement. Remedies requesting more than the "make whole" remedy contained in the Agreement are "unreasonable remedies."