

FROM A TO ARBITRATION

EPIISODE 34- WRAPPING UP DISCIPLINE AND PUTTING IT ALL TOGETHER



THE DEVASTATOR, THE JOURNEY AND THE SQUIRREL

- THE PROCESS OF THE SHOP STEWARD
- THE MAJORITY OF THE TIME, THE FIRST TIME THAT WE GET TO SEE MANAGEMENT'S POSITION IS AT THE FORMAL A LEVEL BECAUSE IN MOST REGIONS THE INFORMAL A TEAM CONTRIBUTE LITTLE TO NOTHING TO THE GRIEVANCE FILE
- THE FORMAL STEP A MEETING IS USUALLY THE FIRST TIME WE GET TO SEE MANAGEMENT'S WRITTEN POSITION FOR THE FIRST TIME. WE REBUT THEIR POSITION IN ITS ENTIRETY AND WE QUESTION EVERYTHING AT THE FORMAL STEP A

SHOP STEWARDS=THE DEVASTATORS

- IF DONE PROPERLY, THE INFORMAL STEP A MEETING CAN BE THE MOST DEVASTATING POSITION
- STEWARDS SHOULD BE PREPARING THEMSELVES WITH EVERY GRIEVANCE TO ARGUE THAT GRIEVANCE AT THE ARBITRATION LEVEL
- AS A SHOP STEWARD YOU SHOULD BE SITTING IN AS A TA IN ARBITRATION TO SEE THE IMPORTANCE OF THE CASE FILE AND SEE THE IMPORTANCE OF THE ARGUMENTS THAT HAVE TO BE MADE
- STEWARDS NEED TO SEE THE PROCESS AND HOW THE CASE FILE BUILDING AFFECTS THE WAY THAT THE GRIEVANCE IS ARGUED ON BOTH SIDES

THE SQUIRREL

- WHEN YOU SEE A SQUIRREL IN THE ROAD THAT HAS BEEN KILLED, YOU ASK WHAT LEAD TO THAT SQUIRREL BEING KILLED?
- IS IT THE CARS' FAULT? ULTIMATELY THAT IS WHAT KILLED THE SQUIRREL
- BUT THE REASON THAT THE SQUIRREL WAS KILLED WAS BECAUSE HE WAS INDECISIVE. IF YOU'VE EVER SEEN A SQUIRREL IN THE ROAD, IT'S RUNNING HERE AND THERE AND CAN'T MAKE UP IT'S MIND WHICH WAY TO RUN. AND THEN BAM! IT'S HIT BY A CAR AND KILLED
- THAT'S MANAGEMENT. THEY ARE INDECISIVE IN THEIR CASE FILES. THEY ARE INDECISIVE IN THEIR CHARGES BECAUSE THEY CAN'T MAKE UP THEIR MINDS IN WHAT THEY WANT TO DO

THE SQUIRREL CONTINUED

- IF MANAGEMENT THINKS THAT WE CAN BEAT THEIR POSITION AT INFORMAL A THEY MAY TRY TO CHANGE THAT POSITION AT FORMAL A
- ONCE THEY SEE THAT THE UNION IS BEATING THEIR POSITION THERE, THEY MAY TRY TO CHANGE THEIR POSITION AGAIN AT A HIGHER LEVEL
- THAT'S A SQUIRREL RIGHT THERE
- THEY'RE BEING INDICISIVE AND THEN BAM, THE UNION RUNS OVER THEM AND THEIR POSITION IS DEAD BECAUSE THEY COULDN'T MAKE UP THEIR MIND

LEARNING TO ATTACK AND BE CONFIDENT

- AS SHOP STEWARDS WE NEED TO KNOW WHERE WE NEED TO GO AND WE NEED TO NOT BE THE SQUIRREL
- KNOW YOUR POSITION AND ATTACK THAT POSITION CONTRACTUALLY
- WHATEVER YOU HAVE TO DO. WITH YOUR STATEMENTS, YOUR DOCUMENTATION, AND FIND YOURSELF SOMETHING TO HANG ON TO AND ATTACK THAT
- BE CONFIDENT IN WHAT YOU'RE DOING AND WHAT YOU'RE CONTENDING
- HAVE GREAT INTEGRITY ABOVE ALL ELSE, BECAUSE AT THE END OF THE DAY YOUR NAME IS ALL YOU GOT

BEING THE SALESPERSON

- IF YOU GO INTO A STORE TO BUY SOMETHING, AND YOU ASK THE SALESPERSON , “HEY, TELL ME ABOUT THIS TV RIGHT HERE” AND THEY’RE LIKE, “WELL, THIS IS A UM MITZUBISHI, I KNOW THAT I THINK IT MIGHT BE HIGH-DEF, I THINK..” YOU’RE GOING TO BE LOOKING AT THIS GUY LIKE THEY DON’T ANYTHING THAT THEY ARE TALKING ABOUT AND THEY ARE A TERRIBLE SALESPERSON.
- ON THE OTHER HAND, IF YOU GO INTO THE STORE AND THE SALESPERSON SAYS TO YOU, “OH YEAH, THIS A HIGH-DEF MITZUBISHI TV AND YOU CAN DO THIS RIGHT HERE, AND YOU HAVE THIS REMOTE RIGHT HERE, AND BAM BAM BAM, IT’S GOT A GREAT PICTURE ON IT, LOOK RIGHT HERE”. YOU ARE GOING TO BE LIKE OH OKAY, I SEE WHAT YOU’RE SAYING
- BE THAT ONE. DON’T BE THE FIRST SALESPERSON. BE THE SECOND ONE

YOU HAVE TO KNOW

You have to know
where you are
going with the
grievance

Know your
arguments

Defend your
arguments

Be concise in your
arguments

In arbitration you
need to be that
second
salesperson

You are selling this
to the arbitrator

THE INFORMAL A REPRESENTATIVE

- THE SHOP STEWARD AT INFORMAL A HAS THE MOST TIME ALLOWED TO DEVELOP THE CASE FILE THAN AT ANY OTHER LEVEL
- INFORMAL A REPRESENTATIVES SHOULD BE PUTTING THEIR CASE TOGETHER AS IF THEY WERE GOING TO ARGUE THIS CASE AT ARBITRATION
- THEY MUST KNOW WHAT THEY ARE CONTENDING AND WHAT THEY ARE CITING AND HOW THEY WILL MAKE THOSE ARGUMENTS TO WIN THAT GRIEVANCE
- STEWARDS AT THE INFORMAL LEVEL SHOULDN'T BE MAKING THE FORMAL A REPRESENTATIVE WRITE UP ALL OF THE CONTENTIONS AND MAKING ALL OF THE ARGUMENTS
- REMEMBER, IT IS THE INFORMAL A REPRESENTATIVE WHO IS CHARGE OF SETTLING THE GRIEVANCE AT THE LOWEST LEVEL

SECOND PLACE IS STILL LAST PLACE

- LEARN TO LOVE TO WIN, IT'S ALL ABOUT KICKING MANAGEMENT'S BEHIND
- DO NOT EVER GET INTO THE RUT THAT WHEN YOU START LOSING THERE IS NOTHING THAT CAN BE DONE
- DO NOT BECOME A GOOD LOSER, IF YOU HATE TO LOSE YOU SHOULD NEVER BE GOOD AT IT
- YOU NEED TO PREPARE YOURSELF TO NOT LOSE

THE JOURNEY OF THE SHOP STEWARD

- WHAT ARE WE DOING SHOP STEWARDS, WHEN WE ARE HANDED DISCIPLINE THAT A LETTER CARRIER RECEIVED FROM MANAGEMENT?
- THE CARRIER HAD AN INVESTIGATIVE INTERVIEW AND YOU BOTH KIND OF THOUGHT THIS WAS COMING
- THE CARRIER HANDS YOU A LETTER OF WARNING FOR ATTENDANCE OR AN ACCIDENT OR WHATEVER
- YOU TELL THE CARRIER OKAY; I ASSUME YOU WANT TO GRIEVE THIS? OK, I GOT THIS FOR YOU
- THE VERY FIRST THING WE DO IS WHAT?

FIRST THING'S FIRST

- THE FIRST THING WE ARE GOING TO DO IS TO FILE AN INFORMATION REQUEST WITH YOUR SUPERVISOR
 - WE WILL BE REQUESTING: ANY AND ALL INFORMATION THAT WAS USED TO ISSUE THIS LETTER CARRIER DISCIPLINE
 - HERE IS MY COPY, PLEASE SIGN AND DATE THIS. (OR YOU CAN MAKE A COPY OF THE ONE YOU GAVE TO THEM) BUT MAKE SURE THAT YOU DO GET A COPY
- SECOND THING IS TO GET A FILE FOLDER AND PUT YOUR COPY OF THE INFORMATION REQUEST INTO IT AND LABEL IT WITH THE GRIEVANCE INFORMATION ACROSS THE TAB

WHILE WE ARE WAITING...

- WHILE YOU ARE WAITING TO RECEIVE THE INFORMATION THAT YOU REQUESTED FROM THE SUPERVISOR, YOU CAN FIND YOUR NOTES THAT YOU TOOK AT THE INVESTIGATIVE INTERVIEW, REFRESH YOURSELF WITH THEM
- YOU ARE GOING TO LOOK AT THE CHARGE ON THE LETTER OF WARNING AND YOU ARE GOING TO MAKE SURE THAT IT IS TOTALLY ACCURATE. IF IT'S NOT, THEN YOU WILL HIGHLIGHT IT
- CAN MANAGEMENT PROVE THEIR CHARGE? HOW DO YOU THINK THEY WILL TRY? ALWAYS THINK AHEAD OF THE ARGUMENT

WHILE WE ARE WAITING CONTINUED

- BE CHECKING FOR DATES, NAMES AND CONFIRM THAT EVERYTHING THAT IS CITED IN THE CHARGE LETTER IS FACTUAL AND TRUE
- START MAKING THE LIST OF WHO YOU EITHER NEED TO INTERVIEW OR WHO YOU WILL NEED A STATEMENT FROM. YOU CAN ASK CARRIERS ON BREAK, OR WHEN YOU SEE THEM, HEY CAN YOU GET ME A STATEMENT ABOUT JOHN DOE WHO GOT INTO THE ACCIDENT, THAT WOULD BE GREAT. I JUST NEED TO KNOW WHAT YOU HEARD, OR WHAT YOU SAW. MAKE NOTES ON THIS, SO THAT YOU CAN GO BACK AND GET THE STATEMENTS IF THE CARRIERS DON'T BRING THEM TO YOU

IF WE DON'T RECEIVE THE INFORMATION

- IF YOU HAVE NOT RECEIVED THE INFORMATION WITHIN A COUPLE OF DAYS, YOU CAN APPROACH THE SUPERVISOR AGAIN AND REMIND THEM THAT YOU STILL HAVEN'T RECEIVED THE INFORMATION. IF YOU LIKE YOU CAN SUBMIT ANOTHER INFORMATION REQUEST AND PUT 2ND REQUEST ACROSS THE TOP. SHOWING THAT YOU PREVIOUSLY ASKED AND STILL HAVE NOT RECEIVED THE INFORMATION. YOU CAN ALSO MAKE A NOTE ON THE ORIGINAL REQUEST THAT YOU ASKED AGAIN ON THIS DATE FOR THE INFORMATION AGAIN. PUT ALL OF THIS INTO YOUR FILE

ONCE WE RECEIVE THE INFORMATION

- THE STEWARD WILL NOW PUT IN THE REQUEST TO INVESTIGATE A POSSIBLE GREIVANCE AND APPROXIMATELY HOW LONG IT WILL TAKE THEM TO INVESTIGATE
- THE STEWARD WILL THEN START GOING OVER THE INFORMATION THEY RECEIVED. NOW REMEMBER, THIS IS ALL OF THE INFORMATION THAT MANAGEMENT USED TO ISSUE DISCIPLINE. IS THERE ENOUGH INFORMATION TO ISSUE DISCIPLINE? DID THEY DO A THOUROUGH INVESTIGATION?
- THE STEWARD MUST LOOK AT EVERY SENTENCE, EVERY WORD OF EVERY PIECE OF INFORMATION THAT IS RECEIVED AND EVERY STATEMENT THAT IS WRITTEN

PULLING IT APART

- READ THE INFORMATION AGAIN AND AGAIN. AND THEN READ IT AGAIN
- MANAGEMENT INHERITANTLY WANTS TO LIE. THEY WANT TO PROVE THAT THEY HAVE A CASE.
- IF IT IS A REQUEST FOR ACTION AND THEY LIST THAT THEY HAD AN OFFICIAL DISCUSSION WITH THE CARRIER YOU NEED TO FACT CHECK THAT. TALK TO THE CARRIER, FOLLOW UP WITH THE SUPERVISOR WHO DID THE OFFICIAL DISCUSSION. ASK FOR A COPY OF THEIR NOTES OF THE MEETING. IN THE INFORMAL A MEETING YOU CAN ASK AGAIN. YOU CAN SAY, HEY THERE IS A MENTION HERE OF AN OFFICIAL DISCUSSION, CAN YOU GIVE ME THE DATE, TIME NOTES ETC. IF MANAGEMENT STATES THAT THEY DON'T HAVE THAT INFORMATION THAT IS OKAY, JUST MAKE A NOTE OF IT AND PUT IT INTO YOUR CONTENTIONS

THE INFORMAL A MEETING

- REMEMBER THE STEWARD HAS 14-DAYS TO MEET AT INFORMAL A AND THEY SHOULD BE TAKING EVERY DAY THEY CAN TO GATHER INFORMATION AND TO INVESTIGATE FULLY ANY AND ALL QUESTIONS THEY HAVE
- WHEN YOU ARE IN THE INFORMAL A MEETING THE STEWARD AND THE SUPERVISOR HAVE THE OPPORTUNITY TO SETTLE THE GRIEVANCE AT THE LOWEST LEVEL
- IN THE INFORMAL A MEETING THE STEWARD AND THE SUPERVISOR ARE ON AN EVEN LEVEL
- THE STEWARD IS NOW TRYING TO GET THE ANSWERS THEY NEED TO DECIDE WHETHER THERE IS A TRUE GRIEVANCE AND SHOULD MOVE FORWARD WITH THIS GRIEVANCE, OR MAYBE THE GRIEVANCE COULD BE SETTLED WITH THE HELP OF THE JCAM AND HANDBOOKS AND MANUALS

BEING PREPARED

- BEFORE THE STEWARD GOES INTO THE INFORMAL A MEETING, THEY SHOULD HAVE A FULLY DEVELOPED CASE IN FRONT OF THEM
- THE STEWARD ALWAYS BRINGS THE JCAM WITH THEM TO THE MEETING
- ANY OTHER HANDBOOKS AND MANUALS THAT YOU ARE QUOTING OUT OF CAN BE COPIED OFF AND IN YOUR FILE.
- THE STEWARD SHOULD ALWAYS HAVE CONTENTIONS WITH THEM IN THIS MEETING, THIS IS WHY THEY NEED TO TAKE THE FULL 14-DAYS TO DEVELOP THE CASE FILE. A FULL AND COMPLETE INVESTIGATION WILL TAKE YOU THAT AMOUNT OF TIME

EXAMPLES OF WHAT COULD HAPPEN

- IN THE INFORMATION YOU RECEIVED, MANAGEMENT STATES THAT THERE WAS AN OFFICIAL DISCUSSION DONE BY SUPERVISOR DOE. AS THE SHOP STEWARD YOU NEED TO TEAR THIS APART. INTERVIEW THE CARRIER AND ASK ABOUT THAT DISCUSSION THAT THEY HAD. IF THE CARRIER SAYS THERE WASN'T AN OFFICIAL DISCUSSION, THEN YOU NOW HAVE TO INTERVIEW MANAGEMENT. THE SUPERVISOR WHO HAD THE DISCUSSION WILL PROBABLY BE THE PERSON YOU ARE MEETING WITH AT INFORMAL A. QUESTION THAT SUPERVISOR ABOUT THIS. PUT IN AN INFORMATION REQUEST FOR THEIR NOTES FROM THE MEETING. DOUBLE CHECK THE DATES AND MAKE SURE THE DATE THEY TOLD YOU MATCHES THE CARRIER'S SCHEDULE. IF THE CARRIER WAS OFF THAT DAY, THEN YOU BRING THAT UP AT THE INFORMAL A MEETING. FACT CHECK EVERYTHING. IF THEY DON'T MATCH, IF THE CARRIER WRITES A STATEMENT THAT IT NEVER HAPPENED, THEN YOU HAVE TO PUT THAT IN YOUR CONTENTIONS

PROGRESSIVE DISCIPLINE

- CHECK THE INFORMATION YOU RECEIVED FOR PROGRESSION OF DISCIPLINE
- WAS THERE AN OFFICIAL DISCUSSION, THEN A LETTER OF WARNING, A 7-DAY A 14-DAY? MAKE SURE IT WAS HANDLED PROGRESSIVELY
- DID MANAGEMENT DO ANYTHING TO HELP THE CARRIER TO CORRECT THIS BEHAVIOR? SHOP STEWARDS HAVE TO ASK MANAGEMENT WHAT DID THEY DO TO HELP THE CARRIER AFTER THEY FOUND A SO-CALLED BAD BEHAVIOR TO CORRECT IT
- IF MANAGEMENT STARTS OUT WITH A 14-DAY SUSPENSION WITH NO OTHER DISCIPLINE, THE SHOP STEWARD MUST NOW CONSIDER THIS AN EGREGIOUS OFFENSE AND IF MANAGEMENT SAYS THAT THEY DID GIVE THE CARRIER AN OFFICIAL DISCUSSION FOR THIS SAME BEHAVIOR, SHOP STEWARDS HAVE TO THEN ASK THE MANAGER WHY DID IT GO FROM A MINOR OFFENSE, THAT WARRANTED A DISCUSSION STRAIGHT UP TO A 7-DAY OR 14-DAY SUSPENSION THAT ONLY AN EGREGIOUS OFFENSE WOULD WARRANT?

CONCURRING OFFICIAL

- ANYTIME MANAGEMENT ISSUES A SUSPENSION THEY MUST GET A CONCURRENCE FROM A MANAGER AT A HIGHER LEVEL THEN THEY ARE (LIKE AN MPOO)
- THIS CONCURRING OFFICIAL MUST DO A SEPARATE, INDEPENDENT, AND THOUROUGH INVESTIGATION TO MAKE SURE THAT THE CARRIER SHOULD RECEIVE THIS LEVEL OF DISCIPLINE
- IF DURING THE INFORMAL OR FORMAL A MEETING THE SHOP STEWARD FINDS ANYTHING IN MANAGEMENT'S CASE FILE TO BE UNTRUE OR FALSE, THEN THE STEWARD MUST RAISE THE FACT THAT THERE IS NO PROPER CONCURRENCE ON THIS AS THE PERSON WHO DID THE INVESTIGATION WAS GIVEN FALSE OR UNTRUE INFORMATION

BEING THOROUGH

- SHOP STEWARDS HAVE TO MAKE SURE THAT THEY ARE GOING THROUGH AND PAYING ATTENTION TO EVERYTHING THAT IS WRITTEN OR PUT INTO MANAGEMENT'S FILE. DATES, NAMES, PLACES, TIMES, EVERYTHING NEEDS TO BE FACT CHECKED
- DO NOT JUST TAKE THE WORD OF THE MANAGER THAT EVERYTHING IN THE FILE IS FACTUAL AND THAT THEY DID A THOROUGH INVESTIGATION OF THE CASE
- THERE NEEDS TO BE TWO INDEPENDANT REVIEWS OF THIS CASE. ONE FROM LOCAL MANAGEMENT AND ONE FROM THE CONCURRING OFFICIAL, AND IF BOTH OF THOSE ARE NOT IN THE CASE FILE THE SHOP STEWARD NEEDS TO REQUEST IT

REQUEST FOR ACTION

- THIS IS THE REQUEST THAT LOCAL MANAGEMENT FILLS OUT TO SEND UP TO THE CONCURRING OFFICIAL TO GET THE OKAY THAT THEY CAN NOW ISSUE DISCIPLINE TO THE CARRIER
- THIS SHOULD BE IN THEIR FILE WITH THE NAME OF THE LOCAL MANAGER AND THE OCCURRING OFFICIAL
- SHOP STEWARDS MAKE SURE THAT THIS IS IN THE FILE AND THAT IT IS SIGNED AND DATED BY AN ACTUAL OCCURRING OFFICIAL
- IF THERE IS ANYTHING IN THAT FILE THAT WAS FALSE OR MISLEADING, THEN THE REQUEST FOR ACTION HAS NO CONCURRING OFFICIAL BECAUSE NOW AT THIS POINT, THEY ARE JUST AGREEING WITH THE DISCIPLINE LETTER, NOT THAT THEY DID A COMPLETE AND INDEPENDENT INVESTIGATION OF THE INFORMATION THAT IS NOW KNOWN TO BE FALSE

BUILDING A TIMELINE

- THE SHOP STEWARD MUST CONNECT THE DOTS AND DOUBLE CHECK EVERY DATE
- START WITH THE INFRACTION DATE, WHAT WAS THE DATE THAT THE CARRIER SUPPOSEDLY MESSED UP
- WHEN WAS THE OFFICIAL DISCUSSION DATE
- WHEN WAS THE INVESTIGATIVE INTERVIEW DATE
- WHEN WAS THE REQUEST FOR ACTION DATED
- WHEN WAS THE DISCIPLINE ISSUED
- ALL OF THESE DATES NEED TO BE FACT CHECKED FOR ACCURACY. MANAGEMENT MAY TRY TO PUT IN SOME EXTRA INTERVIEWS OR MAKE UP SOME KIND OF INFORMATION AND WILL INCORRECTLY DATE THEM

ADDITIONAL INFORMATION

- DURING THE 14-DAY PERIOD THE SHOP STEWARD CAN REQUEST THE INFORMATION THAT THEY NEED AS MANY TIMES AS THEY NEED TO
- IF MANAGEMENT STATES THAT YES THERE WAS AN OFFICIAL DISCUSSION DONE, THEN THE STEWARD CAN ASK FOR THE NOTES OF THE SUPERVISOR FROM THE MEETING AND TO INTERVIEW THE CARRIER
- WHATEVER THE STEWARD NEEDS TO DO A COMPLETE AND THOROUGH INVESTIGATION NEEDS TO BE GIVEN TO THE STEWARD UPON ADDITIONAL REQUESTS
- STEWARDS MAKE SURE THAT YOU ARE MAKING AND KEEPING COPIES OF ALL REQUESTS YOU ARE SUBMITTING TO MANAGEMENT

WRITING CONTENTIONS

- SHOP STEWARDS MAKE SURE YOU ARE WRITING VERY DETAILED CONTENTIONS
- CONTENTIONS ARE POINTS THAT THE UNION MAKES TO EXPLAIN WHAT ACTUALLY HAPPENED OR TO PROVE THEIR CASE IN THE GRIEVANCE
- IF MANAGEMENT IS STATING THAT THE CARRIER VIOLATED THIS MANUAL OR CONTRACTUAL PROVISION THE SHOP STEWARD SHOULD BE CONTENDING HOW THEY DID NOT VIOLATE IT AS MANAGEMENT HAS STATED
- STEWARDS SHOULD BE CONTENDING CONTRACTUAL LANGUAGE AGAINST DISCIPLINE OF THE CARRIER
- ANYTHING THAT WAS DONE OR HANDLED IMPROPERLY SHOULD ALSO BE CONTENDED

WE GET THE INFORMATION AND DO CONTENTIONS...

- REMEMBER THAT THE INFORMAL A REPRESENTATIVE HAS 14-DAYS TO MEET WITH MANAGEMENT ON THE GRIEVANCE
- THE STEWARD SHOULD BE TAKING EVERY MINUTE OF THAT TIME TO GATHER EVERY FACT, ALL THE INFORMATION, INTERVIEW AND GET STATEMENTS AND WRITE UP THE GRIEVANCE
- WHEN WRITING UP THE GRIEVANCE YOU CAN USE STARTERS FOUND ONLINE, YOU CAN ASK OTHER STEWARDS OR OFFICERS IN YOUR BRANCH FOR HELP, BUT MAKE SURE THAT THEY ARE COMPLETE WITH AN ISSUE STATEMENTS, FACTS, CONTENTIONS AND REMEDIES

AT THE INFORMAL A MEETING

- WHEN THE STEWARD SITS DOWN WITH MANAGEMENT AT THE FIRST MEETING YOU NEED TO GO OVER THE ISSUE STATEMENT TO MAKE CLEAR WHAT THE GRIEVANCE IS ABOUT
- YOU SHOULD HAVE YOUR FACTS AND CONTENTIONS READY TO GO. USUALLY THERE WILL BE COPIES MADE SO THAT YOU CAN GIVE A COPY OF YOUR CONTENTIONS TO MANAGEMENT TO READ AND TO SEND ON TO THEIR FORMAL STEP A REPRESENTATIVE
- IF THEY REFUSE TO READ THE CONTENTIONS AND STATE THAT THERE IS NO GRIEVANCE AND THAT THEY ARE DONE WITH THIS MEETING, MAKE A NOTE
- THE INFORMAL A MEETING CAN BE THE MOST DEVISTATING STEP IN THE PROCESS, IF WE DO IT RIGHT

BEING ABOVE BOARD

- WE ALWAYS WANT TO LOOK ABOVE BOARD TO THE B-TEAM AND THE ARBITRATOR
- WE NEED TO MAKE SURE WE ARE BARGAINING IN GOOD FAITH AND PROVIDE MANAGEMENT WITH OUR WHOLE CASE FILE, COPIES FOR THEM AND WILLING TO LOOK UP ALL CONTENTIONS IN THE JCAM, HANDBOOKS AND MANUALS, AND ANYTHING WE USED TO BUILD OUR CASE
- DO NOT GO INTO THE INFORMAL STEP A MEETING UNPREPARED AND NOT READY TO PRESENT THE GRIEVANCE
- SET UP YOUR FORMAL A REPRESENTATIVE AS BEST AS YOU CAN
- GET THAT GRIEVANCE OVER TO YOUR FORMAL A REPRESENTATIVE AS SOON AS POSSIBLE, IF NOT THE SAME DAY

AFTER THE INFORMAL A MEETING

- THE SHOP STEWARD CAN STILL REQUEST ADDITIONAL INFORMATION THEY FEEL IS NEEDED WHEN THE GRIEVANCE PROCEEDS TO THE FORMAL A STEP ABOUT ANYTHING THEY LEARNED IN THE INFORMAL A MEETING
- SHOP STEWARDS SHOULD BE TAKING NOTES THE WHOLE TIME THEY ARE IN THE INFORMAL A MEETING, OR SHORTLY AFTER THE INFORMAL A MEETING TO PASS ON THE FORMAL A REPRESENTATIVE
- IF MANAGEMENT DID NOT READ YOUR CONTENTIONS IN THE MEETING AND OFFERED NO WRITTEN CONTENTIONS AND NO REBUTTAL, WRITE THAT DOWN
- IF MANAGEMENT SAID ANYTHING TO THE EFFECT OF THE CARRIER IS GUILTY AND THEY DESERVED IT, WRITE THAT DOWN
- MAKE A STATEMENT THAT YOU HANDED ALL OF YOUR CONTENTIONS OVER TO MANAGEMENT

AT THE FORMAL A LEVEL

- MANAGEMENT HAS NOW HAD TIME TO LOOK OVER THE UNION'S CONTENTIONS WHEN THEY MEET AT THE FORMAL A LEVEL
- MANAGEMENT MAY COMPLETELY CHANGE THEIR WHOLE POSITION AT THE FORMAL A LEVEL BECAUSE NOW THEY KNOW WHAT THE UNION'S POSITION (CONTENTIONS) IS
- THIS IS WHY THE INFORMAL A STEWARD MUST MAKE COMPLETE AND VERY GOOD NOTES OF THE INFORMAL A MEETING

AFTER FORMAL A- TIPS FOR YA

- IF BOTH PARTIES CAN NOT AGREE ON A SETTLEMENT OF THE GRIEVANCE AT FORMAL A STEP, IT THEN GOES UP TO THE STEP B TEAM AND OUT OF THE OFFICE
- ALWAYS REMEMBER THAT AT THE INFORMAL A AND FORMAL A STEPS YOU CAN ADD INFORMATION, CITES, ARBITRATIONS, ETC. BUT AFTER THAT IT IS HARD TO GET INFORMATION INTO THE GRIEVANCE. SO MAKE SURE THAT WE ARE GETTING EVERY ANGLE IN, EVERY ARGUMENT IN, EVERY PIECE OF DOCUMENTATION THAT WE NEED INTO THAT CASE FILE
- ANY GRIEVANCE THAT IS A LETTER OF WARNING, 7-DAY AND 14-DAY SUSPENSION GO EXPIDITED SO MAKE SURE THAT YOU PUT CITES INTO YOUR CONTENTIONS BECAUSE AT THE ARBITRATION LEVEL THEY MAY OR MAY NOT BE ABLE TO USE CITES ALONE. BUT IF THEY ARE PART OF YOUR CONTENTIONS THEN THEY STAY IN THE FILE AS PART OF THE CASE

JUST REMEMBER THESE LITTLE TIPS

- IN THE INFORMAL STEP A WE ARE IN A PROTECTED STATUS, MEANING THAT THE SUPERVISOR IS NO LONGER THE SUPERVISOR. THE SHOP STEWARD AND THE SUPERVISOR ARE EQUALS
- IF A SUPERVISOR EVER SAYS TO THE STEWARD, IF YOU FILE ANY GRIEVANCES AGAINST THEM, THEY WILL HAVE YOU FIRED, THE ONLY THING THAT THE STEWARD SHOULD SAY IS, WAIT RIGHT HERE A SECOND WHILE I GO AND GET AN 8190 AND FILE A JSOV GRIEVANCE AGAINST YOU
- NO ONE IN THAT MEETING IS THE BOSS AND EVERYONE IS ON EQUAL GROUND

ARTICLE 15 LANGUAGE

- 15.2 SECTION 2. INFORMAL STEP A (A)
- GRIEVANCE PROCEDURE—STEPS
- INFORMAL STEP A (A) ANY EMPLOYEE WHO FEELS AGGRIEVED MUST DISCUSS THE GRIEVANCE WITH THE EMPLOYEE'S IMMEDIATE SUPERVISOR WITHIN FOURTEEN (14) DAYS OF THE DATE ON WHICH THE EMPLOYEE OR THE UNION FIRST LEARNED OR MAY REASONABLY HAVE BEEN EXPECTED TO HAVE LEARNED OF ITS CAUSE. THIS CONSTITUTES THE INFORMAL STEP A FILING DATE. THE EMPLOYEE, IF HE OR SHE SO DESIRES, MAY BE ACCOMPANIED AND REPRESENTED BY THE EMPLOYEE'S STEWARD OR A UNION REPRESENTATIVE. DURING THE MEETING, THE PARTIES ARE ENCOURAGED TO JOINTLY REVIEW ALL RELEVANT DOCUMENTS TO FACILITATE RESOLUTION OF THE DISPUTE. THE UNION ALSO MAY INITIATE A GRIEVANCE AT INFORMAL STEP A WITHIN 14 DAYS OF THE DATE THE UNION FIRST BECAME AWARE OF (OR REASONABLY SHOULD HAVE BECOME AWARE OF) THE FACTS GIVING RISE TO THE GRIEVANCE. IN SUCH CASE THE PARTICIPATION OF AN INDIVIDUAL GRIEVANT IS NOT REQUIRED. AN INFORMAL STEP A UNION GRIEVANCE MAY INVOLVE A COMPLAINT AFFECTING MORE THAN ONE EMPLOYEE IN THE OFFICE.

AND THAT MEANS WHAT.....

- THE GRIEVANT MUST MEET WITH THE IMMEDIATE SUPERVISOR. NOT THE POSTMASTER, NOT THE OIC, NOT THE MPOO. IF YOU MEET WITH ANYONE BESIDES THE IMMEDIATE SUPERVISOR YOU NOW HAVE A VIOLATION OF ARTICLE 15 TO ADD TO YOUR CONTENTIONS
- WHEN YOU DO MEET WITH SOMEONE OTHER THAN THE IMMEDIATE SUPERVISOR MAKE SURE YOU ASK WHY YOU ARE NOT MEETING WITH THE IMMEDIATE SUPERVISOR AND WRITE DOWN THEIR ANSWER. MANAGEMENT WILL SOMETIMES CHANGE THE REASON WHY AT THE FORMAL A MEETING AND WE NEED TO HAVE BOTH OF THE REASONS WHY IN THE CASE FILE

ALSO TAKE NOTE OF

- IF ANYTHING OTHER THAN THE UNION AND MANAGEMENT JOINTLY REVIEW RELEVANT DOCUMENTS TO HELP FACILITATE A RESOLUTION HAPPENS IN THIS MEETING, WRITE THAT DOWN
- IF THE SUPERVISOR SAYS ANYTHING TO THE AFFECT THAT THEY CAN NOT SETTLE THIS OR THAT IT IS OUT OF THEIR HANDS, WRITE THAT DOWN
- EVERY NOTE YOU MAKE IS NOW A CONTENTION TO ADD TO THE FILE
- KEEP COPIES OF EVERYTHING YOU ASK FOR AND GET AND MAKE NOTES OF WHAT YOU DO NOT GET AND WHY IT WAS IMPORTANT, WHAT IT WOULD PROVE, TO THE GRIEVANCE

WRAPPING IT ALL UP

- WHEN THE CARRIER HANDS THE STEWARD THE DISCIPLINE, THEY WILL IMMEDIATELY PUT IN THE INFORMATION REQUEST ASKING FOR ANY AND ALL DOCUMENTS THAT MANAGEMENT RELIED UPON TO ISSUE CITY LETTER CARRIER J. DOE DISCIPLINE
- STEWARD WILL GRAB A FILE FOLDER AND ADD IN THE NOTES FROM THE INVESTIGATIVE INTERVIEW THAT MANAGEMENT DID WITH THE CARRIER, AFTER THEY HAVE REFRESHED THEIR MEMORY OF THE MEETING
- LOOK AT THE CHARGE ON THE LETTER AND DISSECT IT. NAMES, PLACES, DATES, CHECK EVERYTHING
- GET A GOOD TEMPLATE, MAKE SOME GREAT CONTENTIONS, GET HELP IF YOU NEED IT
- REMEMBER IN THE MEETING YOU ARE EQUALS WITH MANAGEMENT

WRAPPING IT ALL UP

- IF MANAGEMENT HAS WRITTEN CONTENTIONS MAKE SURE THAT YOU ARE ADDRESSING THAT, DO NOT LET ANYTHING GO UP THAT WAS NOT REBUTTED
- IF MANAGEMENT CHANGES THEIR POSITION MAKE THAT CONTENTION. MEANING IF THE LETTER OF CHARGE HAS ONE THING AND THEIR CONTENTIONS HAVE SOMETHING DIFFERENT THEN ARGUE THAT THEY CAN NOT CHANGE IT
- IF MANAGEMENT MAKES A CHARGE THAT WAS NOT BROUGHT UP IN THE INVESTIGATIVE INTERVIEW, THEN CONTEND THAT
- WRITE VERY GOOD NOTES AT THE INFORMAL STEP A, ESPECIALLY IF MANAGEMENT OFFERED NO REBUTTLE AND HAD NO CONTENTIONS