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Stewards and Smoking Issues



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Few issues brew up a storm as quickly as the regulation of smoking. Things can get very messy fast. The descent into irrational name-calling breaks speed records: “Smoke Nazi,” “Horse’s Ass,” “Anti-tobacco Freak,” “Fascist,” and “Snobbish” are just a few of the printable epithets used recently in an e-mail exchange about a management-imposed smoking regulation in a factory. When you set up a strong physical and behavioural addiction against the employer’s power over us on the job, the result is a confusing, difficult and generally unpleasant situation for a union steward.

There is good reason for all this heat. Smoking, in addition to its physical effects, symbolizes for many people one of the few worker-controlled break time diversions or recreations available during their highly regimented, very stressful and often dangerous workday. Smoking is also seen as a class issue. It is in fact true that working-class people smoke at a higher rate than upper-class people.

Nevertheless, not only relevant local, provincial and federal laws but also union contracts are changing all the time, generally in the direction of discouraging smoking.

How Smoking Becomes an Issue

Stewards may have to face the smoking issue when any of the following happen:

The employer proposes or institutes unilateral changes in smoking rules, perhaps without proper notice and negotiation with the union;

A new law is passed, locally or provincially, which then must be applied and interpreted in your workplace;

In contract negotiations or the run-up to them, either the employer or a group of workers want more smoking restrictions or a complete ban;

The employer embeds smoking regulation in a “wellness” program through an Employee Assistance Program (EAP)

or elsewhere that might be compulsory, not confidential, and/or linked to health insurance premiums or even continued employment; this might include smoking off the job.

When these happen, what should the union’s response be?

The Steward’s Goals

The union may face these circumstances as grievances, unfair labour practices, bargaining issues or workplace controversies. But with this issue, as with most others, the steward’s main task is to help manage the interpersonal debate; no matter how heated it gets, in such a way as to make the union stronger and keep the boss from using the issue to increase his power over workers. The main task then breaks out into the need to:

- Protect and increase worker health and safety generally.
- Weaken the employer’s power to manage us as they please.
- Maintain a focus on the larger workplace health and safety hazards that the employer needs to “fix.”
- Take a cue from health and safety strategies and change the discussion from “fixing the workers” to “fixing the hazard.”

Smoking as a Health and Safety Issue

Framing the smoking issue as a health issue, we can compare the employer and the union perspectives as follows. The employer focuses on productivity and insurance premium cost, looking for profit maximization and legal plausible denial.



This leads to a “fix the worker” approach, familiar from behavioural safety programs.

The union needs to approach it from the “hazard identification and removal” point of view. The goal is to protect worker health, block the expansion of employer control over activity that does not interfere with work, maintain and expand worker compensation and increase insurance and healthcare protection. That should lead stewards to a “fix-the-hazards” approach. But the union also needs to “support the victim.”

Stewards can help make life better for all workers by making the following part of an overall program to reduce smoking:

1 Help for workers who want to quit. However, this help has to be confidential, effective, free, and voluntary. If the employer wants to bargain over smoking, make him bargain an appropriate quitting program that observes these standards.

2 Sensitivity to non-smokers’ rights and complaints but also actions on other workplace hazards that may be more severe, long ignored, and especially dangerous to smokers when combined with smoke, and infuriating when increased smoking restrictions are proposed.

3 Functional smoking areas for smoking-addicted workers—not outdoors with no shelter, but a place reasonably close, accessible, with decent seating, and ventilated.

The Danger of Doing Nothing

In the past, some unions avoided the smoking issue completely, arguing that until the boss cleans up many other recognizable health and safety hazards in the workplace, the issue of smoking should be kept off the table. This argument is a good place to start: Smoking is, in fact, a health issue. However, there are risks in holding smoking hostage to all other hazards. The Labour Relations Board in 1991 ruled that smoking rules are a mandatory subject of bargaining, but that the union can effectively waive its right to demand bargaining if it ignores management action on the topic for too long, as in past practice.

—Helena Worthen and Joe Berry. The writers are veteran labour educators.

A “Do Not Do” List

Every steward in the world has a “To Do list” of one sort or another: continuing chores that come with your responsibilities, tasks that add up to the very basics of being a steward, from keeping paperwork properly filed to attending union meetings and keeping up with the work of the union.

But while the To Do list is important, just as important is the Do Not Do list—the actions and attitudes every steward should guard against. A conscientious and dedicated steward who faithfully checks off every item on his or her To Do list can still end up doing a bad job by ignoring the pitfalls of the Do Not Do list.

What are some Do Not Do's?

1 Don't always wait for a worker to come to you with a grievance. Its part of your job to keep your eyes and ears open to problems on the job that affect your co-workers, so don't hesitate to be the initiator of action. Don't just react to the complaints and concerns of others.

2 Don't act like you're something special, just because you're the steward. You don't need to be smug. Ultimately you're a worker just like everyone else. You got the job of steward because people have faith in your decency and good sense. Don't disappoint them.

3 Don't pretend to know all the answers. Nobody does. When a member comes up with a question or problem you don't know how to handle, seek advice from more experienced stewards or your union officers. The only thing worse than not offering advice is offering bad advice.

4 Don't fail to keep workers up to date on what's happening with their grievances. Even if a member's grievance is

just working its way through the process, tell them that. Otherwise they'll think their issue has been forgotten or dumped onto the back burner.

5 Pursuing grievances is a lot of work, and there can be a temptation always to try to talk members out of filing. Don't fall into that lazy rut. Nor, when you do file a grievance, should you present it as if you're only doing it because you're obligated to. That's not fair to the member or to the union. Your chances of winning a grievance rise in proportion to the conviction with which you present it.

6 Don't make assumptions: many a grievance has been lost because a steward figured “this kind” of case can be handled the way “it's always been handled.” Investigate each grievance properly and thoroughly. Every situation is different, and a solid investigation will most likely turn up some evidence that can give you an advantage.



7 Don't get carried away with your legal right to be management's equal while discharging your duties on behalf of the union. You don't have to take

any nonsense from management, and you should stand toe-to-toe when arguing your case. But you should also remain civil and thoughtful in your presentation. Routinely resorting to yelling and profanity will only make your work more difficult in the long run—and lessen the effectiveness of those tactics when they can, on rare occasion, be strategically used.

8 If you've got a problem with a member, work it out in private. Don't bawl out a member in front of a group of workers or in front of a supervisor.

9 Don't procrastinate. Not every member concern has to be addressed the very minute it's brought to your attention, but some should be: a major health or safety issue, for example. If a member calls with a problem, even if you can't deal with it immediately, let him or her know that you're aware of his or her concern. If nothing else, set a specific time and place where you can get together and discuss what should be done.

10 Don't let yourself be pushed around. As steward you're there to help your co-workers, but you're not a servant. Just because someone thinks he or she's been wronged and the union should pursue a grievance, that doesn't automatically mean you have to file one. If you understand of the situation and your investigation make it clear to you that there's simply no justification in filing a grievance, tell that to the worker. If you allow yourself to be pushed into pursuing unreasonable cases, you'll only weaken the union and its ability to help in legitimate situations.

11 Remember whose side you're on and don't allow yourself to be used as a management tool. Don't enhance a supervisor's prestige by permitting him to have you do his dirty work, such as enforcing your employer's rules or calling workers to task for minor abuses of certain privileges negotiated by the union. It's management's job to manage the workforce, not yours.

12 Don't try to do it all yourself. Get your co-workers involved in the work of the union every chance you get. The more involved your co-workers are, the stronger your union will be and, not coincidentally, the easier your job as steward will be. You don't want to be in a position in which your members believe “the steward will fix it.”

—David Prosten. The writer is editor of *Steward Update*. With thanks to Basic Steward Training, Industrial Relations Center, University of Minnesota.

Lend Me Your Ears!

Effective communication is a foundation block for every steward. You need it to deal with management, with your co-workers and with your own leadership. And a good steward knows that effective communication involves a two-way street: Not only do you provide information but you also take it in. You listen to what others have to say. To do it right, in fact, you don't just *listen*, but you actually *hear* what they're saying.

The difference between simply listening to people talk and actually *hearing them out* involves a technique called "active listening." Good teachers and politicians—and just all-around likable people—are known for this characteristic, which seems so natural that most don't realize it's a learned trait.

For stewards, actively listening improves relationships, reduces misunderstandings and conflicts, strengthens cooperation and fosters understanding between you and your co-workers.

Don't Talk AT, Talk WITH

Poor listeners talk *at* people, not *with* them. They don't engage the speaker in a real dialogue, which is two-sided and mutually beneficial. Having a dialogue with someone is much more productive than two people just talking at each other.

Good stewards not only listen to members who approach them, they also seek out those too afraid to make the first move. Some of your members won't speak up because they believe that no one has ever really heard them out. Even the members who do approach you may feel this way, so it benefits everyone when you, the steward, actively listen to what they have to say.

A steward who actively listens is more than just a sounding board for members who have a gripe. Actively listening engages both you and the speaker and enlightens you to new perspectives. You get a chance to become involved in the topic in a way that wasn't possible

before your dialogue began.

Remember that you actively listen when you interact with your members as they talk. This interaction occurs in a number of ways:

■ **Maintaining eye contact.** Keeping your eyes on the speaker as he talks lets him know you're not distracted by other thoughts, even if you really are. It also helps you to block those other rampant thoughts and keeps you focused on the matter at hand.

■ **Reading body language.** Active listeners look beyond words and find clues in the speaker's demeanour to let them know what he might not be saying. Nonverbal communication consists of posture, gestures, facial expressions and eye movements. For example, someone who is speaking calmly but has clenched fists

may be masking aggression or resistance. And be sure to watch out for your own body language. Putting your hands in your pockets or looking to the sky when someone is talking denotes boredom or disinterest in the conversation.

■ Paraphrasing what is being

said. Restating what the speaker says puts his ideas in your own words so that you're confirming what you have heard. You're also establishing a mutual understanding of the situation by saying things like, "So, what you're saying is..." or "Let me get this right..." This gives the speaker an opportunity to clarify or disagree. When you paraphrase someone else's words, you ensure that the speaker and you are ultimately on the same page and you reduce the likelihood of misunderstandings that could hinder successful communication.

■ **Asking follow-up questions.** Stop the speaker at different intervals to ask for more information on certain points. The information could be more facts or it could

be the speaker's feelings about a topic. Asking follow-up questions shows the speaker that you're concerned with getting all the information and that you want to understand the entire story. When you ask questions, make sure to not judge the speaker or his ideas. Try not to offer any personal opinions because that might cause him to feel criticized and stop talking.

You might even want to take notes, if appropriate, even if the person is simply venting. Taking notes has two upsides. For one, it makes the other person feel that what he has to say is important. Second, just as maintaining eye contact keeps you focused on the matter at hand, taking notes also helps to reduce the chances of your thoughts wandering off.

■ **Empathizing.** Let your members know you care about where they're coming from, even if you find it hard. Saying things like, "That must have been difficult for you," or "That wasn't fair for you..." puts the speaker at ease and makes him feel understood and helps release tension. A good empathizing statement includes a brief summary of the information (paraphrasing) and a general statement about the emotion you are observing.

Set Time Limits on the Conversation

Remember that your time is just as important as your member's, so don't hesitate to set a limit on the duration of the conversation. Also, just as you wouldn't verbally abuse anyone within your membership, don't take any abuse from them. Not all conversations are going to be placid and run smoothly, but the more heated ones do not need to escalate, either.

Successful communication is the establishment of common ground between you and your membership. Being a good steward means a lot of things, but chiefly it means being committed to effective communication. Active listening is the key to any steward's engagement with his membership. It demonstrates sincerity and that nothing is being assumed or taken for granted. Remembering to actively listen will help you become a more successful representative to your union.

—Stephanie Correlli. The writer is on the staff of Steward Update.



Immigrants, Solidarity and Strength

Stewards across North America are finding that the changing nature of the workforce today is creating situations where they are dealing with people, pressures, and issues they might never have imagined a few years ago.

Workplaces now are filled with people who come from Latin America, Asia, and every part of Africa and Europe. In the United States and Canada there are now more than 40 million immigrants. More than 80 percent of them are of working age, and they account for roughly 13 percent of the workforce. Many of these workers have left homelands where living conditions are appalling, and unions and collective bargaining are illegal. In some of these places, union activists are frequently jailed or even killed. But while conditions are usually far better in the United States or Canada, immigrant workers still often hold the most difficult, low paying, and dangerous jobs. Latinos in the United States, for example, consistently have a higher workplace fatality rate than other workers. No wonder that a “growth sector” in union membership is immigrant workers.

While more than a third of the foreign born in the United States and Canada are naturalized citizens, and while most entered the country legally. In the United States, a substantial minority (probably more than a quarter) are undocumented workers. It seems that employers and politicians miss few opportunities to blame immigrant workers generally—and undocumented workers in particular—for all kinds of problems at work and in the larger society. (And this despite the fact that immigrants as a group contribute more in taxes than they get back in government services and benefits.) It's worth stopping to think about why immigrants' issues are union issues, and what stewards can do to unite their membership to make the union stronger.

Immigrant's Issues Are Union Issues

Why should a steward be concerned about the needs of immigrant co-workers?

- Because immigrant workers are union members, and every member deserves the full support of the union.
- Because some of the proudest moments in the history of the labour movement have been when we've said that justice issues—like human rights rights—are union issues, too.
- Because “divide and conquer” means the boss wins and we lose, and when employers take advantage of undocumented immigrant workers' vulnerability, it drives down wages and benefits for everyone. And we can't afford to do without all members' support in every fight to improve working conditions.
- Because we're nearly all immigrants or descendants of immigrants, and immigrants built our unions.

Immigrant Workers Have Rights, Too

Don't assume that immigrants don't have full legal protection. Generally speaking, both legal permanent residents and undocumented workers:

- Are covered by every clause in our collective bargaining agreements.
- Enjoy most of the protections of the Labour Relations Act and other labour laws, including the right to organize and to engage in union activity in the workplace.
- Are protected by minimum wage, overtime and health and safety laws, and by workers' compensation.

What Can Stewards Do?

We need to reach out to our immigrant worker members, and to make sure that issues of particular concern to them are part of the union's agenda. To maximize our strength, we must find ways of:

Communicating

Often, language barriers must be over-

come, by translating union materials (the website, written communications, and even the contract) into one or more native languages of our members. Some locals have found a way to provide a valuable service to immigrant workers that at the same time help the union out: sponsoring English or French language classes after work, i.e. ESL or FSL.

Educating

All new members need some amount of education about what the union is and what we do. Immigrants are no exception. In fact, we may need to give some thought to special ways to teach immigrant workers about the union: They may come to the workplace with limited understanding about how our system of bargaining, representation and legal protection works. Our own organized members need educating, too! They need to understand the issues that are important to their foreign-born co-workers', and why addressing those issues makes the union stronger.

Taking Action

Unions should think about expanding the collective bargaining agenda to include:

- Having the contract state workers' rights that already are in place under the laws.
- Encouraging members to take part in political action to expand immigrant workers' rights.
- Expanding workers' and the union's rights contractually. One possibility: Negotiate approved leave for workers who need time off to straighten out immigration problems.
- Requiring that some specified documents, including the contract itself and disciplinary letters be translated into any language that a certain percentage of the workforce speaks (if they are not proficient in English or French).

—Michael Maurer. The writer is author of *The Union Member's Complete Guide*.

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OFFICE OF THE INTERNATIONAL PRESIDENT

Dear IAM Shop Steward,

On May 5, 2013 our great union celebrated its 125th anniversary. From its earliest days of struggle after 19 proud railroad Machinists met in secret in a railroad pit in Atlanta, Georgia, Machinists union members have strived to make life better for their families and fellow workers.

The struggle against greed and injustice hasn't changed a lot since those early days in the 1880's. Railroad barons were amassing great fortunes while their workers struggled. In remarks to the first Grand Lodge Convention in Atlanta, Georgia in 1889, our first International President and founder Tom Talbot described what life was like.

Just after the Civil War ended in 1865, Talbot started his apprenticeship with a dream "to make an honourable mechanic of myself, to be a worthy member of society and to earn big wages." Railroad Machinists were making between \$3.50 to \$4 per day. But employers were forcing down wages and as Talbot neared the end of his apprenticeship, "to my disappointment, I found that wages were gradually reduced until at the present time the average rate of wages paid a Machinist is from \$1.80 to \$2.50 per day." And that's when Talbot and his fellow workers decided that "organization, cooperation and education" were the keys to change. The founding of the Machinists union followed.

Today, North American families face similar problems. Corporations are concentrating wealth like never before and working families' income isn't growing in real terms. Just as industrialists in the 1880's forced down wages and fought workers' attempts to organize, we see corporations today using the threat of going overseas to cut wages, rip up retirement security and reduce healthcare.

But Talbot and his fellow 18 machinists didn't back down. The original members started out with an organization that was unknown, and they "had no funds at their disposal, not one cent in the treasury, or a scrap of printed paper," according to Talbot. But in one year, they had grown to 34 lodges in 15 states with more than 1,500 members. And that was just the beginning. The early "boomers" kept growing the union and their work laid the foundation for the organization we are today.

So as we look ahead to our next 125 years, remember the founding principles of our union's earliest members — organization, cooperation and education — as you go about your duties as a Shop Steward. Help organize and build solidarity, build the spirit of cooperation and strive to always educate your fellow members.

If we all follow the guiding principles of our founding members, we will ensure that future generations will be celebrating our 200th anniversary and beyond.

In Solidarity,

R. Thomas Buffenbarger

R. Thomas Buffenbarger
International President

