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***What is a Grievance?***



A grievance is an official complaint of a violation of a worker's rights on the job.

# **A complaint regarding working conditions may cover anything that is covered by the negotiated Agreement.**

- Protests regarding hours of service, rates of pay, bidding rights, etc.
- Appeals from disciplinary actions or other treatment that is considered unfair.
- Protests regarding relative standing on, or omission from, seniority lists.

The procedural machinery for resolving IAM grievances is described in (depending on the Rule # of each agreement), the “Claims and Grievance Procedure” clause of the Agreement.

It is important to note that an employee may not have a grievance even though he or she may have a legitimate complaint.

The employee should talk to their Local Chair-person to see if the employee has an alternate means of addressing the problem.

Conversely, if an employee's complaint relates to an Agreement covered matter, management must accept it even if they are absolutely certain that the Agreement has not been violated.

# *The Status of Union Committee-person*

By its very nature, a Committee-person's job involves creative negotiating skills. On the shop floor, in supervisors' offices, and in grievance meetings, committee-persons must represent the members and dispute allegations of management. Preferably, this can be done in a restrained manner with "quiet diplomacy." But occasionally the Committee-person finds it necessary to use assertive language and aggressive strategies to dramatize the union's position.

# *The Status of Union Committee-persons*

Such behavior, however, conflicts with traditional rules of employee conduct; rules that stress obedience to, and respect for, supervisors and managers. If Committee-persons were bound by these rules, they would be in an impossible situation; either forego vigorous advocacy or risk almost certain discipline.

When representing employees,  
Committee-persons are legal  
representatives and considered to  
be

***EQUALS***

with management.

***When Does***

***This Principle Apply?***

This principle applies when a Committee-person is acting in an ***official*** capacity. It does not apply when acting in an ***individual*** capacity.

- A Committee-person is acting in an official capacity when they investigate a grievance, request information, present a grievance, or otherwise act as a union representative of employees.
- A Committee-person is acting in his or her individual capacity when they discuss their own work assignment or work performance. Being a Committee-person does not convey a license to challenge management at all times and places.

## ***Rights of the Committee***

Supervisors often assert that the only role of a Committee-person at a fact-finding interview is to observe the discussion, or to be a silent witness. The RLA, however, clearly acknowledged a committee's right to represent employees during investigations.

- When the Committee-person arrives, the supervisor should inform the Committee-person of the subject matter of the interview: the rule of conduct for which discipline is being considered (theft, dependability, drugs, etc.).
- The Committee-person is allowed to take the worker aside for a private conference before questioning begins.

- The Committee-person does not have the right to bargain over the purpose of the interview.
- The Committee-person can request that the supervisor clarify a question so the worker can understand what is being asked.
- The Committee-person must be recognized as an official union representative and advised of all discipline issued.