

# Writing a Grievance

One of the most difficult jobs of any grievance representative is writing a grievance. Many of our contracts provide for the steward or representative to write the grievance on behalf of the member. By having the steward write the grievance, the union is better able to track the issue and control the grievance procedure. The member is better represented and the process is used to build solidarity in the local union.

## **Your grievance form**

The first step of the grievance process is an informal meet and discuss meeting involving the member, steward, and first line supervisor. Your goal is to settle issues early. In order to be effective towards this goal you must make advance preparation. Use your investigation form when interviewing the member, and follow the steps in the "Grievance Interview" section. Review the section "A Dozen Points on Grievance Presentation". Take a pad and pencil with you when you meet with the supervisor for the first step grievance meeting, and take notes of each participant's statements. If you are unable to resolve the issue at this meeting, let the supervisor know that you will need a verbal response by the second working day after the grievance was presented.

If the grievance is denied, complete the first step grievance form including the company's response and submit it to the Business Manager. Include a copy of the investigation form and any pertinent notes. The Business Manager will assign a number to the grievance and submit a 2nd step grievance form to the company. The contract states that, "If the Union does not carry a grievance to the next higher Step within ten working days after the Company has rendered its decision, the grievance shall be considered settled in favor of the Company." Be aware of timeliness issues and mark deadlines on your calendar for follow-ups.

## **Be timely**

You must be timely in the presentation of your grievance. That means you should file it within the proper amount of time that is stipulated in your contract. Be careful of contract language. Working days and calendar days are different. Filing after the knowledge of the occurrence is different from having to file after the date of the incident.

When you write the grievance, limit the statement to basic information. Provide only enough information to identify the grievance so that management understands what the basic problem is, what violations have occurred and how the problem should be fixed.

## **Be brief**

You are not obligated to tell management in a grievance all of the results of your investigation. Don't do their work for them.

Omit the union's arguments, evidence and justification for its position. You should save that for the grievance meeting. You don't need to tip your hand before you get to that grievance meeting. Avoid personal remarks. State the position of the union not opinions. Opinion words include "I think," or "I believe." Avoid them.

When stating why there is a grievance use the phrase "management's action is in violation of the contract including Article VIII, Section 4 and 5." Allow for the possibility that there could be other violations.

## **The remedy**

You need a remedy in every grievance. By filing a grievance you are demanding that management right an injustice. Management will not give you anything. You've got to tell them what you want.

When you write your remedy, don't limit it. In grievances that involve money, benefits, or protests of discipline, use the phrase "the grievant should be made whole in every way including . . . ." Then ask for what you want.

The general phrase "made whole in every way," means that the grievant should receive any and all losses due to management's action. The word "including" allows you to add specific remedies later on in writing or in oral discussion with management.

Just because you use the phrase "made whole in every way," does not mean that management or even an arbitrator will search out the specific benefits management has denied your grievant. It is up to you to list verbally or in writing any remedies not noted in the original grievance.

Keep the grievant up to date on the process of the grievance. Your job doesn't end when the form is filed.