

HOW TO DEAL WITH THE SUPERVISOR

BEFORE You See the Foreman -- Ask Yourself These Questions -

- Have I gotten all the facts from the worker?
- Do I have all the other information I need?
- Have I checked the contract?
- Have I explained the case to the worker?
- What questions do I want to ask the foreman?
- What points do I want to get across to the foreman?

REMEMBER In the Grievance Procedure The Supervisor and Steward Are Equals

The foreman and steward share the responsibility for settling grievances. Try to establish a friendly but businesslike relationship. There is no reason to bow or scrape OR to have a chip on your shoulder. If the foreman is unreasonable, you can always go to the next step. Ask him or her why the grievance happened. The foreman may have facts that you don't have.

State the Facts and Tell the Supervisor How the Union Wants the Grievance Settled

- If he or she tries to sidetrack you by discussing other issues ... Let them talk, but don't be misled and lose sight of your position. Stick to your case and bring the supervisor back in a tactful but firm way.
- If the supervisor wants to trade - you win one grievance and he/she wins one ... Insist on settling each grievance on its own merits. This is the only just way to settle a grievance.
- If the supervisor makes you angry - Beware!
Few people can think straight when they are angry and this is a victory for the foreman if he/she can make you lose your temper.
- If the foreman stalls ...
Try to push for an immediate answer. If you cannot get a decision, try to set a definite time, as early as possible, for the answer.
- If you and the aggrieved worker disagree ...
Don't ever disagree in front of the foreman. Determine the way you will present your case before you see the foreman. If you hit a snag, ask to adjourn. You have a right to do this. Then, straighten out your case and resume talks with management.

IF you win your point. . .

Once you've won, stop talking. Don't continue to hash it over. Be sure to inform the worker about it if he/she wasn't with you.

IF you can't settle the grievance. . .

Take the case to the next step in grievance procedure right away. Let the supervisor know you are going to do this. Be sure to keep the worker informed. Check with the Council representative periodically and keep the worker informed on progress.

SUGGESTIONS FOR PRESENTING THE GRIEVANCE

THE PROBLEM OF DEALING WITH HUMAN BEINGS

1. No two people are approachable in the same manner; this applies to union members and company officials alike.
2. The steward is after results that will benefit the worker and the group as a whole; he/she must submerge personal likes, dislikes, fears and prejudices.
3. The steward should not assume that his/her thinking processes operate in the same way as that of the members to whom she/he is speaking.
4. Effective human communication with the members or management particularly when discussing complex issues, requires considerable patience and time.
5. Treat the members or company representatives as you would like to be treated.

Let any break in good relations with company representatives come from the other side.

Remember that the representatives to whom you are speaking are not always personally responsible for the complaint or grievance; therefore, you may get less cooperation from them by trying to place the blame on their shoulders.

6. It is not wise to place the company representative, or any person, in a position whereby they can't retreat in an issue without a great deal of embarrassment to themselves. If possible, leave a back door open to provide an easy way out.
7. Continually evaluate the points, the other person is making, for substance. Look for underlying motives of their position. What is said and apparent on the surface, may not be the real issue at stake.
8. Take a positive position...not defensive.. In trying to convince the other side to your point of view attempt first to get them in a yes frame of mind.

SOME POINTS TO REMEMBER WHEN PRESENTING THE CASE

1. Prepare the case beforehand!

Have your facts down in writing.

Have notes organized to guide your presentation.
Understand your notes and facts -- be confident.
Anticipate the company's argument and have answers ready.
Make an effort to talk to the worker alone before you meet
the foreman or supervisor.
Talk the case over, if necessary, with other stewards, your
committeemen, or others who might help you.

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

If you have a difference of opinion during a meeting, take a
recess and iron the problem out in private; present a united
front to the company!

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

Insist on discussing the issue raised by the grievance only. . .
nothing else.

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

Try to narrow the area of difference between union and
company.

Listen intently for solutions to the problem that the company
may feel it can only reveal by subtle implications, hints, in-
direct suggestions, etc.

5. Disagree with dignity.

Avoid getting excited, angry or hostile. On rare occasions,
after you have reasoned that there would be an advantage to
the union, such behavior may be advisable. The stewards are
cautioned to keep themselves under complete control lest they lose
the advantage.

6. Avoid unnecessary delays.

If the company asks for more time, try to determine whether it
is an attempt to stall or is based on a sincere desire for more
facts needed to settle the case.

Remember, the more time that passes, the "cooler" the griev-
ance becomes, and the less support you will get from the
worker or workers involved.

The longer the complaint or grievance is tied up by the company, the more difficult it will be for the union to gather and remember the facts and merits of the case.

The more grievances that are piled up in the procedure, the more likely that the company will try to "horsetrade" settlement of a few grievances for dropping of others.

If the grievances are made a part of contract negotiations, the company may attempt to trade off other contract demands for settlement of grievances that should have been taken care of long before.

7. Settle the grievances at the lowest possible step of the grievance machinery -- but make sure they are properly settled.

It helps build better relationships in the department.

The steward will feel like the vital part of the union that he/ she is.

The steward also gets respect from the members of the department

Don't pass the buck--if you can settle the grievance in the first step, do so.

8. The burden of proof is on the foreman.

Let the foreman try to justify and prove that the action he/she has taken is correct. Don't try to show him/her where they are wrong, let them first carry the burden of proof in telling you how they were right.

9. Avoid bluffing -- it is only a matter of time until your bluff is called; it is in the long run wiser to develop a reputation for honesty.

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

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

11. Be prompt. . . follow the grievance through.

Refer the grievance to the chief steward or next step when not settled. Give all the facts. Give all the arguments used in your discussion with the foremen. Don't allow the

grievance to lay around. Delayed grievances mean delayed justice. Keep a constant check on the progress of the grievance and at what step it is in. REPORT back to the aggrieved and the department--they're concerned too!

12. Enforce the contract!

If the union has not complained about similar violations of the contract or past practices before, why should the company give in now?

The best contract in the world has no value if the workers and stewards do not require the company to live up to its terms.

LISTENING TO OTHERS

1. STOP TALKING - - you can't listen while you are talking.
2. EMPATHIZE WITH OTHER PERSON - - try to put yourself in their place so that you can see what they are trying to get at.
3. ASK QUESTIONS - - when you don't understand, when you need further clarification, when you want to show you are listening. But don't ask questions that will embarrass them or show them up.
4. DON'T GIVE UP TOO SOON - - don't interrupt other person; give them time to say what they have to say.
5. CONCENTRATE ON WHAT THEY ARE SAYING - - actively focus your attention on their words, their ideas, and their feelings related to the subject.
6. LOOK AT THE OTHER PERSON - - their face, their mouth, their eyes, their hands will help them to communicate with you. Helps you concentrate too. Makes them feel you are listening.
7. LEAVE YOUR EMOTIONS BEHIND (if you can) - - try to push your worries, your fears, your problems, outside the meeting room. They may prevent you from listening well.
8. CONTROL YOUR ANGER - - try not to get angry at what they are saying; your anger may prevent you from understanding what is said.
9. GET RID OF DISTRACTIONS - - put down any papers, pencils, etc., you have in your hands; they may distract your attention.
10. GET THE MAIN POINTS - - concentrate on the main ideas and not the illustrative material; examples, stories, statistics, etc. are important but usually are not main points. Examine them only to see if they prove, support, define the main ideas.
11. SHARE RESPONSIBILITY FOR COMMUNICATION - - only part of the responsibility rests with the speaker; you as the listener have an important part.
12. REACT TO IDEAS, NOT TO PERSON - - don't allow your reactions to the person influence your interpretation of what they say. Their ideas may be good even if you don't like the person.
13. DON'T ARGUE MENTALLY - - it is a handicap to argue with them mentally as they are speaking. This sets up a barrier between you and the speaker.

14. USE THE DIFFERENCE IN RATE - - you can listen faster than they can talk ,so use this rate difference to your advantage by: anticipating what they are going to say, think back over what they have said, evaluate their development, etc. Rate difference: speech rate is about 100 to 150 words per minute; thinking is 250 to 500.
15. LISTEN FOR WHAT IS NOT SAID - - sometimes you can learn just as much by determining what the other person leaves out in their talking as you can by listening to what they say.
16. LISTEN TO HOW SOMETHING IS SAID - - we frequently concentrate so hard on what is said that we miss the importance of the emotional reactions and attitudes related to what is said. Attitudes, emotional reactions may be more important.
17. DON'T ANTAGONIZE SPEAKER - - it may cause the other person to conceal their ideas, emotions, and attitudes. Try to judge and be aware of the effect you are having on the other person. Adapt to them.
18. LISTEN FOR THEIR PERSONALITY - - one of the best ways to finding out information about a person is to listen to them talk; as they talk to you you can begin to find out what they like and dislike, what their motivations are, what their value system is and what makes them tick.
19. AVOID JUMPING TO ASSUMPTIONS - - they can get you into trouble. Don't assume that they use words in the same way you do; that they didn't say what they meant, but you understand what they meant; that they are avoiding looking you in the eye because they are telling a lie; that they are distorting the truth because what they say doesn't agree with what you think; that they are unethical because they are trying to win you over to their point of view. Assumptions like these may turn out to be true, but more often they just get in the road of your understanding and reaching agreement or compromise.
20. AVOID CLASSIFYING THE SPEAKER - - too frequently we classify a person as one type of person and then try to fit everything they say into what makes sense coming from that type of person. They are a Republican. Therefore, our perceptions of what they say or mean are all shaded by whether we like or dislike Republicans. People have the trait of being unpredictable and not fitting into their classifications.
21. AVOID HASTY JUDGEMENTS - - wait until all the facts are in (or at least most of them) before making any judgements.
22. RECOGNIZE YOUR OWN PREJUDICE - - try to be aware of your own feelings: toward the speaker, the subject, the occasion, etc. and allow for these pre-judgements.

23. IDENTIFY TYPE OF REASONING -- frequently it is difficult to sort out good and faulty reasoning when you are listening. Nevertheless it is so important a job, that a listener should bend every effort to learn to spot faulty reasoning when they hear it.
24. EVALUATE FACTS AND EVIDENCE -- as you listen, try to identify not only the significance of the facts and evidence, but also their relatedness to argument.

ANSWERING QUESTIONS AND OBJECTIONS

Sometimes a question is asked not to get an answer but to "show up" the answer. Your reply must preserve your integrity; often your reply does not even attempt to answer the question. Most times, however, the questioner is sincere. The following is a brief account of the answering techniques used by our most successful union leaders, businessmen and politicians.

1. Repeat the question: make sure, if you restate it in different words, that your re-phrasing is acceptable to the questioner.
2. Take time to think: a frank admission that the "question is an important one" or "let me think a minute" will not only make the questioner feel good but also make the other audience members appreciate your taking the question seriously.
3. If the question requires an answer which dangers your point of view, show fairly the importance or unimportance of the point to your program or case.
4. If the question arises from faulty thinking you must supply the background necessary for your belief never say "That's a poor question showing you don't understand the problem."
5. Compliment whenever possible. Help the questioner phrase their question so it becomes meaningful. Expressions like "your question shows you appreciate the importance of the subject," or "you've struck the heart of the matter tend to make the questioner want to believe your answer."
6. Whenever possible, stress the idea that you and your questioner both want to reach a fair decision.
7. Be free to admit that two viewpoints are possible, perhaps to be desired. Admit too that sometimes many solutions or answers are possible.
8. Admit ignorance when necessary. Before you go on to make a guess, ask the questioner if they would like your opinion.
9. Ask a question in return only when seeking clarification of the original question.

10. When you have the temptation to ask a return question, first admit that your answer depends on how more basic questions are answered.
11. If the situation is touch-and-go, you can often determine the questioner's viewpoint by asking "what do you mean by the question." The point here is to draw the questioner out. This technique also tends to make the questioner feel you are genuinely interested in their ideas.

THE GRIEVANCE MACHINERY IN ACTION

Check either A, B, C or D in the following questions, depending on which answer you think is best.

1. When the steward is handling a grievance, he/she should take the worker along on the following occasions:
 - A. Always
 - B. Never
 - C. Whenever possible
 - D. It all depends

2. If a worker comes to the steward with a grievance that looks very good, he/she should be told:
 - A. It looks very good; I'm sure we'll win.
 - B. It's in the bag.
 - C. I think we've got a good chance.
 - D. It looks very good, but let's check all the facts.

3. It is better to settle a grievance in the first step of the grievance procedure if possible, because:
 - A. You get a better break from the foreman than the superintendent.
 - B. Saves time.
 - C. The superintendent doesn't like to override the foreman.
 - D. Builds a better relationship between the steward and the foreman.

4. If a worker comes to the steward with an obviously bad complaint, the steward should say:
 - A. It's not so good, but I'll do my best.
 - B. We haven't got a chance, but I'll take it up anyway.
 - C. You shouldn't bother me with such stupid grievances.
 - D. Explain why the complaint is no good and should not be taken up.

5. If a worker has an obvious grievance, but is afraid to take it up, the steward should:
 - A. Take it up anyway.
 - B. Forget about it.
 - C. Wait a few weeks to see what happens.
 - D. Discuss the problem with the chief steward or business agent.

6. If the steward has a complicated grievance that affects an entire department, he/she should do one of the following:
 - A. Take it up on his/her own because he/she is the most experienced.
 - B. Ask individual workers in the department what they think about the problem.
 - C. Call a special department meeting to discuss the problem.
 - D. Bring it up to an executive board or membership meeting.

7. Whenever possible, grievances should be written out by the steward and signed by the worker involved because:
 - A. It gives the steward something to do.
 - B. It helps get the facts straight.
 - C. It is important for the record.
 - D. It makes the worker with the grievance feel better.

8. At a union-management grievance meeting, when management proposes a solution which the union had not thought of previously the committee should:
 - A. Reject the proposal.
 - B. Take it on a trial period.
 - C. Accept it if it seems reasonable.
 - D. Call a recess to think it over.

9. A member who starts to present a grievance about a new assignment of work begins instead to tell a long story about his/her troubles with their spouse and in-laws. What should the steward do?
 - A. Tell them to stick to the grievance, you are very busy.
 - B. Tell them, "It's a phony grievance, quit bothering me."
 - C. Hear them out, express sympathy, and return to the subject of the grievance explaining to them what the contract says concerning assignment of work.
 - D. Encourage them to talk about their home problems.

WHY UNIONS LOSE GRIEVANCES*

1. Officers, committeepeople or stewards often will not admit or are blind to the inevitable interpretation of the contract.
2. Political grievances - Local union factions sometimes push a grievance to win political favor (think that politicians never say "NO").
3. High turnover of officers, committeepeople and stewards. Tends to perpetuate inexperience while the opposite is true with the companies.
4. Local union fails to educate its leadership to learn to more effectively process grievances.
5. Unions generally advise continuing borderline cases. More frequently this is interpreted to go with leaning losers.
6. Members fear reprisals if they push grievances.
7. Officers and members have problem of distinguishing moral indignation from contractual right.
8. Inability to get the facts related to grievance. Often do not know what facts to get, where to get them or how to get them.
9. Union grievance committees, often have little concept of what is adequate preparation for arbitration.
10. Union grievance strategy is more vulnerable to leaks to management.
11. Unions are often unable to gain support for a grievance from their own members.
12. Unions lack the money to match management at every level.
13. Local unions at times deliberately act in a way to lose a grievance, often in cases where it involves a non-member or a particularly troublesome member.
14. Local officers figure they can go it alone and refuse the international's help.
15. Companies are known to bluff the grievance committee out of a good grievance.
16. Unions are basically compassionate and at times willingly fight a member's cause when there may be no chance of winning.

17. Unions occasionally file grievances that are losers to determine where they stand on the issue.
18. Unions lose or forego good grievances because at times they lack money to process grievances to arbitration.
19. Union stewards forget time limits.
20. Too much time allowed to elapse between the "Event" and the "Settlement".
21. Company is often able to play on the members allegiance, some members and even officers side with management. Managements are known to suggest or outright promise a better job, etc., to weaken unions positions.
22. Grievances are poorly written.

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