

LIUNA!

Feel the Power

DUTY OF FAIR REPRESENTATION CHECKLIST

DO

Get a calendar – use it!

Investigate before deciding whether or not to file by:

- Speaking with the grievant
- Speaking with witnesses
- Speaking with management
- Reviewing available documents – including your CBA!
- Seek and review other documents if time permits

Consider the effect on others in the bargaining unit.

If the grievance is good and there's no harm to others, file it.

If the grievance could harm the bargaining unit, discuss with union officers.

If the grievance could harm an individual, inform him or her and listen to the worker's position before deciding whether to proceed.

Inform the grievant and others in the bargaining unit who are directly affected of the status of the grievance of the status of the grievance.

If you decide not to file, explain the reasons why to the worker.

Use labor law to make your case.

Always discuss potential settlements with the grievant.

Decide whether to file based on the merits of the grievance.

DON'T

Forget time limits.

Make decisions based only on:

- What the grievant says
- What management says

Make decisions based on whether or not you like the grievant.

Make decisions based on whether or not the grievant is actively for or against the Union.

Meeting the Duty of Fair Representation

1. Do we have to grieve and arbitrate every grievance that employees bring us to make sure we don't get sued?
2. Willie was suspended for two weeks for absenteeism. The company offered one week's back pay. Given Willie's record, the union thinks this is a good settlement. But Willie wants to arbitrate for full back pay. If we settle for the one week's pay, is Willie likely to win a DFR case?
3. I filed a grievance for Michael over a pay issue. But after getting more information, I believe management is right. Do I have to continue pursuing the grievance since it's already been filed?
4. Two workers – Linda and Marie, are discharged for fighting. We want to file a grievance on Marie's behalf because we think Linda provoked her, but Linda told us that if we filed a grievance for Marie but not her, she'd sue us for unfair representation. Would she have a case?
5. We are in a right-to-work state and sometimes I have to file grievances for people who aren't union members. When I do, I tell them it costs money to run a union, and they should be ashamed of taking the benefits without sharing the costs. Can I get in trouble?