

I KNOW MY RIGHTS!

True & False Quiz Answers

This brief survey of "Union Rights" is intended to facilitate discussion of the subject issues. As a result, many questions will have no one "right" answer. Class participants are encouraged to engage in group discussion and attempt to reach a consensus group answer to each question. While these are "True" and "False" questions, you may well determine in many instances that a "True with explanation" or "False with explanation" response might be most appropriate. In those cases be sure to include your explanation.

**Robert D. Kessler, NBA
Dennis Taff, NBA
St. Louis Region, Clerk Division
American Postal Workers Union**

29. The Step 1 grievance should be filed with the immediate supervisor. The only exception to this rule is when the immediate supervisor is a 204-B.

T F All grievances should be filed with the immediate supervisor, even where the immediate supervisor is a 204B. Management may direct that certain class action grievances be discussed with a specific supervisor. [FN 110 & 111]

30. The Union has an obligation to discuss all grievances at Step 1. It is not sufficient to merely file the grievance.

T F Article 2 and Article 14 grievances may be filed at Step 2. Union must be willing to discuss all grievances at Step 1, not just file them. [FN 113]

31. The grievant has a right to be present at the time a Step 1 decision is rendered if he/she so chooses.

T F Grievant has the right to be present at Step 1 if she so chooses. [FN 121]

32. The grievant has a right to be present at Step 2 meetings if he/she so chooses.

T F The Union decides whether or not the grievant should be at the Step 2 meeting. [FN 122]

33. While the grievant may file a Step 1 on his/her own behalf without Union representation, the Steward must be offered the opportunity to be present at the resolution of any Step 1 grievance.

T F While the contract does not require this the NLRA does. [FN 123]

34. A steward has a right to be represented by the appropriate Union officer to investigate or present their grievance to management.

T F A steward or officer has no more right than any other employee to get a specific steward. They are represented by the steward for their section at Step 1.

35. If management fails to advise an employee of their right to Union representation during an investigatory interview, this could result in a violation of the employee's "Weingarten Rights," thus rendering any subsequent discipline procedurally defective.

T F Unlike the Miranda warning, management has no legal or contractual obligation to warn employees of their Weingarten rights. The employee must request a steward. [FN 128]

36. Management must provide the Union with bulletin boards in each facility. The Union has exclusive control over what is posted on these bulletin boards and management may not remove controversial postings such as "scab lists."

T F [FN 145]

37. Management may have an observer present during the Union's orientation for new employees if they so choose.

T F Management may have an observer present. Management may not discuss health benefits until after the Union presentation. [FN 141]

38. An alternate steward is protected by "super-seniority" from being excessed from that employee's section and tour.

T F Only the steward has "super-seniority" and even then it only applies to facility and tour (not necessarily section). [FN 137]

39. A steward is protected by "super-seniority" from being excessed from that employee's section and tour.

T F "Super-seniority" only applies to facility and tour (not necessarily section). [FN 132]

40. As a general rule stewards are protected from disciplinary action when they raise their voice, use profanity, or other berating language toward a supervisor while in the status of a steward.

T F Not saying it is a good idea, only that Steward's immunity generally protects the rights of stewards while in that capacity

41. After I represented an employee during an investigatory interview with the OIG the Inspector retained me and demanded that I answer his questions regarding what the grievant had told me during our pre-interview consultation. As a steward I have a right to refuse to answer his questions.

T F All employees have an obligation to cooperate in postal investigations. While the courts generally recognize a limited privilege not to require the steward to testify against the grievant in disciplinary matters, you could be required to testify in court.

42. The grievant is being disciplined because of a customer complaint. Her steward has the right to interview the customer while on the clock.

T F Yes. [FN 81 & 82]

43. A steward is never permitted to sign their own PS Form 3189, Request for Schedule Change for Personal Convenience.

T F While this is not a good practice it is not prohibited. Step 4, H1C-5G-C 41220, May 13, 1985.

44. A shop steward on light duty may be released to perform steward duties.

T F As long as the steward's medical restrictions permit it. [FN 34]

45. The Union president may designate a steward to represent all light duty employees regardless of section or tour.

T F A steward must be certified to represent craft employees in specific work locations on their tour. The Union may not make a blanket certification to cover a certain group of employees such as light duty [FN 4].

46. The Postmaster is not required to personally attend Labor Management meetings so long as she sends a designee.

T F Step 4 NC-S 11794 (11-29-78).

47. Grievance discussion may be conducted telephonically.

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[FN 114 & 115]

48. Employees are entitled to Union representation during investigative interviews. However, the Steward is present as a witness and may not actively participate in the interview.

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[FN 129]

