

CHECKLIST OF STEPS OF "BUSINESS DISCIPLINE" FOR UNION STEWARD/OFFICER "ABUSE OF OFFICE" FOR MISCONDUCT DURING UNION-MANAGEMENT MEETING

REMEMBER: THE STEWARD IS DOING TWO JOBS - ONE FOR THE EMPLOYER - ONE FOR THE UNION.

HOWEVER, IF THERE IS REPEATED ABUSE TOWARD THE SUPERVISORS OR WHENEVER THE STEWARD'S ACTIONS OR CONDUCT IS ABUSIVE OR DISRESPECTFUL TO MANAGEMENT OR DISRUPTIVE OF EFFORTS TO MEET AND DEAL AND CONDUCT BUSINESS "IN GOOD FAITH," TAKE FORMAL STEPS TO CORRECT THE MISCONDUCT USING THE FOLLOWING "BUSINESS DISCIPLINE" STEPS. (DO NOT TAKE "JOB PERFORMANCE DISCIPLINE" ACTION, UNLESS THE STEWARD'S JOB PERFORMANCE IS ALSO DEFICIENT.)

VERBAL STEP (During the business meeting or during the business activity when the inappropriate conduct occurred.)

- ___ Inform the steward that such conduct is unwarranted and immediately object to it and inform him/her to set a good example. The supervisor should not respond in kind or become abusive.
- ___ Request explanations for use of objectionable conduct or phrases by requesting specific information that would allow management to "intelligently investigate" and "verify" allegations.
- ___ Object to the conduct as "unreasonable."
- ___ State: "We are not refusing to meet with you, but we will not meet under these unreasonable conditions." State: "We do not use such terms/act that way toward you and we will not condone that used toward us."
- ___ Call a break or "cooling off" period and inform Labor Relations Manager of the incident. (Do not degrade the steward in front of those he/she represents.)
- ___ After break inform the steward: "We would like to continue, but without the unreasonable conduct. State: "We are here to deal in good faith."
- ___ If abuse continues, end the meeting by repeating the above statement.
- ___ Following the incident, the Labor Relations Manager should contact Union Top-Level Manager and object to the misconduct and request it to be stopped.

VERBAL WARNING STEP (After repeated abuse/misconduct)

- ___ The Labor Relations Manager should meet with Top-Level Union Officer and object to the conduct and state that Management is willing to meet but not under these unreasonable conditions, and request the Union's Top-Level Manager to take steps to end the abuse (if the initial response above did not end the abuse).

WRITTEN STEP (If misconduct continues in future meetings or dealings or if the above repetition is severe)

- ___ In a letter from the Labor Relations Manager to the Top-Level Union Officer with a copy to the steward involved, state the conduct violates the spirit of the Agreement and is a failure to meet in good faith.
- ___ In writing state that repetition of the "unreasonable" conduct will result in the employer taking appropriate action under the Agreement and under the NLRA provisions.

(See next page for additional steps of discipline.)

CHECKLIST OF STEPS OF "BUSINESS DISCIPLINE" FOR UNION STEWARD/OFFICER "ABUSE OF OFFICE" FOR MISCONDUCT DURING UNION-MANAGEMENT MEETING

- ___ If wild accusations or emotional claims are made, request in writing, in a letter from the Labor Relations Manager to the Union's Top-Level Officer..."information to verify the claims made in order to permit Management to investigate the claims and to intelligently prepare a response."

- ___ Consider filing a formal grievance under the Agreement (if applicable), and if Agreement provides for it, or in conjunction with the letter have the Labor Relations Manager meet with the Top Level Union Officer to formally object to the misconduct and to solicit the Union Official's cooperation in controlling the Steward.

- ___ Consider filing of a formal Unfair Labor Practice/Improper Practice Claim against the Union.

- ___ Identify the misconduct as "abuse of office as Union officer."

"EQUIVALENT SUSPENSION" STEP (If misconduct continues in future meetings or dealings, or if the above repetition is severe)

- ___ In a formal letter from the company Labor Relations Manager to the Union Top-Level Officer with a copy to the steward involved, request the Union Top-Level Manager either attend the meetings himself/herself or provide an alternate Union representative in the future, and state that as a result of continuous poor-practice conduct of the local officer, Management representatives will not meet alone with the Local Officer in the future. State that failure of the Union to provide a representative who will deal in good faith will result in Management taking appropriate action under the Agreement and under the NLRA provisions.

- ___ Identify the misconduct as "abuse of office as Union Officer."

"EQUIVALENT TERMINATION" STEP (If misconduct persists or if Top-Level Union Officer does not correct the problem)

- ___ Consider formal grievance/arbitration against the Union for violation of the spirit of Agreement and/or for failure to provide Management with "necessary and relevant" information and for failure to deal "in good faith" if appropriate, or,

- ___ Consider formal NLRB charges for "failure to deal in good faith."