



TC LOCAL 1976 USW

Job Description: Unit President

The functions of the unit president:

- Chair the Unit meetings;
- Hold membership meetings, convened at regular intervals. (Any Local officer and any authorized officer or representative of the International Union may attend and report to any unit meeting.)
- Sits on all the committees of his unit if required;
- Ensures the respect and application of the collective agreement;
- Receives and sends grievances on behalf of members according to the provisions of the collective agreement within the prescribed time limits (see below for more details on the grievance process).
- Works in collaboration with staff representative;
- Cooperate closely with the leaders of the Executive Council and the officers of the Local 1976;
- Monitor union affairs on a daily basis;
- Represent and defend all members in a fair and impartial manner;

The functions of the unit's recording secretary:

- Post all notices to unit meetings;
- Publish the dates of unit meetings;
- Writes and keeps the minutes of unit meetings;
- Keep the register of attendance at unit meetings;
- Manage unit correspondence;
- Carry out any other mandates given by the unit president or the Executive of Local 1976.

Duties of the President of a sub-unit:

- Chairs all meetings of the sub-unit;
- Shall be an ex-officio member of all committees in his/her sub-unit if required;
- Ensures the respect and application of the collective agreement;
- Receives and sends grievances on behalf of members according to the provisions of the collective agreement within the prescribed time limits (see below for more details on the grievance process).
- Works in collaboration with the shop stewards;
- Cooperate closely with the Executive board leaders and the officers of Local 1976;
- Monitor trade union affairs on a daily basis;
- Represents and defends all members fairly and impartially;

Unit Presidents / sub unit presidents must make every effort to greet new members, provide a copy of the Collective agreement, advise them how to contact their unit president and other union stewards (for those under provincially regulated industries, the Unit president must have the new member sign a USW card)

The Unit President, in consultation with the Unit Recording Secretary, may appoint additional union stewards to assist with the day to day issues within the workplace. Alternatively, an election for additional union stewards may be held within your workplace. If an election is requested, please contact the Vice-President of your District or the Montreal office.

Some practical tips for Unit and Sub-Unit Presidents:

- Be sure to have a copy of the collective agreement at hand.
- In the table of contents underline the articles most important to you or use page markers.
- Make notes in your collective agreement - it's a work tool.
- Watch the dates to note when they expire and know when the negotiations will take place to deal with what is not working well and improve what workers will choose to claim.
- If in the collective agreement there is some text that:
 1. Looks very technical and full of words that may not be completely clear to you:
 - Talk about it with those involved in the Union to get some explanations, and make a note in your copy of the collective agreement to remember to ask it to be dealt with at the next negotiation.
 2. You think means something else than what is happening on the floor:
 - Talk about it with those involved in the Union to get some explanations and know your options to change the situation.
 3. You think means something and of which your employer has a different understanding:
 - Talk about it with those involved in the Union to get some explanations;
 - Write a note in your copy of the collective agreement to remember to ask for clarification during the next negotiations.

The collective agreement must be applied and respected

There are rules for interpreting a collective agreement. Several decisions from labour judges or arbitrators define how certain terms be understood and used in a collective agreement; these are jurisprudential trends in collective agreement interpretation.

THE UNION'S DUTY OF FAIR REPRESENTATION

The duty refers to "representation". As a unit president you should treat all employees equally and fairly, and represent their interests in good faith and to the best of your abilities.

Grievance Handling

One of the most important areas of representing employees is the *filing and processing of grievances*.

It is the unit President's responsibility to ensure that Step 1 grievances are filed within the specific time limits of your applicable collective agreement AND to ensure that the company has not missed the time limits for a

response. If the company does not respond in time, the grievance is automatically progressed to the union's Step 2 grievance process. It is very important that all grievances proceeding to the Step 2 process (whether the company has responded or not) must be sent to the Montreal office via email (info@1976usw.ca) as soon as the Step 1 timelines are exhausted.

You must keep the employee informed of the status of his/her grievance.

If you are not completely certain about the merits of the grievance, speak to a Local officer or your Staff Representative. The final decision whether to proceed to arbitration with a grievance will be made by Union officials.

Here are five aspects of a Unit President or Sub Unit president's job in handling grievances:

1. Identify the grievance: Is it a grievance or a complaint?
2. Investigation: Before filing the grievance officially, the local chairperson must gather all the relevant facts. It is important to keep the member(s) informed.
3. Fact Sheet: Prepare the union fact sheet.
4. Write up the step 1 grievance: Follow-up and writing of grievances at various stages.
5. What's next: In order for the grievance to progress to step 2, you must ensure that you send the complete file to the National Montreal office within the prescribed time limits. Failure to send the file on time could result in the file being closed. If you need more time to gather the file, you must secure an extension of time limits with the appropriate company officer and if you are not sure who to request the extension from, contact the National Montreal office for assistance.

DOCUMENTS TO ATTACH TO THE GRIEVANCE FILE WHEN YOU SEND IT TO BE PROGRESSED FURTHER:

- a) Investigation notice
- b) The investigation
- c) Appendices
- d) The discipline assessed
- e) The complete disciplinary file
- f) Any other related document
- g) The phone number, mailing address and email address of the member

Handling grievances: tips for the unit chairperson:

- Know your membership
- Encourage the membership to bring all grievances to the Union
- Know your Collective Agreement
- Know the relevant facts about a grievance and record them
- Make sure the griever knows what the issues are
- Make sure the griever understands the likelihood of success
- Separate personal vendettas from real grievances that need to be resolved
- Plan and prepare your case at every stage
- Brief the member before every meeting you both have with management
- Present a united front when meeting with management

- Try to settle the grievance early on, if possible before filing
- Discourage members from discussing a grievance with management after the union has become involved
- If you have to hold a meeting with a manager on your own, at least explain to your member why you are doing it and what you expect to get out of it
- Try to anticipate management's position
- Be firm, don't lose your temper
- Don't bluff: if your bluff is called, you could lose the case and your credibility
- Do not make any concessions or agreements under the table. Do not allow yourself to be manipulated
- Keep the grievor informed at every step
- Be honest with your members
- Try to retain the members' confidence at all times
- Discourage members from settling privately with management
- Be a good speaker and a good listener, both with management and with the membership

Remember: Step 1 of the grievance procedure states that any employee who believes he or she has the grounds for a grievance must submit it in writing, either alone or through the unit president or the Union. This means that the member can submit the grievance themselves.

CLOSING A GRIEVANCE

When all steps have been followed and a conclusion has been reached, it is important to notify all parties that the grievance is closed. This could be following a satisfactory settlement with the employer, or following the union's conclusion that it cannot pursue the grievance further, and once all avenues for appeal have been explored.

You should notify (in writing) your member, the company, the Union representative assigned to the case, the local's administrative office as well as any other person involved in the progress of the grievance.