

Grievances

Overview to gain a full understanding

LMC Committee

- ▶ How it's made up:
 1. Member Contractors 1 - 3
 - ▶ Long-term work history
 2. Union selection of 1-3 members
 3. Commitment
 4. Knowledge of CBA & its history
 5. Peer respect (both management and labor)

Purpose

- ▶ Impartial judicial body
- ▶ Interpreter of existing agreement
- ▶ Judge the meaning of words
- ▶ Different from negotiating meeting

First Steps

- ▶ Employee files a grievance.
- ▶ Employer's representative on the job attempts resolution.
- ▶ Employer's representative and the Union Rep attempt resolution.
- ▶ Dispute is referred to joint labor-management committee.
- ▶ ALB Office receives letter requesting a LMC for a grievance.
- ▶ LMC held.

Effective Adjudication

- ▶ Ideally the Labor-management committee should produce something other than a deadlock.
- ▶ Remember the committee is an impartial interpreter of existing agreements.

Chairperson Selection

- ▶ Ideally this should be someone able to preserve order and generally conduct a fair hearing.
- ▶ Chairperson and Secretary alternate each grievance hearing

Secretary Selection

- ▶ In general, this should be someone able to record minutes objectively.
- ▶ Chairperson and Secretary alternate each grievance hearing

Recommended Sequence (Parties Present)

- ▶ Charging party presents its case.
- ▶ Defending party presents its case.
- ▶ Charging party presents rebuttal of defending party's presentations.
- ▶ Defending party presents rebuttal of charging party's presentations.

Recommended Sequence (LMC Deliberates)

- ▶ Committee questions both parties.
- ▶ Committee excuses all witnesses and both parties to the dispute.
- ▶ Committee deliberates and reaches a decision.
- ▶ Committee distributes decision to all parties ASAP.

General Considerations

- ▶ Phrase charges briefly and in non-inflammatory terms.
- ▶ Phrase decisions factually, without editorial comment or scolding.
- ▶ If the Chapter Manager thinks the employer is wrong, try to settle without LMC involvement.

General Considerations (cont.)

- ▶ A frequent cause of disputes is the application of so-called “area practice” or “common practice.”
- ▶ Once an LMC reaches a decision, all are bound by it.

General Considerations (cont.)

- ▶ If the Committee deadlocks, either party has the right to request submission to CIR.
- ▶ This initiates the interim committee process.
- ▶ Try to settle before CIR.

To Remedy CBA Violations

- ▶ Same authority as CIR
- ▶ Non-deadlocked decisions final and binding
- ▶ Awards supported by courts

Questions

- ▶ Workshop Next...