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UNION HISTORY AND STRUCTURE
INTRODUCTION

You have a great opportunity as a LIUNA steward.

As a steward, you welcome new members to our union.
You solve problems at work.
You communicate the union's message to members.
You build unity and solidarity.

To most of the workers on your job site, you are the union.

This is a great opportunity and an important responsibility.

This is why LIUNA is investing the time and resources to teach you as much as possible about your position as a steward. Of course, you have already proven your leadership ability—or else you wouldn't be reading this manual. But all of us can always learn more. That's what this manual is all about.

The manual outlines the things you'll need to know to do your job well. There are other skills you can only learn on the job and from your union leaders.

If you have questions, contact your Local Union leaders. They are always willing to share their experiences and ideas with you. They are there to help you.

LIUNA HISTORY

As a LIUNA steward, you serve an important role in one of the most dynamic unions in the labor movement.

The Laborers’ International Union was organized on April 13, 1903 by a group of 8,000 individuals comprised of mostly immigrant construction workers. This was a group of workers who other trade unions said were unskilled and who others did not want in their membership. Originally chartered as the International Hod Carriers’ and Building Laborers’ Union of America, our union became a major player in the trade union movement.

Membership grew through aggressive organizing campaigns, affiliations with other unions, and the protecting of Laborers’ jurisdiction. The union changed its name in 1965 to the Laborers’ International Union of North America, reflecting its expansion beyond the construction industry.

Over the years, the union established many innovative programs and initiatives to benefit its members.

110 plus years later after its organization, LIUNA is a leader in the American labor movement, known for its diverse membership, history of inclusion, and progressive policies.

Today, LIUNA represents more than a half million workers in the construction industry, public sector, health care, and industrial fields. That strength helps build America, protect the middle class, and defend working men and women.

LIUNA STRUCTURE

LIUNA Headquarters is located in Washington, D.C., just blocks from the White House.

The International Union is responsible for collectively bargaining national construction agreements. The International Union also represents its members on Capitol Hill, oversees organizing initiatives to grow our union, and partners with union signatory contractors to expand work opportunities for LIUNA members.

There are several professional departments at the International Union that offer services intended to make things better for LIUNA members. Some departments are Education, Organizing, Legislative and Political, Legal, Minority Advancement, and Strategic Communications.

LIUNA holds a convention every five years where delegates from the United States and Canada vote on resolutions to the International Constitution. The Constitution sets the guidelines for governing the union. All of the officers of the International Union, including the General President, the General Secretary-Treasurer, and 14 Vice Presidents, are elected by delegates at the General Convention.

TRI-FUNDS

LIUNA has three independent labor-management trust funds that offer further services. These programs include:

- LIUNA Training
- Laborers-Employers Cooperation and Education Trust (LECET)
- Laborers’ Health and Safety Fund of North America
Collectively, these programs are known as the LIUNA Tri-Funds and they work with union-signatory contractors to provide members with job training, work opportunities, and safe job sites.

REGIONAL OFFICES
There are 9 LIUNA Regions with offices and staff including Regional Managers and International Representatives that provide assistance to the District Councils and Local Unions within their regions, and represent the International to each.

There are also 12 Regional Organizing Funds administered by the Regional Offices. Collectively, there are more than 400 staff organizers who work full-time to organize new workers and grow the size and strength of LIUNA’s membership.

DISTRICT COUNCILS
Almost every Local Union is affiliated with one of LIUNA’s 42 District Councils, and many are structured on a statewide basis. District Councils are responsible for negotiating collective bargaining agreements for affiliated Local Unions, fostering harmony and united action between affiliated Local Unions, and promoting unity of action in dealing with employers.

LOCAL UNIONS
As a member, you are represented on the job by your Local Union. There are approximately 350 Local Unions in the United States and Canada.

Your Local Union Business Manager shoulders the responsibility of the Local Union, sometimes with the assistance of one or more field representatives or business agents. In addition, the Business Manager may appoint stewards, like you, to provide day-to-day representation at your workplace.

The Local Union is responsible for enforcing the terms and rights of members under all Collective Bargaining Agreements and enforcing laws and regulations in the workplace.

COLLECTIVE BARGAINING
Collective bargaining is the guiding principal of all labor unions. The labor movement was formed by workers coming together, demanding change, and improving their working lives. The voice of the individual worker is strengthened when it speaks with the power of others.

The process of collective bargaining involves the union negotiating on behalf of its members with employers to achieve a Collective Bargaining Agreement (CBA) or union contract. The Collective Bargaining Agreement outlines the terms and conditions of the job site, including wages, hours of work, and working conditions.

The union contract is legally binding on both parties, the union and the employer. For the contract to be effective, both sides must closely follow the rules and terms laid out in the agreement. Any violation of the Collective Bargaining Agreement is considered a grievance and must be corrected.

STEWARDS
The first, and perhaps most vital, contact between members and their union is the LIUNA steward. The LIUNA steward is the union’s primary representative in the workplace. The LIUNA steward is a legal representative of the union. As such, the steward has a strong influence on their fellow members’ image of the Local Union, the International Union, and the labor movement in general.

Most union members do not personally know the General President of the International Union. In a large Local Union, it is also unlikely that the member has a personal relationship with the Local Union Business Manager or other officers. The lack of contact with union representatives is compounded by the fact that many members do not attend union meetings. Therefore, the LIUNA Steward is the one person in the union structure with whom the member is in contact, often on a daily basis.

A LIUNA steward has many duties, including solving workplace problems and issues, educating members on their contract, and communicating the Local Unions’ message to members. Stewards are the cornerstone of the union, and effective stewards build stronger unions.
THE ROLE OF
THE STEWARD
The LIUNA steward handles many jobs and tasks. Some of the important roles of the LIUNA steward include:

**Problem Solver.** When members have a problem, they bring it to their steward. Some problems are job related; others are not. The steward helps the member and others who may be affected to identify possible solutions and work for necessary changes. Some problems may need assistance from the Local Union to solve.

**Leader.** LIUNA members look to stewards for knowledge, experience, and guidance. By working with members to stand up for their rights on the job and encouraging members to participate in the union, stewards help build an active and unified membership.

**Communicator.** Stewards are the key points of contact between LIUNA members and their union leaders. Stewards are responsible for keeping Local Union leaders informed about members’ concerns and questions, and for keeping members informed about LIUNA’s programs and goals.

**Educator.** LIUNA stewards help members learn how to use and interpret the contract, participate in the union, and learn about broader issues that affect them and their communities.

**Organizer.** Stewards help Local Union officials organize members to participate in activities designed to improve conditions on the job and in our communities. Stewards do this by:

- Welcoming new employees
- Understanding the terms and conditions of the Collective Bargaining Agreement
- Winning and enforcing contract rights and benefits
- Increasing unity among members
- Increasing participation in union meetings
- Supporting LIUNA legislative campaigns to benefit working people
- Discussing voluntary contributions to LIUNA PAC, the Laborers’ political action fund
- Supporting LIUNA’s efforts to build alliances with community organizations on common goals

**WHAT IS EXPECTED OF A UNION STEWARD?**

The LIUNA Steward is a very important part of the Local Union. Without effective and aggressive stewards, a union cannot adequately represent its members. Effective stewards are the backbone of an effective labor organization. The steward is the Local Union’s legal representative on the job and how that steward handles their job is often how members view their Local Union. If the steward is fair and honest in their dealings with members, they will earn their respect. On the other hand, if the steward is incompetent in their responsibilities as a steward, members will most likely not have much respect or pride in the organization.

Stewards have to be conscious of the fact that many workers look to them for leadership. No one respects a person who is not a proficient worker. The steward must remember the example that they set is important. A steward who is a poor worker will not gain the respect of the members they are supposed to be representing, nor will they be respected by the employer.

A steward who attempts to use their position for their own personal benefit or gain is not helping the Local Union and its members. The steward must remember that they are LIUNA’s representative for all members at the workplace. Just because the steward may not get along with certain members or does not have much in common with them, is no reason that their complaints or grievances should go unheeded. Stewards need to treat all Laborers equally, despite personal opinions. The steward not only has a moral responsibility, but a legal responsibility to represent all members fairly.

The steward should be a person that members can talk with about their concerns. Take the necessary time to introduce yourself to new employees, and let all members know that you are the LIUNA steward.

**Know Your Contract**

To be an effective steward, you need to spend the time to become familiar with your Collective Bargaining Agreement (CBA) or union contract. You will be called upon on many occasions to answer questions about dues, initiations, registration procedures,
contract provisions, benefit plans, and many more matters of importance and concern to individual members. These questions may not affect you directly, however, to the affected member, they are extremely important. You must spend the time necessary to educate yourself before giving advice or answers to questions. It is much better to give no advice than the wrong advice. There is nothing shameful about not knowing all of the answers to all of the questions you will be asked. Tell the member that you will attempt to get an answer after checking with the Local Union.

Know Your Co-Workers One-on-One
As a steward, it is important that you maintain frequent personal contact with each member in your area. If you have too many workers in your group to be able to do that, you may need to ask your Local Union to recruit more stewards. Make it a habit to talk with every worker one-on-one or in small groups about the job, the workplace, and our union. Keep up the contact between you and the individual members. Don't let anyone slip through the cracks. Many workers will not seek you out even if they have something important to say. You will have to talk with them to find out what's on their minds. Unless your contract allows you to contact workers during working hours, you must talk with them during break times or before or after work. If you don't see them often on the job, keep in touch by telephone. Frequent contact is the only way to keep on top of problems, rumors, suggestions, and complaints. It is also a way to show members and management that the union is well organized and united.

If it’s possible where you work, try scheduling meetings at the lunch break on the same day each week or each month to have a brief discussion of union activities with the members in your area.

Know Your Members’ Needs
Often, the most important part of communicating with members is not what you say, but what you hear. Listen carefully to what the members say to you. Try to answer their questions and make them feel comfortable in coming to you. However, the fact that you are a steward does not mean that you must have all the answers.

Before you give a reaction or an opinion, listen carefully and ask plenty of questions. For instance: “What’s an example of that?” or “Why do you think that happened?,” or “What do you think should be done now?” Questions like that will help you understand members’ concerns better, and will show them that you value their views.

Show you understand what the member is saying. You may not be able to do exactly what the member wants done, but it will help to start by showing some interest.

For example: "I can see how you feel about that. So let's try to figure out whether anything can be done" or "I agree with you that the supervisor could have handled it better. That's something we could talk to management about. But I don't want to promise that we have grounds for filing a grievance until we look into it more."

Give members opportunities to make clear what they want to know. Many people are reluctant to admit they don't know something. Try questions like, “Is there anything else about this that isn’t clear to you?” or “What else would you like to know?”

If you don't know the answer to a question, don't guess. Promise to check and get back to the member, or have her or him go with you to ask someone who knows. Make sure you follow up on whatever you promise to do.

Use Materials and Resources
As a steward, you are the “go to” person when someone has a question or a problem. You’ll be able to address these issues better if you keep on hand important information:

Many stewards keep a special notebook and files to keep track of the following:
• Names, addresses, phone numbers, job titles, and work schedules of workers you are the steward for
• Seniority list (updated periodically)
• List of supervisors by department
• Records of all investigations and cases involving grievances or other problems.
• The contract
• Employer policies, personnel manual, work rules
• Civil service regulations
• Federal, state, and local health and safety regulations
• Grievance forms
• Materials to use in signing up new members, like authorization and dues check-off cards
• Your steward manual.

Keep Good Records
Thorough note keeping is important. Keep your notes neat, organized, and easily accessible. Documentation will help you in solving many problems with management.

BE A GOOD UNION MEMBER
Stewards lead by example.

It is important for the steward to enforce the contract and notify the Local of what is going on at each workplace.

It is important that stewards communicate and educate other members of our union on the vital role their unions play in their lives. Badmouthing the Union, the Local, or the Business Manager should be countered with the facts. Without our union, we would not earn the wages that we do and we would not receive the benefits that we do.

Each LIUNA steward should be active members in their union and should attend their Local Union meetings and participate in the functions their union sponsors. There are union duties expected of every member. Walking picket lines, attending rallies, and being a visible union member helps us win fights and makes our union stronger. Voting, volunteering in political campaigns, and assisting with organizing drives are also vitally important. Stewards have to be willing to do the same work that they ask members to do.

At the 2006 LIUNA Convention, delegates passed a resolution encouraging each member to donate three days a year to their union. Local union activities, politics, and organizing are all ways members and stewards can contribute back to LIUNA.

TEN BASIC RULES FOR STEWARDS

1. Love the union and show it. You are the day-to-day representative of LIUNA. Your actions on and off the job reflect both you and the union. Take every opportunity to express and explain your commitment to LIUNA and its members.

2. Know yourself. Be honest about your strengths and weaknesses. Ask yourself, “What more do I need to learn? What is the best way to deal with conflict? What is the best way to communicate with people? What do I need to be more effective as a steward?”

3. Be a credible employee. Follow the contract and abide by the rules on the job site. Your actions will help set the example of how contractors and workers should act.

4. Talk straight with members. You will be the bearer of both good news and bad. If you are honest with members about what is going on, there is a greater chance they will be straight with you.

5. Size up your opposition and act accordingly. There’s no single all-purpose way to deal effectively with employers. A good strategy involves a thorough assessment of the employer’s strengths and weaknesses. Sometimes you should come on like gangbusters. Sometimes you should sit in the back row and watch the employer self-destruct. When facing opposition from union members—as you surely will from time to time—deal with them respectfully.

6. Deal with small problems before they become big ones. Strive to settle problems before they become grievances. Bring issues of concern to the members’ attention when they first come up, so members may be alert to the possibility of contract violations at the earliest possible instance.

7. Prepare against surprises. Surprises are great for birthdays, but they can be a real drag at meetings with the contractor and union meetings. Prepare ahead of time for what will be said and done.

8. Set limits. You will be expected to work long and hard and will want to do so, but you have the right to set limits. Doing so will make you a more effective steward in the long run.
9. Involve others in the work of the union. You are not a one-person show. The best stewards involve other members in all kinds of union work, including walking picket lines, registering voters, attending union and community actions, and organizing unorganized workers.

10. Recognize that your job site is just a part of the whole. You need to look beyond the problems of your workplace and become part of organizing on a larger scale for the improvement of workers’ lives. This means you need to be active in your community, the political process and other progressive causes and coalitions that organize and promote those improvements.

TIPS

Being a LIUNA steward is a big responsibility with a lot of pressures. The demands of the position can take a toll on even the strongest steward. Don’t let the job of being a steward negatively affect your physical or mental health. Here are a few tips to help you keep it all under control:

Time Management: There will always be too much to do, and never enough time to get it all done. As important as your job is as a LIUNA steward, don’t let the job consume your life. Set a schedule for yourself and try to stick to it. Set priorities, write them down, and combine tasks whenever possible.

Telephone Time: On and off the job, the telephone can be the biggest time-grabber of all. To prevent needless time spent on the phone, try the following tips. Plan each call before you dial. Before you make the call, jot down the results you want. When you hang up, update your notes about the call. Set a time limit for each call at the beginning. Don’t waste time playing phone tag.

Record Keeping: Keep a pocket-sized notebook or calendar with you. Use your smart phone to assist you. Documentation is such an important component of being a steward, it is worth practicing. Develop a filing system that will allow you to find important documents when you need them.

Dealing with Stress: Your job as a steward may leave you frustrated and overwhelmed at times. Emergencies and unplanned events can add to the pressure. Catch your breath and try these coping mechanisms. Talk to others. Ask for help when you need it. Think before you speak. Tackle challenges with a sense of humor.

Don’t expect a lot of Recognition: You might never hear the words thank you. Expect to be taken for granted. You will likely hear more complaints than compliments. Don’t take it personally. Remember, the job you are doing is important. Stay the course and know that you are making a difference for your union and in the lives of LIUNA members.

Take Care of Yourself: You cannot be an effective steward if you are not at your best. Make sure you get the sleep you need, exercise when you can, and monitor your drinking. You will feel better for it.

CONCLUSION

Your role as a LIUNA steward is vitally important to the success of your Local Union and to the movement as a whole. Your Local Union’s officers and staff can’t be everywhere at once and they can’t do everything by themselves. That is why they need good leaders like you to help carry the ball. Your work as a steward will make LIUNA stronger and make things better for all the members your Local Union represents.

This manual includes a lot of information. It may seem overwhelming at first, but over time, it will come more naturally to you. This manual and training is one of many tools and resources at your disposal. Take advantage of this and all training and publications that you have available to help you learn more about your union and how to improve your skills. Seek assistance from your Local Union and from other members and stewards as you need it. That is what a union is all about.
GRIEVANCES AND CONTRACT VIOLATIONS
GRIEVANCES

What is a grievance? Simply stated, a grievance is a violation of a worker’s rights under the Collective Bargaining Agreement.

As a steward, you will be asked to find solutions to a wide range of problems. When a member comes to you with a complaint, it is a signal for you to start a series of checks to learn if the complaint fits any one of the following criteria:

1. Is it a violation of the contract?
   Most work rules are covered in the contract. So, you should know what is in the contract and know if the complaint constitutes a legitimate grievance.

2. Is it a violation of federal, state, or local law?
   A union contract is binding on both signatory parties, unless the contractual clause agreed upon violates a law. Any action by the employer which violates the law needs to be addressed.

3. Is it a violation of past practice, written or unwritten?
   It is important to note that a grievance also can be based on a violation of past practice, even if it is in an area not covered by the contract language, or if the language of the contract is not clear.

4. Is it a neglect of the contractor’s responsibility?
   There are areas which may not be covered specifically by the contract but in which the employer has a responsibility, such as working conditions and health and safety issues.

5. Is it a violation of employer rules?
   Employers often establish rules outside the contract, sometimes after consultation with the union, sometimes strictly on their own. Some employers have policy books that require potential employees to sign. However, once an employer has established a rule and enforces it, that employer also has to abide by that same rule or be subject to a potential grievance.

If the complaint fits into any of these categories, then it may be a valid grievance, and it is up to you to handle it.

If it does not fit any of the above criteria, it is up to you to determine whether it possibly is still a legitimate complaint for which there may be a fix or correction, or whether, in fact, it is not a valid complaint.

If it is not a grievance or violation of the contract, let the member know why. Even if a worker’s problem does not fit into any of those categories, you should still try to help find a solution.

GRIEVANCE HANDLING PROCEDURE

Under the provisions of most Collective Bargaining Agreements, any grievances, disputes, or differences of opinion which arise between the employers’ supervisory personnel and Union representatives at the workplace shall be settled on the job whenever possible. Such settlements cannot affect any wages, terms, or conditions of the agreement.

If the grievance cannot be settled on the job, the LIUNA steward needs to contact their Local Union to notify their District Council or the International Union about handling the issue.

Any problem or dispute on the job should be addressed by the steward in the following manner:

Step 1: Interview the Grievant.
   Listen well and let the member tell their side of the story. Tell the grievant to write down the potential grievance, any witnesses who might corroborate their story, and the solution they want to the potential grievance. Interview other members who can corroborate the grievance.

Step 2: Gather Facts.
   Start by asking the same basic questions to each person you talk to: the 5 Ws:
   • WHO was involved? Names of people involved in the event, including witnesses.
   • WHAT happened? Description of the event.
   • WHERE did it happen? Location of the event.
   • WHEN did it happen? Date and time the event occurred.
   • WHY is this a grievance? Contract sections being violated.

You should keep thorough documentation of all of your fact gathering and of information important to the grievance.

Step 3: Analyze the Facts.
   Review what you have learned and determine if the problem presented is a violation of the Collective Bargaining Agreement or warrants a resolution.
Step 4: Present the Case. Decide on a course of action. Can the problem be resolved on the job with an informal meeting with the employer? Lay out the problem clearly and offer a solution. Listen carefully to the employer’s response for possible areas of agreement. Communicate and educate to other members about the problem. If there is not an agreeable settlement on the job, contact your Local Union about helping solve the issue.

If the employer has committed an offense, such as a violation of the contract, a change from past practice, or an uneven application of the rules, a grievance may be necessary.

FILING A GRIEVANCE
Before you file a grievance, check your contract to find out about your specific grievance procedure.

Grievance procedures generally provide for a series of steps. It is important that you be familiar with the grievance procedure which has been negotiated by the union and which is explained in your contract. It is also essential that you act according to any time limits specified in the contract. Even the most worthy grievances can be lost if the time limits in the contract are not met.

While grievance procedures vary by contract, typically, the steps in a grievance procedure include:

Step 1: Meetings between the steward and immediate supervisor.

Step 2: Meetings between a Local Union representative and worksite management if there is no solution after Step 1.

Step 3: Some contracts provide for another meeting between the Local Union and management. Others involve a grievance panel with representatives from both the union and management.

Generally, the grievance procedure becomes more formal and is dealt with by people at higher levels of authority as the steps progress.

Final Resolution. If the grievance is not resolved through the grievance procedure the Local Union decides to drop the grievance or proceed to arbitration. In arbitration a neutral third party hears the case and determines the resolution. The use of arbitration must be specified in the contract.

Arbitrators generally expect workers to follow management’s instruction while waiting for a grievance to be filed and resolved. The major exception is if workers face serious danger to their health and safety if they do so.

Your contract spells out the particular grievance procedure that applies to you and your co-workers. Read it carefully. In addition your Local Union may have a preferred process for pursuing grievances. Check with your Local Union representatives.

No matter how winnable a grievance, you can expect to lose it if you miss the time limits under your contract for processing the grievance at each step!

WRITING A GRIEVANCE
Most LIUNA Local Unions have a grievance form which must be used when filing a formal grievance. You should request copies of this form and be familiar with the information required.

A sample grievance form is below:
Below are some general points on writing a formal grievance.

1. **Limit Details to Basic Information**
   Provide only enough information to identify the grievance so that management understands...
   - What the basic problem is
   - What violations occurred
   - How the problem should be fixed

2. **Don’t Limit Contract Violations**
   In stating why there is a grievance, say that the employer’s conduct "violates Article __ of the contract, and all other relevant articles of the contract." The last phrase protects you in case you discover that more parts of the contract were violated than you thought.

3. **Avoid Personal Opinions and Characterizations**
   The grievance states the union’s position, not your (or the grievant’s) opinion. Avoid the use of phrases like "I think" or opinions about managers.

4. **Don’t Limit the Remedy or Solution**
   In stating the remedy or solution you want, say you want the grievant “made whole in every way.” Don’t forget to include whatever specific remedies the union has in mind to solve the problem or issue.

   The phrase “made whole in every way” protects you in case you think of ways the employee has been hurt by management that didn’t occur to you at first.

5. **Consult With the Grievant**
   Go over the written grievance. Explain the requested remedy or solution and get the grievant’s full understanding and agreement so there is no question later. If you and the grievant disagree about the proper remedy, consult with your business agent or Local Union officers.

6. **Consult With Local Union Officials**
   For grievances that are difficult or complicated, or that affect the whole workforce, it is important that you consult your Local Union officials for proper wording. However, make sure you file the grievance within the time limits in your grievance procedure.
LEGAL PROTECTION AND RIGHTS
LEGAL PROTECTION OF STEWARDS

While performing union duties, a steward has the legal right to be treated as an equal by management. Under the National Labor Relations Act (NLRA), union stewards (and other union representatives) cannot be punished or discriminated against because of their union activity, such as filing grievances or speaking out on behalf of other workers.

Among other things, an employer may not:
- Order a steward to perform extra or more difficult work than it would otherwise assign to a similarly situated worker.
- Deny a steward pay opportunities or promotions.
- Isolate a steward from other workers.
- Deprive a steward of overtime.
- Enforce rules more strictly against a steward.
- Supervise a steward more closely than other employees.

DUTY OF FAIR REPRESENTATION

The union and its representatives, including stewards, have a legal obligation to represent all workers in the union fairly, regardless of their membership status, race, religion, nationality, age, or gender. A worker who believes that the union has not met its "Duty of Fair Representation" (DFR) may file "Unfair Labor Practice" (ULP) charges with the National Labor Relations Board (NLRB).

Therefore, stewards must be sure to do their best to handle each problem fairly even if the worker is not a union member, has unpopular beliefs, or has personality conflicts with the steward or other union leaders. This doesn’t mean the union can be found guilty of Unfair Labor Practices simply for making mistakes or losing a case.

So that the union will not be held liable and assessed monetary damages for breaching its Duty of Fair Representation, the union representative must file, in a timely manner, a written grievance, investigate the grievance, and document the investigation. When this has not been done, or if it was done poorly, monetary damages can be assessed against the union.

The types of conduct most commonly challenged are failure to pursue a grievance, failure to investigate a grievance, and inadequate presentation of the grievance at arbitration. Accordingly, handling a grievance should include at least the following:

1. Review the Collective Bargaining Agreement from beginning to end, checking for relevant, applicable provisions.
2. Review grievance procedures, checking that each step and time deadlines are followed.
3. Interview the grievant for the facts surrounding the grievance, names of witnesses or persons having knowledge of the dispute and relevant dates, times, and places. Have the grievant prepare a written statement of the grievance including names, dates, times, and places. Prepare notes of your interview.
4. Interview witnesses or persons having knowledge of the grievance. Prepare notes of your interview.
5. Meet with the employer to determine or obtain the reasons and facts upon which the employer proceeded against the grievant. Inquire of and obtain from the employer copies of any documents or evidence he has pertaining to the grievance. If the employer has any witnesses, attempt to obtain their names, addresses, and interview them. Prepare notes of your contact with the employer and witnesses.
6. File a grievance statement with the employer in a timely manner. It should be based on your fact-finding and interviews. Before filing the grievance, review it with the grievant for corrections, additions, or changes. Your Local Union may have a grievance reporting form for you to fill out.
7. Discuss the grievance with others in your organization, checking for weak spots or previously overlooked details.
8. Research similar grievances and decisions.
9. Keep notes or a record of your investigation of the grievance, including meetings, names, dates, times, and places.
10. If the grievance is unjustified or lacks merit, advise the grievant, in writing, why the grievance will not be pursued.
WEINGARTEN RIGHTS

According to the U.S. Supreme Court, a worker is entitled to have a union representative present when a supervisor asks for information which could be used as a basis for discipline. This right is referred to as the worker’s Weingarten Rights.

The worker must ask for union representation before or during the interview. The employer has no obligation to inform workers of this right (unless the Collective Bargaining Agreement requires otherwise). Stewards should regularly inform all workers: "If you are ever called in by the employer and asked questions you think might lead to discipline, you have a legal right to request your union steward or other union representation to be present."

Explain to the employer and supervisory personnel, that should discipline be rendered, the steward should be contacted at the time of discipline to represent the member. Once a worker asks for a union representative to be present, any attempt by the employer to continue to ask questions is illegal until the steward arrives.

The following is model language for members to say anytime they are questioned by the employer: "If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Until my representative arrives, I choose not to participate in this discussion."

Here is the steward's role in interrogation meetings:

1. **Before the meeting takes place, ask management its purpose.** By doing this, you will be able to prepare the member for the meeting.

2. **Before the meeting with management, meet privately with the worker.** Give the worker the following advice:
   - Anticipate questions that may be asked.
   - Watch what you say. It may be used against you.
   - Don’t volunteer any extra information and keep answers short.
   - Keep calm during the meeting.
   - You are not alone! The union is here to help you.

3. **Take good notes on who says what.** Keep them in a notebook for reference if the case goes to another step or if you need arguments in another case.

4. **Stop the supervisor from harassing or abusing the worker.** You have the right to ask the supervisor to clarify questions so the worker can understand what is being asked.

You also have the right to give the worker advice on how to answer questions, and provide additional information to the supervisor after the meeting ends.

However, under the Weingarten rules, stewards do not have the right to tell workers not to answer questions or to give answers that are untrue. **If workers refuse to answer questions, they can be disciplined.**

5. **Recess the meeting for a few minutes if you need to talk privately with the member.** You may also need to ask that the meeting be continued at another time - for example, if new information is presented that requires more investigation or preparation.

JUST CAUSE FOR TERMINATION OR DISCIPLINE

A key question in discipline cases is, “Did management have ‘just cause’ for imposing the discipline?”

Most union contracts include the just cause standard. Some contracts may include different wording, like “cause,” proper cause,” sufficient cause,” and “reasonable cause,” and other similar words. They usually mean the same thing.

If your contract contains such standards, the employer cannot fire or discipline workers on a whim. With a union contract, the employer has a burden of proof to show sufficient cause for discipline or discharge.

Even if a contract does not use the words “just cause,” an arbitrator may apply that standard anyway.

The seven test or key questions to determine just cause include:
1. **Notice.** Did the employer give the member forewarning of the possible or probable consequences of their conduct?

2. **Reasonable Rule or Order.** Are the employer’s rules reasonably related to business efficiency and performance the employer might reasonably expect from the employee?

3. **Investigation.** Was an effort made before discipline or discharge to determine whether the employee was guilty as charged?

4. **Fair Investigation.** Was the investigation conducted fairly and objectively?

5. **Proof.** Did the employer obtain substantial evidence of the employee’s guilt?

6. **Equal Treatment.** Were the rules applied fairly and without discrimination?

7. **Penalty.** Was the degree of discipline reasonably related to the seriousness of the employee’s offense and the employee’s past record? Does the punishment fit the crime?

A "no" answer to any of these test questions may mean that cause was not sufficient. The more of the questions that answer "no" make an even stronger case that cause was not sufficient. You should contact your Local Union anytime an employer disciplines or terminates a worker covered by the Collective Bargaining Agreement.

### PROGRESSIVE DISCIPLINE

The union should argue that management should use a system of progressive discipline, under which the employee is warned for a first offense and given a penalty for a second offense before being hit with a discharge. Even if not stated in the contract, an arbitrator may consider this to be reasonable.

A common pattern in progressive discipline is:
- Oral Warning
- Written Warning
- Suspension
- Discharge

Note that progressive discipline may not apply for certain major offenses like violence or theft of employer property.

### EQUAL TREATMENT

All employees must be judged by the same standards, and the rules must apply equally to all.

All employees who engage in the same type of misconduct must be treated the same unless there is a good reason for a difference (such as differences in fault, or differences in past records).

If arguing that an employee has not been treated equally, it’s important to show that management knew that other employees had committed the same offense and treated them differently.

### PAST PRACTICE

Past practice is a consistent and frequent pattern of conduct by the employer over a period of years which benefits employees. Both management and the union must have known about and accepted the conduct.

An example of a past practice is a fifteen minute wash-up period at the end of a shift, not mentioned in the contract, which for years has been allowed by a particular employer. If an employer tries to discipline someone who was following a well-established past practice, you should file a grievance.

Past practice can also be used by management against employees. If members wait years to file a grievance against a new management policy that is not directly addressed in the contract, management may argue that it has become a past practice. That is why it is very important to challenge management actions right away when you think they may violate members’ rights.
NEW MEMBER ORIENTATION AND MEMBER MOBILIZATION
NEW MEMBER ORIENTATION

It is the steward’s responsibility to welcome every new employee into the union. If at all possible, do this on the worker's first day on the job. First impressions have a lasting impact.

Under some Laborers’ contracts, stewards are given a block of time to provide union orientation. If not, you must find time during a break or before or after work. In any case, set aside enough time with new workers so they feel welcome.

You should explain the union to new employees even if they are required by your contract to become members. The union will be stronger if new employees understand why they are in it and what it does.

The approach described below may be useful. It can be done in as little as 20 minutes. Much of this advice may also be helpful in talking to experienced workers who have not joined the union (in situations where workers are not legally required to become members).

1. **Get to know each other.** New employees want to know that they are accepted. Find out where they worked before, how they chose this job, what questions they have about the work, whether they have a family, and so on. Such questions show your interest in them first as people. Tell them a little about yourself as well—perhaps a story about your first day on the job.

2. **Give the worker a copy of the union contract.** Explain that the contract contains gains negotiated over the years through member sacrifice and unity, and that it legally guarantees the rights and benefits members enjoy.

Don’t try to explain all its provisions. Instead, pick out a few, such as wages, vacations, and holidays, and show the worker where these are in the contract.

The goal is not to teach new workers everything about the contract on their first day—especially since they already will be overloaded with new information.

- Show that workers’ rights and benefits are achievements of an effective union and not gifts from the employer.
- Encourage workers to review the contract more thoroughly later.
- Emphasize that you, the steward, are knowledgeable about the contract and the person to come to with job-related problems.

3. **Help new workers see union membership as a natural part of their job,** and, if your contract doesn’t require them to become members, ask them to join.

- Emphasize the large number of other workers who belong.
- Explain that “the union” is the members. We are the union. It is not an outside institution.
- Point out that decisions in LIUNA are made through a democratic process during union meetings and elections.
- Explain that they have to be a member to have a voice in union decisions, such as whether to accept a contract settlement or who will be elected to union office.
- Point out that what the union achieves depends on the employer and the public seeing workers’ unity and active participation.
- Get the new employee to start identifying with the union.

4. **Explain the dues and what they provide**—before you are asked about it. Some suggested points:

- Explain why you feel paying dues is important.
- Explain that the amount of dues is determined democratically.
- Give examples of what the dues pays for: contract negotiations by experienced negotiators; solving on-the-job problems; union education and training programs; communications (newsletters, bulletins); legal representation; health and safety experts; and research on the employer’s future plans and finances.
- Point out that the improvements our union wins easily offset the cost of dues.
MEMBER MOBILIZATION

Membership involvement is the key to our power as a union:
- Finding solutions to on-the-job problems often depends as much on the amount of unity the membership shows as on the arguments we put forward.
- Winning better contracts or legislation depends largely on how organized and unified we appear to management or to public officials.

Stewards play an important role in helping the Local Union get members involved.

Getting Members Involved

Organization:
Membership involvement depends on a strong network for two-way communications with every member. The members know best what is going on in the workplace. They are the best source of information and the union needs to be able to access that source easily and quickly.

Stewards work with local officers and business agents to set up that network. But since stewards are with fellow members on a daily basis, it is largely up to you to make it work.

Education:
Through your communication network, you can find out what issues are most important to members in order to match their interests to the needs of the local. Through education, members will learn why these issues are important and how their involvement will make a difference.

Action:
Local Unions sometimes organize actions on a particular issue in order to accomplish three goals:
- They send a clear message to management or politicians that members are united and serious about the issue.
- They allow members to participate directly in an activity, helping them see that “we are the union.”
- They may draw public attention to the union’s goals, helping to build community support.

A few examples of actions include wearing the same color of clothing on the same day, wearing a sticker or button, or presenting petitions or postcards to management officials. (NOTE: Buttons or stickers may not be permitted for some workers who interact with the public. Check first.)

Recruiting Volunteers and Keeping Them Active

Serving as a steward requires a lot of time and hard work, but don’t feel you have to do it all yourself. Get help from other members. Involving others helps you get the job done and strengthens members’ understanding of the union. Here are some examples of what members have been asked by their Local Union to do:
- Help give out leaflets to workers who are organizing at a nonunion employer.
- Picket an employer in the area where workers are on strike.
- Collect food for members in the local who have been laid off.
- Write an article for the local newsletter.
- Circulate a petition about legislation on health care or workers’ rights.

A newsletter article or bulletin board notice asking for volunteers usually is not enough. You probably will need to actively recruit people in person.

Tips to Get Members Involved

Target people to approach in person. Keep lists of potential volunteers with their names, phone numbers, activities they’re involved in, and any interests they have. Try to match activities to the abilities, interests, and time volunteers can contribute.

Remind potential volunteers of the special skills or expertise they have to contribute. When members believe their particular skills are needed, they feel more committed to the work.

Think about who should talk to the potential volunteer first. Members should be asked to participate by someone they know and respect.

Give people choices. There is plenty of work to be done, so this shouldn’t be a problem. Ask which of some specific assignments you can count on them
for; assume that they will pick one. Write down their names once they agree. This shows that they are expected to follow through.

**Don’t overload new people.** The easiest way to discourage volunteers is to give them too much work. Ask someone to take on one limited task. If they agree and carry it out, ask them to do something else. If there’s too much to be done, recruit more volunteers.

**Be clear about the job you are asking them to do and the time that’s involved.** People generally are unwilling to make an open-ended commitment, but will volunteer for jobs with a definite beginning and end.

**Assure recruits they’ll have the training and support they need.** As their confidence grows, so will their participation.

**Make sure volunteers complete their assignments.** This sends the message that their contribution is important, and helps you catch mistakes early on.

**Encourage people to report their successes,** no matter how small. Give them recognition at meetings, in newsletters, or on bulletin boards.

**Involve members’ families and retirees in union work.** That gives you a larger pool of people. Some members will find it easier to participate if their families are involved as well.

**Make it fun.** While it may be union work it should not seem like work. Many people get involved in activities as much for the social interaction as the cause.

**Increasing Attendance at Union Meetings**

Stewards play a major role in getting members to come to union meetings.

**Ask each member to attend.** Most of the time, just posting a notice isn’t enough. More members will attend if they are personally asked to do so.

If you can’t contact each member yourself, ask others to help you. For example, you could ask the most active members to take responsibility for inviting particular co-workers.

**Ask those who didn’t attend why not.** Talking to each member who didn’t attend can help you suggest ways to increase turnout at meetings. For example, some members may not be able to attend because they have no ride. Perhaps carpools could be organized. Others may not be able to find child care. Perhaps teenagers could be recruited to take care of children in a separate room during the meeting.

Asking members directly is the best way to find out if the meetings are at an inconvenient time, or if certain subjects they are interested in should be added to the agenda.

**Tell workers who didn’t attend what happened at the meeting.** It’s important to keep people as informed as possible. Plus, the more they learn about union activities, the more likely they’ll become interested in getting involved.

**Ask those who attend to recruit for the next meeting.** Members are the union’s best recruiters. Surely each member can convince one other member to join him or her at the next meeting. If put into play, attendance would double each time.

**Help make meetings interesting.** Your union officials must handle business at union meetings that can seem dry to the average worker. Suggest ways that can make meetings more understandable and interesting to the members you work with.

**Building the Union’s Political Action**

Our union's grassroots political action program gives LIUNA families a voice in government. It allows us to counteract powerful corporate special interests on issues such as workers’ rights, fair trade, health care reform, fair taxes, regulatory reform, and investment in good jobs. Stewards play a big part in involving our members in our political action program.

**Campaigning on Issues**

Our union conducts campaigns on major national, state, or local issues to hold politicians of all parties accountable to working people.

These issue campaigns may involve petitions, rallies, town meetings, visits to public officials, or other actions. Often, these campaigns are organized in
cooperation with other unions and community groups. You can help by participating yourself, encouraging others to do so, and keeping all workers informed about the campaigns.

**Election of Pro-Labor Candidates**
Stewards should help the Local Union with voter registration drives, support for pro-labor politicians, and getting out the vote on Election Day. Your Local Union Officers can give you more details.

**Support LIUNA Organizing**
As Laborers, we understand that everything we have achieved can be taken away if we do not continue to organize. Non-union employers try to paint the union as an outside institution that is only interested in workers’ dues. The best way to counter that is for current union members to talk face-to-face with workers who are considering organizing a union. That can take place at workers’ homes or other locations where private conversations are possible.

Successful campaigns use stewards to help make these contacts. Others ask stewards to encourage co-workers to be trained as volunteer organizers. The International Union assists Local Unions that want to conduct volunteer organizer training.

When you run into unorganized workers on the job or in the community, ask them about their jobs and their concerns. After lots of listening and asking questions, tell them how being part of the Laborers’ International Union of North America gives you more of a voice in the workplace and community as well as helps you solve work-related problems.

**Reaching Out to the Community**
Many Local Unions have ongoing programs to work with community groups—some political, some social, and some charitable. These relationships help strengthen our communities and can result in valuable alliances when we need help achieving union goals.

**Staying Informed**
Your Local Union Officials are your primary source for information about your Local Union and its activities. If your Local Union, District Council or Regional Office produces a newsletter, read it. Many also host information on-line on their websites.

In addition, the LIUNA website is a tremendous resource for stewards, with updates on collective bargaining, legislation, organizing, and other union activities. Visit: www.liuna.org.

The more you know about the Collective Bargaining Agreement you are working under, the less problems you will face, and the more effective steward you will be.

Thank you again for being a LIUNA workplace leader!
GLOSSARY OF TERMS
**AFL-CIO:** The American Federation of Labor-Congress of Industrial Organizations is an umbrella organization of some 56 national and international unions headquartered in the United States. The AFL-CIO is organized along national, regional, state, and local lines.

**Agency shop:** A workplace with contract language requiring that every worker represented by the union pay the equivalent of union dues (an "agency fee") whether or not they decide to become actual members of the union. (See Union Shop)

**Arbitration:** A method of resolving disputes (typically grievances) between the union and the employer through the intervention of a neutral third party—an arbitrator—whose decision is binding and final.

**Bargaining agent:** A legally-certified union is designated by federal law as the sole and exclusive bargaining agent for a specific group of employees (the bargaining unit). This legal status is intended to prevent the formation of "company unions"—organizations that pretend to represent the workers but are dominated and controlled by management.

**Bargaining unit:** A group (or groups) of workers in a craft, department, plant, company or occupation, which the National Labor Relations Board has determined is appropriate for representation by a union for the purposes of collective bargaining.

**Beck Rules:** Based on a 1988 Supreme Court ruling requiring local unions to identify charges associated with activities necessary to represent workers from those related to non-representational activities, such as political action and new organizing.

**Boycott:** A tactic used by workers and consumers to pressure corporations through a mass refusal to purchase their products or otherwise patronize the business.

**Captive audience meeting:** A union-busting tactic in which the employer disseminates anti-union propaganda to the employees in mandatory-participation meetings, usually during work hours.

**Card check:** A method for American employees to organize into a labor union in which a majority of employees in a bargaining unit sign authorization forms, or "cards," stating they wish to be represented by the union.

**Central Labor Council (CLC):** A local body composed of AFL-CIO affiliated unions.

**Certification:** Official recognition by some impartial labor relations board that an employee organization is the exclusive representative for all the employees in an appropriate bargaining unit for the purpose of collective bargaining.

**Check-off:** A clause in the collective bargaining agreement that authorizes management to automatically deduct union dues or fees from union-represented employees.

**Collective bargaining:** Direct negotiations between union and company representatives to produce a collective bargaining agreement (CBA, also known as a labor agreement or contract.)

**Common Sites Picketing:** A form of picketing in which employees of a struck employer who work at a common site with employees of at least one neutral employer may picket only at their entrance to the worksite. The employees of neutral employers must enter the work place through other gates. Picketing is restricted to the entrance of the struck employer so as not to encourage a secondary boycott on the part of the employees of a neutral employer.

**Company union:** A sham union, dominated and often organized or inspired by the employer to manipulate the worker force and frustrate attempts to form a genuine union.

**Concerted Activity:** The rights, protected by the National Labor Relations Act, of two or more employees to act in concert to form, join, or assist labor organizations in order to affect their wages, hours of work, or working conditions.

**Contracting-out:** When an employer hires outside personnel to perform work normally done by company employees, the work is said to be contracted-out or "out-sourced".
**Contract**: A legally-enforceable agreement negotiated between a union and employer that spells out the wages, hours, and other terms and conditions of employment. Contracts are binding on both parties for a fixed duration (typically three years) and then expire and must be re-negotiated.

**Contract proposals**: Contract language put forward by the union or the employer and subject to collective bargaining.

**Cost-of-Living Allowances (COLA)**: Periodic pay adjustment to compensate workers for changes in the cost of living. COLA is usually geared to changes in the Consumer Price Index (CPI).

**Craft union**: A union that admits only workers of a particular trade, skill set, or occupation (e.g. Laborers, Plumbers, Carpenters or Electricians).

**Decertification**: Withdrawal by a government agency, such as the National Labor Relations Board, of a union’s official recognition as exclusive bargaining representative. The NLRB will withdraw certification if a majority of employees vote against union representation in a decertification election.

**Duty of Fair Representation (DFR)**: Bargaining agent’s obligation to represent all members of a bargaining unit fairly, in good faith, and without discrimination.

**Economic Strike**: A work stoppage by employees seeking economic benefits such as wages, hours, or other working conditions.

**Exclusive Representative**: The employee organization that, as a result of certification by a labor board, has the right to be the sole collective bargaining agent of all employees in an appropriate bargaining unit.

**Fiduciary Obligations**: Obligations of trust imposed by law on union officials with respect to the union funds and the fair representation of members in collective bargaining. Also applies to duties associated with serving on a trust fund.

**Free Rider**: An employee who fails to join a union that has negotiated a contract over their wages and working conditions, all the while benefiting from that contract.

**Fringe benefits**: Non-wage benefits, including paid vacations, pensions, medical and life insurance, whose cost is borne in whole or part by the employer.

**Good Faith Bargaining**: Negotiations in which two parties meet and confer at reasonable times and exchange proposals with open minds and the intention of reaching agreement over a new contract. (Bad faith bargaining is the reverse of this process.)

**Grievance**: A formal complaint alleging and seeking restitution for a violation of the Collective Bargaining Agreement.

**Hiring hall**: A union-operated placement center where manpower requests by employers are allotted to registered applicants according to a set order based usually on rotation or seniority.

**Impasse**: In general usage, a term referring to a situation where two parties cannot agree on a solution to a dispute. For collective bargaining purposes, if an impasse is reached, the employer is legally permitted to unilaterally impose its last offer.

**Industrial union**: A union that organizes on the principle of uniting all workers in an industry "wall-to-wall," regardless of craft or skill level. (See Craft Union)

**Informational picketing**: Patrolling near an employer’s place of business purely for the purposes of informing and educating the public. (See Picketing)

**Injunction**: A court order which either imposes restraints upon action, or directs that a specific action be taken and which is, in either case, backed by the court’s power to hold disobedient parties in contempt.

**International union**: A union with members in more than one country, typically the U.S. and Canada.

**L-M Reports**: The annual financial statement of income and expenses, including the salaries of union officers and staff. Unions are required by law to file them annually with the Labor Management (LM) Division of the Department of Labor.

**Local union**: A locally-based trade union organization which forms part of a larger, usually national, union.
**Lockout**: A lockout occurs when an employer seeks to force the terms of a settlement by refusing work to employees or shutting down operations.

**Management Rights Clause**: A provision in many contracts that defines the employer’s rights to operate unilaterally, usually with respect to issues outside the scope of the contract, or otherwise not included within the collective bargaining agreement. One example would be the right to establish a production schedule.

**Mandatory Subjects of Bargaining**: Those items included under wages, hours, and other terms and conditions of employment over which either side (union or employer) must bargain if the other side proposes it. An employer may not make a change in a mandatory bargaining subject without providing prior notice to the union and an opportunity to bargain.

**Mediation and Conciliation**: A process that attempts to resolve disputes through compromise and voluntary agreement. When negotiations between the union and the employer bog down, mediators (often employed by the Federal Mediation and Conciliation Service, FMCS) may agree to act as “go-betweens,” helping the parties find acceptable middle ground.

**Most favored nations clause**: Specifies that if a union grants more favorable terms to any employer than those terms already contained in the collective bargaining agreement, then any signatory employer may also apply those favorable terms to its workers.

**National Labor Relations Board (NLRB)**: The federal agency in charge of enforcing the National Labor Relations Act, which protects the rights of the U.S. workers in the private sector to organize unions and engage in free and fair collective bargaining. Unions, employers or individual workers who feel the Act has been violated may file charges with the NLRB. If an investigation shows the charges have merit, the NLRB files a formal complaint to be heard by an Administrative Law Judge.

**Past Practice**: A customary way of doing things, not written into the collective bargaining agreement. Past practices can sometimes be enforced through the grievance procedure if the practice has been longstanding, consistent, and accepted by the parties.

**Per-capita tax**: A payment, based on the number of members, from a local union to its international union or from a union body to the labor councils or federations with which it is affiliated.

**Permanent Replacements**: Under current labor law, when employees engage in an economic strike, the employer has the right to hire permanent replacements. After the strike has ended, if there is no back to work agreement reached between the union and the employer, employees replaced during the strike are put on a preferential hiring list and must wait for openings to occur. However, in the case of unfair labor practice strikes, the strikers must be reinstated with few exceptions.

**Picketing**: Patrolling near an employer’s place of business to publicize the existence of a strike or other labor dispute to encourage people to join the union or to discourage people from working for or doing business with the employer. (See Informational Picketing.)

**Portal to Portal Pay**: Pay adjustment to account for workers traveling long distances to get to a remote job site. Generally paid as a predetermined amount, as opposed to a mileage reimbursement.

**Precedent**: A finding, ruling, or decision that governs future grievances over the same issue even if the contract is silent on the matter.

**Premium pay**: Additional pay for work performed on overtime or under particularly difficult, dangerous or undesirable conditions.

**Protected concerted activity**: An occasion when two or more employees act together to improve their terms and conditions of employment.

**Raiding**: An attempt by one union to induce members of another to defect and join its ranks.

**Ratification**: Formal approval of a newly negotiated agreement by vote of the union members affected.

**Re-opener**: A provision allowing the renegotiation of specific portions of a collective bargaining agreement (e.g. wages or medical insurance) prior to the expiration of the entire agreement.
**Representation Election**: A vote conducted by an appropriate labor board or agency to determine whether a majority of the workers in a previously established bargaining unit wish to be represented by a given union.

**Right-to-work laws**: Statutes that forbid unions and employers to enter into agreements requiring employees to join a union and pay dues and fees to it in order to get or keep a job. A majority of states in this country have right-to-work laws.

**Salting**: When a worker secures employment at a non-union workplace with the ultimate goal of organizing the employees.

**Scab (or Strikebreaker)**: An epithet used to describe a worker who refuses to join the union, or who crosses a union picket line and takes the job of a striking worker.

**Secondary boycott**: A group's refusal to work for, purchase from, or handle the products of a business with which the group has no dispute. When used to influence the outcome of a labor dispute, it is considered an unfair labor practice.

**Seniority**: A term used to designate an employee's status relative to other employees in determining the order in which they will be considered for promotion, transfer, lay-off, etc. Most collective bargaining agreements calculate seniority by total length of service with the company, sometimes with consideration for length of service within a particular craft or department.

**Service Fee**: A monetary assessment of non-members of a bargaining unit used to help defray the union's costs in negotiating and administering a contract.

**Shift differential**: Additional pay for work regularly performed outside normal daytime hours. (See Premium Pay.)

**Side Agreement**: An agreement outside the main collective bargaining agreement. It usually covers gaps, or clarifies misunderstandings, and is considered enforceable.

**Steward**: A union member responsible for handling problems on the job site, including grievances, between members and contractors, educating members on union policies and activities; and getting the members involved in the union. The steward is the backbone of the union.

**Strike**: The concerted withholding of labor from the employer; the refusal of the workforce to continue working for the employer unless certain terms and conditions are met. The strike is usually a tactic reserved for the last stage of collective bargaining, after all attempts to resolve the dispute have failed.

**Economic Strike**: A work stoppage by employees seeking economic benefits such as wages, hours or other working conditions.

**Unfair Labor Practice Strike**: Work stoppage when an employer commits an unfair labor practice.

**Wildcat Strike**: A strike undertaken without official union authorization. Although not necessarily illegal, they are not necessarily protected by the NLRB.

**Subcontracting clause**: Limits how and to whom a contractor may subcontract phases of a project, with the objective of preserving bargaining unit’s work. It usually mandates the signatory contractor to subcontract work only to other signatory contractors.

**Successor Employer**: An employer which has acquired an already existing operation and which continues operations in approximately the same manner as the previous employer, including the use of the previous employer’s employees.

**Surface Bargaining**: A tactic whereby an employer meets with the union, but only goes through the motions of bargaining. Such conduct on the part of the employer is considered as a violation of the employer's duty to bargain, Section 8 (a) (5) of the NLRA.

**Takebacks**: Union benefits or favorable terms won in previous contracts which are lost in subsequent bargaining.
Trade union, or Union: Workers who organize a voluntary association to further their mutual interests with respect to wages, hours, working conditions, and other matters of common concern.

Trusteeship: The assumption of control over a local union by an international union or by the federal government under the RICO Act. Provided for by the Constitutions of most international unions, trusteeships suspend the normal governmental process of a local union and take over management of the local's assets and the administration of its internal affairs.

Unfair Labor Practice: Conduct prohibited by the NLRA regulating relations between employers, employees, and labor organizations.

Unilateral Change: Any change in the workplace an employer makes without the union’s consent. The Board recognizes that an employer must bargain over all changes in hours and other working conditions with the employee’s union. Generally, these changes must be bargained to impasse before a change is implemented.

Union density: The actual membership of a trade union as a percentage of the total possible membership.

Union election: An NLRA-regulated procedure of forming or joining a union, or decertifying an existing union. It consists of gathering support of the interested employees in the form of signing authorization cards, filing the election petition with the NLRB once 30 percent of employees in the bargaining unit have signed cards and conducting an election. To win the election, a side has to win 50 percent plus 1 vote. The union victory mandates the employer to recognize the union as the exclusive bargaining agent of the unit and to bargain in good faith towards reaching an agreement.

Union busting: Efforts by the employer (or lawyers and professional consultants hired by the employer) to make workers lose faith in, quit, or refuse to join unions.

Union shop, or Union security clause: A contract provision requiring every worker covered by the Collective Bargaining Agreement to become and remain a member of the union as a condition of employment or to pay an equivalent fee (see Agency Shop). Also referred to as a closed shop.

Vesting: The length of time an employee must work to guarantee that his/her accrued pension benefits will not be forfeited even if employment is terminated.

Wall-to-wall Collective Bargaining: Organizing by a single union all of the employees of an employer rather than certain departments or crafts.

Weingarten Rights: The rights of employees covered by the NLRA to request union representation during investigative interviews if they reasonably believe that the interview could result in their being disciplined. Weingarten rules also guarantee the rights of union representatives to assist and counsel employees during interviews that could lead to disciplinary action.

Wildcat Strike: A strike undertaken without official union authorization. Although not necessarily illegal, they are not necessarily protected by the NLRB.

Work-to-rule: A tactic used by workers to pressure management by scrupulously adhering to the letter of all company rules, safety regulations, contractual provisions, laws and other relevant procedures.

Yellow-dog contract: Now illegal, a Yellow Dog Contract is an agreement between an employer and an employee in which the employee pledges, as a condition of employment, not to join a union.

Zipper Clause: A contract clause which precludes any renegotiation of conditions covered in the contract during the life of the contract. It is designed to prevent an employer from trying to change the contract before the next round of bargaining.

Union label, or union bug: A stamp, emblem or other mark affixed to a product to certify it was made by union labor.