

FROM A TO ARBITRATION

EPISODE 6-ARTICLE 16.2 DISCUSSION AND USING IT TO OUR BENEFIT



ARTICLE 16.2- OFFICIAL DISCUSSION

- **ARTICLE 16.2 OF THE JCAM-PG16-4 STATES:**

- **DISCUSSION- FOR MINOR OFFENSES BY AN EMPLOYEE, MANAGEMENT HAS A RESPONSIBILITY TO DISCUSS SUCH MATTERS WITH THE EMPLOYEE. DISCUSSIONS OF THE TYPE SHALL BE HELD IN PRIVATE BETWEEN THE EMPLOYEE AND THE SUPERVISOR. SUCH DISCUSSIONS ARE NOT CONSIDERED DISCIPLINE AND ARE NOT GRIEVABLE. FOLLOWING SUCH DISCUSSIONS THERE IS NO PROHIBITION AGAINST THE SUPERVISOR AND/OR THE EMPLOYEE MAKING A PERSONAL NOTATION OF THE DATE AND SUBJECT MATTER FOR THEIR OWN PERSONAL RECORDS. HOWEVER, NO NOTATION OR OTHER INFORMATION PERTAINING TO SUCH DISCUSSION SHALL BE INCLUDED IN THE EMPLOYEE'S PERSONNEL FOLDER. WHILE SUCH DISCUSSIONS MAY NOT BE CITED AS AN ELEMENT OF PRIOR ADVERSE RECORD IN ANY SUBSEQUENT DISCIPLINARY ACTION AGAINST AN EMPLOYEE. THEY MAY BE, WHERE RELEVANT AND TIMELY, RELIED UPON TO ESTABLISH THAT EMPLOYEES HAVE BEEN MADE AWARE OF THEIR OBLIGATIONS AND RESPONSIBILITIES.**

SO WHAT DOES THAT MEAN?

- **THE OFFICIAL DISCUSSION IS NOT A STAND UP GIVEN TO ALL THE CARRIERS**
- **THE OFFICIAL DISCUSSION IS NOT WHEN THE CARRIER RECEIVES A PIECE OF PAPER STATING A B AND C**
- **THIS IS NOT BEING PUT ON NOTICE, ONLY SITTING DOWN INDIVIDUALLY WITH THE CARRIER WILL FULFILL THE OBLIGATIONS OF SECTION 16.2**
- **WHEN YOU GET A REQUEST FOR DISCIPLINARY ACTION AND THERE IS A DISCUSSION DATE ON IT CHALLENGE THAT, CHALLENGE EVERYTHING IN THAT DOCUMENT**
- **CHALLENGE THE DATES BY ASKING FOR THE CLOCK RINGS AND 3972S TO MAKE SURE THAT THE CARRIER WAS EVEN AT WORK THAT DAY**
- **CHECK HOW MANY TIMES THE CARRIER CALLED OUT BEFORE THE DATE ON L.O.W.**

CONTENTIONS TO MAKE

- **ASK THE CARRIER IF THEY REMEMBER HAVING THE DISCUSSION WITH THE SUPERVISOR, IF NOT THEN CONTEND IT**
- **THEY HAVE TO PUT THE CARRIER ON NOTICE THAT THEY ARE DOING THIS WRONG AND THEN GIVE THEM TIME TO CORRECT IT AND IF THEY DIDN'T CONTEND THAT**
- **HAVE THE CARRIER HELP YOU WITH THE DATES AND PUT THIS IN YOUR INTERVIEW WITH THEM AND ALSO CONTEND ANYTHING THAT IS INCORRECT AND OR FAULTY**