



September 2019

Stewards Are Organizers: *McFarland Mental Health Center Members Demand A Safe Working Environment*

AFSCME Local 2767 members at the McFarland Mental Health Center in Springfield were repeatedly subjected to violent attacks by high-risk patients. Staff alerted management to the alarming pattern of attacks by filing grievances and raising the issue in labor-management meetings, but their demands fell on deaf ears. Management simply told employees that assaults should be expected as “part of the job.”

A tipping point came after an employee was choked until she lost consciousness in late June. The union decided to take direct action to draw attention to the problem.

First, the local organized an informational picket. Local stewards and leaders talked one-to-one with members to solicit their participation, and the picketing ended with a march on the administration. There President Kevin Obrien – who earlier in the year had broken his leg in two places while responding to a violent incident – handed a list of demands to management.

That action was followed by a decision to hold a news conference to alert the public to the dangerous working conditions and lack of management response. Stewards again worked to ensure that there would be a good turnout at the press conference. In response to the planned press conference, top Department of Human Services officials agreed to meet with local union leaders to hear and address concerns. At the meeting, DHS committed to making a number of significant changes, and the local is determined to ensure that the agency fulfills its promises. In this case, it was a job action rather than a grievance that moved DHS and McFarland management to take corrective steps. Stewards are organizers!

Steward Resources: *Grievance Tracking Forms*

It is crucial that stewards stick to the timelines for filing and advancing grievances laid out in their contracts. If a timeline is missed, the grievance may be lost, no matter how solid the case.

Attached are two new grievance tracking forms to help stewards stick to that timeframe. One version is in Word and one version is in Excel. The Excel version includes formulas that can be set to “auto fill” the columns for each deadline. For example, if we enter a date in column A: Date of Contract Violation and the contract says we have 15 days to file a grievance, column B: Step 1 Due” will automatically fill in a date 15 days after the date entered in column A. (Please note that the Grievance Tracking form in the Excel spreadsheet has sample “number of days to file” times (e.g., 10 days, 15 days) that may be different than those in your contract. Be sure to insert the correct number of days in each column as spelled out in your contract.

Use these forms to keep detailed, accurate records of how grievances are processed and resolved.

Going the Extra Mile: *AFSCME Council 31 Biennial Convention*

This October 17-19, AFSCME Council 31 will hold its 21st Biennial Convention in Springfield. Whether or not you are a delegate to the Convention, that gathering will mean a lot for your work over the next two years. Delegates to the convention will consider resolutions that will set the union’s agenda and priorities in these very challenging times. Members who attend the convention often return home energized with a renewed sense of activism to build a strong local union. They will have attended workshops that help them learn how to respond to the crucial issues facing their locals. If you’re coming to the convention, you can count on gaining new skills—and new friends. And if you’re not coming, be sure to catch up with the delegates from your local when they get back to get a full report!

Tips for Effective Stewards *Conflicts Between Members*

1. Steward Representation

The union files grievances against management, not members. If, for example, a member is bullying another member, we might file a grievance against management for not providing a safe workplace, not a grievance against the member.

There may be conflicts between members that lead to discipline. In these cases, both members are entitled to union representation, but it is unwise for a single steward to represent both the person charged e.g., with bullying and the person who was bullied. In these circumstances, the union should arrange for a different steward for each member.

This commonsense approach has been enacted into law in cases involving sexual harassment. If a member is charged with sexually harassing another member, the law requires the union to provide a different steward to represent each member. Whether or not a case involves sexual harassment, your local should always arrange for two different stewards to represent members who are in conflict.

2. Combatting Management's "Divide and Conquer"

Management often stirs up discord within the bargaining unit through favoritism and other divisive tactics, and members often direct their anger at other workers rather than at management. It's the age-old "divide and conquer" strategy.

Stewards should combat this by investigating the practices management is using and blowing the whistle in a public way. Rally the unit around fighting the real culprit – not each other. A management that uses favoritism really has only one favorite – management.

(Adapted and reprinted with permission from The Union Steward's Complete Guide.)

Terms You Should Know: *Burden of Proof*

When management takes disciplinary action against an employee, management has the burden of proof to demonstrate that it had cause to take the action; members are 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 to demonstrate a violation.

Test Your Knowledge: *Steward-Member Confidentiality*

True or False?

1. The Employer is not allowed to compel a steward to disclose confidential information under a threat of discipline if the information was obtained while acting as a steward.
2. If a member tells a group about an issue or if the steward witnessed an incident while at work, the confidentiality guarantees apply.
3. Under Illinois law, a union representative cannot be compelled to disclose to a civil or criminal court any information he or she may have acquired while acting in his or her representative capacity.

Answers are below

This Month in Labor History: *Garment Workers Organize*

In September 1910, eighteen-year-old Hannah Shapiro led a spontaneous walkout of 17 women at a Hart Schaffner & Marx garment factory in Chicago. It grew into a months-long mass strike involving 40,000 garment workers across the city, protesting 10-hour days, bullying bosses and cuts in already-low wages. Hart Schaffner and Marx agreed to establish a joint worker/management committee to address grievances. Within three

months workers gained pay raises and improved working conditions, leading to the unionization of the industry.

Answers to “Steward-Member Confidentiality”

True or False?

1. “The Employer is not allowed to compel a steward to disclose confidential information under a threat of discipline if the information was obtained while acting as a steward.”

True: If your employer demands to know what a steward found out during an investigation conducted while acting as the member’s union representative, the steward can refuse to divulge the information.

2. “If a member tells a group about an issue or if the steward witnessed an incident while at work, the confidentiality guarantees apply.”

False: This privilege only applies when the member tells you something in confidence. The steward must be acting in his\her capacity as a union representative for the conversation to be considered confidential.

3. “Under Illinois law, a union representative cannot be compelled to disclose to a civil or criminal court any information he or she may have acquired while acting in his or her representative capacity.”

True. The act’s intent was to establish a privilege between a union member and his or her steward regarding conversations that occur during the administration of a collective bargaining agreement.

To unsubscribe from this newsletter, email mperry@afscme31.org and type “unsubscribe” in the subject line