

Labor News Digest

May 2001

Vol. X, No. III

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Handling Grievances at the First Step

Receiving the Problem: Interviewing the Grievant

Your first job is to listen well and let the worker express his or her feelings, describe the problem, and "cool off" if necessary. At this stage, it is important to let the worker know the union cares about the person's problem and to listen actively:

- Stop what you are doing.
- Take the person aside.
- Make steady eye contact. Assume a relaxed but attentive posture (even if you don't like this person!).
- Start your questioning openly; for example, "Tell me what happened."
- Recap periodically what you understand. "So this happened and then this...?"

Compile Information: Investigate and Get the Facts

You need all the facts to present the logic and evidence to support your position and win your case. Once you have a general understanding of the problem, begin to ask the specific "W" questions:

1. What happened?
2. Who is involved?
3. When did it occur?
4. Where did it occur?
5. Why is this a grievance?
6. What is the remedy for settlement?

Don't jump to conclusions: Get the other side of the story and interview the supervisor or management representative involved. This will allow you to check out the grievant's position as well as understand and anticipate the company's argument.

When you meet with the company, request any information that will help the union make its case. The information available to union stewards while investigating a grievance, is extremely wide in scope. It includes accident reports, attendance records, bargaining notes, job descriptions, and personnel files.

As long as the information is relevant to your investigation of the workplace incident, the company has a legal obligation under the National Labor Relations Act to provide it to the union in a timely manner.

Don't forget to check the documents the union already has in its files, like past grievances, steward's notes, arbitration decisions, the contract, any letters of understanding, employer policies, and work rules.

Keep the Worker Informed

After interviewing the worker and supervisor involved inform the grievant of the next course of action. Tell the worker what you found out and if the complaint is a grievance or just a gripe.

If the worker's problem is a grievance, it's time to prepare for the oral presentation before management. If possible and allowable under your contract, bring the grievant with you. The person's involvement in the process allows him or her to contribute to the case as well as see the union in action.

Before the oral presentation meeting, "prep" the worker concerning his or her role in the meeting. Explain to the grievant that, as a steward, you will do most of the talking. Tell the person to answer any questions from management, but that you'll state the union position and question the supervisor.

PACE International Union, P.O. Box 1475, Nashville, TN 37202.

Pictsweet Added to AFL-CIO Boycott List

Pictsweet Mushrooms and Frozen Vegetables, a subsidiary of United Foods, Inc., has been added to the AFL-CIO's nationwide boycott list at the request of the United Farm Workers Union (UFW).

Pictsweet purchased the Ventura Mushroom Farm in Ventura County, north of Los Angeles, in 1987. Since that time, the company has refused to negotiate an agreement with the farm workers. Mushroom King, previous owners of the farm, which employed some 350 workers, had a labor agreement with the UFW since the 1970s.

In December, California's Agricultural Labor Relations Board upheld unfair labor practice charges filed by the UFW.

Pictsweet workers have been harassed and intimidated by company supervisors pressing them to support de-certification efforts. Wages are substandard, favoritism is rampant, and health care coverage is inadequate under Pictsweet.

The Farm Workers are urging union activists to contact Pizza Hut, one of the largest customers of Pictsweet mushrooms, to urge them to encourage Pictsweet to drop its resistance to the union and bargain in good faith.

Union Labor & Services Trades Department, AFL-CIO, 815 Sixteenth Street, N.W., Washington, DC 20006.

Unions at the Forefront of Equality

Pay Equality Day is observed on April 3. This day calls attention to the disparity in wages paid to men and women who perform similar work because April 3 marks the day that women's earnings for 2000 and so far this year, match what men made in 2000. Women must work three extra months because on an average, they are paid just \$.72 for every dollar the average man earns. Although it is hard to believe such practices still exist, organized labor works hard to correct this and similar injustices through collective bargaining. Unions strive to ensure that employers rely on objective factors such as skill, effort, and responsibility when setting pay rates among members of the workforce.

The good news for women in the labor movement is that union representation boosts their pay and equalizes wages. Organized labor prevents employers from discriminating on the basis of gender, race, or creed. As a movement, we strive to treat all workers, regardless of their background, with dignity, respect, and equality in the workplace. This equitable approach in the workplace is a right for which unions have fought hard and long, and which many workers, sometimes unknowingly, take for granted.

Our labor movement will grow and prosper as long as we continue to expand and defend the rights of all workers. Equal pay is a bread and butter issue affecting every working family. Union representation provides the powerful weapon in the battle to achieve a better quality of life for all workers, and for their families too.

Labor Fax, NJ AFL-CIO.

Nurses & USWA Form Alliance

Ninety percent of Health Care Industry Lacks Union Representation

Under the newly forged Health Care Workers Alliance, the promise of a collective voice will be offered to hundreds of thousands of nurses and other health care workers in the mostly non-union health care industry. The unique alliance combines the power of one of North America's pre-eminent industrial unions with the professional expertise and experience of the nation's fastest growing independent nurses union.

Initially, the USWA and CNA will begin work on joint union organizing projects in California and other states. One coordinated campaign is already underway at the Good Samaritan and Mission Oaks Hospitals in San Jose, Calif.

Common Goals

The Alliance will also welcome other progressive unions with members in health care in the U.S. and Canada, who share common goals, such as establishing a universal health care system in the U.S. and preserving the system in Canada, and assuring that patient needs are primary components in health care decision making.

"With 11 million health care workers in the United States, it is tragic that fewer than 10 percent have union representation. It's no wonder that our health care system is in grave crisis to the detriment of health care workers and patients alike," said USWA President Leo Gerard. "We intend to transform the health care landscape."

"We dream of a day," said CNA President Kay McVay, RN, "when all nurses are united under one umbrella, in a national nurses' organization that will give them genuine power to be stronger patient advocates and effectuate change for their patients and themselves." McVay said she hoped other progressive nurses' unions will join the new Alliance. "By working with the USWA, we will have additional power to protect the professional practice of nurses and forge a strong unity with other health care workers."

Becker's Vision

Establishing this alliance was a critical priority of recently retired USWA President George Becker. "Health care is a vital resource and public service, not a commodity to be exploited for profit by a few," said Becker. "We need a model that will protect workers, but also serve the public well-being by giving patients an improved health care system with a genuine health care safety net."

"Nurses and other health care employees have been in unions for more than half a century. Yet today, only a relative handful are represented, scattered about in several dozen organizations," said CNA Executive Director Rose Ann DeMoro. "By building a new but very different approach, organizing large numbers of health care employees along industrial lines perfected by the USWA, and using the vision and professional model established by CNA, we have an exciting, unparalleled opportunity."

Nurses & USWA Form Alliance

(Continued from page 2)

An industrial model approach to organizing, DeMoro explained, defines health care as no longer a single system with individual employers, but a large industry comprised of huge corporate chains. It sees the corporate links between hospital corporations and other health care sectors, including other providers, material suppliers, and financial support services--and projects the need for organizing in all sectors.

To that end, the Alliance agreement "will promote joint organizing and support labor solidarity beyond hospitals for organizing in order to bolster our power in direct care. These additional areas include nursing homes, rehabilitation centers, medical device manufacturers, financial institutions, pharmaceuticals, supplemental equipment manufacturers, medical records processing, laboratories, and food services."

"Our union has represented health care workers since the late 1940s," said International President Leo Gerard. "This Alliance will increase our strength in organizing this vital industry."

In addition to the joint organizing projects, Alliance members will provide mutual support for collective bargaining strategies, and work together to influence the public debate and legislation in support of a publicly funded, universal health care system and other critical legislation, including safe staffing and bans on mandatory overtime.

USWA, 4069 Bradley Circle, NW, Canton, OH 44718.

What Happened in 2000?

Unions did their job

Unions raised the issues that voters cared about--quality health care, secure retirement, good public education, and fairness for workers--and then turned out the vote. Twenty-six percent of the national vote for President came from union households, although union members represent just 13 percent of the working population. Unions registered 2.3 million new voters. Union members voted overwhelmingly for Al Gore (66 percent to 20 percent). Non-union households gave votes to George Bush (52 percent to 44 percent).

Minority voices were heard

More African Americans voted for President than ever before. Ninety percent of African American voters voted for Al Gore. The Hispanic vote increased by two million and Hispanic voters supported Al Gore (62 percent to 35 percent). Asian Americans, who often vote for Republicans for President supported Al Gore (55 percent to 44 percent).

Al Gore won the vote

Nobody denies that Al Gore won 540,000 more votes from coast to coast, from border to border, than George Bush.

The Electoral College and the Supreme Court trumped the votes of the people. The Electoral College, set up in the days of the Pony Express, in part to maintain slavery, overturned the popular will in the Internet age, with African American turnout suppressed.

What do we need now?

- We register more union members to vote, keep pushing our issues.
- We educate all voters on why to vote and how to vote
- We reform the electoral process, taking a long look at the elimination of the Electoral College, which was invented to strengthen the power of slave owners.
- We insist that voting machines in minority precincts work, that voting officials in all precincts know and obey the law, and that no discriminatory laws or biased police officers can prevent minorities from voting.

Union of Needletrades, Industrial & Textile Employees, 1710 Broadway, New York, NY 10019.

Patient Advocacy

Concurrently, the Alliance agreement commits both parties to the patient advocacy model long championed by CNA. It includes pledges to:

- Oppose restructuring and deprofessionalization currently plaguing health care. The parties agree to support initiatives to assure appropriate skills, education, and staffing for optimal patient outcomes.

- Embrace only those medical technologies that enhance employee skills and patient access.

- Push for staffing levels to be driven by patient need, not budget concerns or bargaining unit density of respective labor organizations.

- Oppose labor-management "partnerships" that serve only the interests of health care employers, not health care workers or patients.

- Create a contemporary model of union cooperation that provides a voice for the public's genuine concern for health care access.

Did You Know?

United Farm Workers End Grape Boycott

Pointing out that many of its goals have been met, the United Farm Workers of America (UFW) has called off the 16-year boycott of nonunion California table grapes.

"Caesar Chavez's crusade to eliminate use of five of the most toxic chemicals plaguing farm workers and their families has been largely successful," said UFW President Arturo Rodriguez in announcing the boycott's end.

In addition, he stated, "It is not fair to ask our supporters to honor a boycott when the union must devote all of its present resources to organizing and bargaining." In the past six years alone, Rodriguez pointed out, the UFW has won 20 union-representation elections and bargained 24 new or first-time contracts with growers.

Union Construction Earnings Remained Strong

Union pay rates in construction remained strong and were significantly higher--54 percent--than non-union earnings, according to BLS data. The union/non-union differential was considerably stronger than the year before when the difference was 35 percent. The union/non-union differential for all private wage and salary workers was about 25 percent.

Construction workers who were members of unions had median weekly earnings of \$814, the highest of any industry, compared with \$529 for their nonunion counterparts. Pay increases for all construction workers increased 5.8 percent, rising from \$552 in median weekly earnings in 1999 to \$584 in 2000. Weekly pay for union members increased 4.6 percent from \$778 in 1999 to \$814 in 2000. Earnings for non-union construction workers increased 3.9 percent from \$509 per week in 1999 to \$529 in 2000.

New York Building Trades React

The New York State Buildings and Construction Trades Council put a stop to a scheme to channel state funds to temporary agencies for training welfare-to-work recipients, especially in the construction industry. Council President Edward Malloy wrote to Republic Governor George Pataki, telling him funds to train welfare recipients are suppose to go to help low-income people secure permanent jobs. Malloy also pointed out that "temporary labor firms are currently alleged to have violated laws in several states, including New York, pertaining to wages and hours, workers' compensation, and misclassification of workers as independent contractors to avoid employer payroll taxes." Malloy concluded by promising to stop state funds from going to temp firms that "do not provide legitimate training or access to meaningful careers in our industry intended to help low-income families rise into the middle class." The state canceled the funds.

Sweatshop Recidivism

The U.S. Department of Labor reports that 63 percent of 35 garment shops in Los Angeles reinvestigated by the department's Wage and Hour Division in February through March 2000 were cited for repeat or willfull violations of the minimum wage and federal overtime and record-keeping regulations. Investigators found 611 workers from 17 shops were owed more than \$625,000 in back wages. The department fined the shops \$271,780 and is pursuing legal action against two other shops.

With a Nod to Mother Jones

In 1914, Colorado authorities held legendary union organizer Mother Jones captive at Mount San Rafael Hospital in Trinidad, Colorado, shortly before the infamous Ludlow Massacre during which striking miners, their wives and children were killed when the Colorado state militia attacked their tent city. In balloting December 7-8, the hospital's 124 workers voted to join the Mine Workers. "We chose the UMWA in view of the union's strong and storied history in the Trinidad area and its ability and willingness to represent all of our workers," said RN Patti Salazar.

Ironworker Appointed to Prison Industry Board

Ray Trujillo, Northern Regional Director for the State Building Trades, was named by Governor Gray David to the Prison Industry Board on January 11. The Prison Industry Board sets policy for and directs the operations of the Prison Industry Authority. The board also serves as a public hearing body. Board members serve four-year terms without compensation. Prior to his work with the State Building Trades, Brother Trujillo was a business representative for the district council of Ironworkers and a business representative for Ironworkers Local 378 Oakland, California.

Ontario Implements Labor Law Changes Governing Construction Sector

Legislation creating a new labor relations environment for Ontario's unionized contractors and construction workers becomes law after receiving final approval of Bill 69, the Labour Relations Amendment Act (Construction Industry) by the Ontario Legislature. The impact of the changes is expected to be felt particularly in the spring of 2001, when all collective bargaining agreements covering residential construction trades expire. The legislation provides a new approach to collective bargaining for all the industry and will help contractors in the unionized industrial, commercial, and institutional construction sector become more competitive.

500 Million New Jobs Needed in Next Decade

The global employment picture remains "deeply flawed" for workers in many parts of the world, according to the ILO's biennial employment study.

World Employment Report 2001: Life at Work in the Information Economy warns that nearly one-third of the world's working people "are either unemployed, underemployed in terms of seeking more work, or earn less than is needed to keep their families out of poverty." At the end of 2000, the official unemployment number stood at 160 million, "twenty times higher than before the peak of the Asian financial crisis in 1998."

Five hundred million new jobs must be created in the next decade to accommodate new arrivals in the job market and cut unemployment by 50 percent. In addition, the report warns of "a new type of poverty" in the transition economies of central and Eastern Europe affecting low-wage earners, the unemployed, the elderly, and workers whose wages are not paid. "The minimum wage has fallen below the minimum subsistence level in most countries and especially in the CIS countries where there is widespread non-payment of wages."

These global employment woes are occurring despite improvements in labor market performance in industrialized countries and the growing potential of information technology (IT) to create jobs and spur development.

The report finds that more and more workers are unable to find jobs or gain access to the emerging technological resources needed to ensure productivity in an increasingly digitized global economy. In addition, the report finds that these disparities are creating a widening global digital divide.

For example, nearly all of the world's information and communications technologies are produced by about 15 percent of the population--most in industrialized countries. The U.S. and Canada account for 57 percent of the world's Internet users, whereas Africa and the Middle East account for only one percent.

Only one-half of the world's population even has access to the electricity, phone lines, and other infrastructure necessary to use these technologies in production and purchasing.

There is also a significant "digital gender gap" that persists despite the enabling potential of information and communications technologies to improve women's lives. The report finds that "the promotion of education and literacy generally--and digital literacy in particular--is [a] huge challenge facing all countries. Equipping workers with IT-related skills will need to be specifically targeted to the needs of women."

ILO Director General Juan Somavia said, "We know [information technology] can and will provide benefits for women, and it is one of my highest priorities to make sure that this digital gender gap doesn't grow wider."

More broadly, Somavia noted that "the [IT] revolution offers genuine potential, but also raises the risk that a significant portion of the world will lose out... We need to promote policies and develop institutions that will let everyone benefit."

For IT to have a far-reaching impact on the quality of life of workers in poorer countries, coherent national IT strategies, affordable telecommunications infrastructures, and educated workforces will be necessary, according to the report.

IT and Development

World Employment Report 2001 also examines the potential of information technology to foster development. The study cites a number of specific benefits from greater use of IT, including improved functioning of markets through easier and cheaper access to information on goods and services and a faster and more efficient financial sector.

Echoing a key concern in development circles, the ILO report asks if today's information and communications technologies offer developing countries the ability to leapfrog traditional stages of development. The report stresses caution, and reiterates that IT is only a tool. Even tools that accelerate development by providing greater access to and use of information do not substitute for the need for genuine development. "Growth alone" is not enough.

"Meeting this goal," says the report, "will require much greater attention to core labor market issues, including investments in human capital, overcoming discrimination, and making employment a more central goal of economic policy." Moreover, literacy and education--key challenges facing all countries--cannot be leapfrogged, the report stresses.

At the same time, the report cites several examples of how IT has provided tangible gains for the poor. In Bangladesh, the Grameen Bank provides cell phones to its female members, which has resulted in greater connectivity among the Village Phone project sites, income for the phone operators, and greater communication for the families and their relatives employed as migrant workers overseas.

In South Africa, a wireless-based Community Information Delivery System provides high-speed access to the Internet, enabling community members to gather useful information on health, education, housing, employment, and government services.

In Senegal, the liberalization of telecommunications regulations has led to the development of "telecenters," which have increased public access to phones, faxes, copiers and PCs, creating thousands of jobs in the process.

The World Employment Report 2001 will be published in June 2001. A free CD-ROM is now available--call 202-653-7652. An overview of the report is on the Internet at <http://www.ilo.org/public/english/support/publ/wer/index2.htm>.

Labor-Management Professional Certification Program

The National Labor Management Association's Professional Certification Program will play a crucial part in bringing the labor-management cooperative process and the high-performance workplace concept into focus for a wider audience. We know through research that those in the workplace, whether in the private or public sector, are seeking the type of knowledge with standardization of training as is offered in the Labor-Management Professional Certification Program. Unlike other programs, the NLMA's emphasizes this training and information, assuring a standard of professionalism when dealing with labor-management and workplace issues. To date, labor-management or worksite consulting is a random event. Improperly trained and costly consultants can cause more damage by their advice than if they had done nothing. The situation is serious, and a verifiable standard of excellence must be sought and maintained. This is what the Professional Certification Program will achieve.

Basically, the Professional Program provides the graduate with the information, knowledge, and strategies--all through education and training in the labor-management cooperation and high-performance processes.

The Professional Certification Program is the most comprehensive source, to date, which combines the philosophies and the hard-action strategies to train leaders and union representatives to make this transition to the high-performance workplace within the realities of the collective bargaining environment. The program can even be offered onsite.

The course is presently available in three different and distinct venues to appeal to a wide range of attendees. First, the course itself is available on compact disc with Internet backup for testing and evaluation, and it will be available in hardcopy for those who do not have computer skills or access to a computer or the Internet. Second, the course will also be offered at select regional sites during the year, through cooperative efforts with larger companies who will schedule the program onsite, at various times during the workweek. Third, the course will soon be offered at regional colleges throughout the country. The committee of professionals, union presidents, and work-class experts in high-performance and labor-management cooperation who tested the program agreed that the following course structure was excellent and was the only compilation of its kind presently available.

Don't Miss the Opportunity

We never know what challenges await us in the workplace of the 21st Century. Not only do we deal with conflict, overhead, waste, production goals--we generally have to handle these all in one day! The modern global workplace requires advanced, constantly-changing skills and knowledge, which must meet the highest level of standardization and thoroughness. No single person, union, company, or even an organization, could readily gain access to the wealth of knowledge, which this complete Learning System comprises.

Five years in the development, with exhaustive research and expert contributors, this compilation of state-of-the-art information is now available to qualified persons from management, labor, government, and education.

This program offers superior training, assuring the standard of professionalism needed to master intense workplace, production, financial, and labor-management issues. Heavy emphasis is placed on the tools of continuous improvement necessary for changing an organization from the traditional workplace of the past to the streamlined, efficient, high-performance workplace of the 21st Century.

Issues such as quality, continuous improvement, teams, the involvement of personnel, high performance, participative problem-solving techniques, TQM, QCD, Kaizen, JIT, the achievement of world-class status, and labor-management cooperation are all covered in detail, and all within the realities of the collective bargaining system.

Who Can Benefit?

- Company Owners and Management
- Union Presidents, Leaders, and Workers
- Human Resource Professionals
- Mid-Level Managers and Supervisors
- Educators and Government Officials

Certification--Learning System--The Five Certification Modules Are:

- Evolution of the American Collective Bargaining System
- Theory and Practice of Labor-Management Cooperation
- Teams and Participative Problem Solving
- Developing the High-Performance Workplace
- Assessment, Measurement, and Evaluation Methods

These learning modules were written by a panel of leading experts in their fields, amassing over a century of experience collectively. In addition, a prize-winning team of professional writers and graphic artists put together the most visually compelling and educationally astute learning vehicle available.

For more information on the program, please contact the National Labor Management Association, P.O. Box 819, Jamestown, NY 14702-0819. Phone at 800-967-2687 (Office Hours 9 to 5 E.S.T Weekdays) or e-mail to: nlma@nlma.org.