

NSGGEU

Steward's Tool Kit



Statement of Respect

Harassment or discrimination of any kind will not be tolerated at NSGEU functions.

Whenever NSGEU members gather, we welcome all peoples of the world. We will not accept any unwelcoming words, actions, or behaviors against our union members.

We give respect to all persons, regardless of age, political affiliation, including people of colour, women, men, First Nations, Metis and Inuit peoples, members of ethno-racial groups, people with disabilities, gays, lesbians, bisexual, transgender/transsexual people, gender diverse persons, and all persons whose first language is not English.

In our diversity we will build solidarity as union members.

We recognize the dignity and worth of all individuals. To protect their rights we confront bias, prejudice, and discrimination.

Land Acknowledgement

The Nova Scotia Government and General Employees Union acknowledges that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaw People.

This territory is covered by the "Treaties of Peace and Friendship" that Mi'kmaw and Wolastoqiyik (Maliseet) People first signed with the British Crown in 1725.

The treaties did not deal with surrender of lands and resources but in fact recognized Mi'kmaw and Wolastoqiyik (Maliseet) title and established the rules for what was to be an ongoing relationship between nations.

Unceded means that the land was never given to a government entity by the First people of Canada who held the original title to the land.

If you have input on the content of these materials, please contact the NSGEU Education department at 902-424-4063, toll free 877-556-7438, or email:

NSGEUeducation@nsgeu.ca.

Please ensure the Statement of Respect and Land Acknowledgement is read at the beginning of every executive and local meeting.

Welcome

Congratulations and thank-you for accepting the challenge of becoming a local steward.

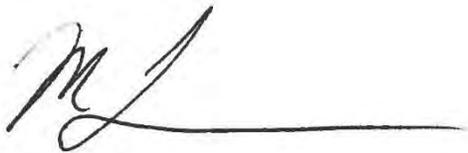
Your members have elected you because they have confidence in your ability to represent them and the local. The thought of being a new local steward can be exciting and overwhelming at times. Please be assured that you are not expected to perform miracles and it is not assumed that you know everything.

This tool kit is designed to assist you in getting yourself organized so that you can focus your energies on the tasks that lie ahead.

Every person who becomes a local steward brings their own set of skills and experiences to the role. Some of the information in this kit might be familiar but some might not. We've tried to include enough information so that you can develop a comfort level fairly quickly.

Always remember that you have other local executive members, stewards, NSGEU staff, and your Board of Directors that you can call on when issues arise.

In Solidarity,



Jason MacLean
President, NSGEU



This tool kit is your resource
Read the parts you need for
quick answers
Read it for ideas
Read it for inspiration



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Local Executive Resources

Indirect Duties

A well-functioning Executive Committee has an overlap between the responsibilities of the members. As Steward you may be asked by others on the executive committee to work on other projects. Two of the most likely areas are that of meetings and local elections.

The checklists contained in this toolkit are tools to assist your local executive to set up your local and prepare for Executive and Local meetings

Did you know that when you call the NSGEU, a Labour Resource Centre Representative answers the call? LRC Representatives are available from 8:30 am to 5:30 pm every weekday to answer your questions and/or direct you to someone who can!



Gathering Resources

This checklist is designed to help you pull together the information and documents you need to be an effective local executive. Check **Done** to the items you have gathered.

Set Up a Place To Work	Done
Secure computer and printer to use for union business	
Secure e-mail address for union business	
Filing cabinet	
Local filing system (e.g., file folders, accordion files)	
Gather Information About Your Local	Done
Local number and the workplaces that are represented by your local. Please refer to <i>Building a Local Steward Network: Workplace Mapping</i> , available on your Local Executive Portal at www.nsg.eu.ca	
Names and contact information of your local executive committee and stewards	
Copy of the local's membership list	
Copies of the minutes of the last general membership meeting	
Names and contact information for your local's committee members (both local and joint with the employer)	
Minutes of past committee meetings	
Copies of your local's finance reports	
Copies of the collective agreement(s)	
Copy of your local by-laws	
Gather NSGEU Information	Done
Name and contact information for your NSGEU Employee Relations Officer (ERO)	
Where your NSGEU office is located	
Name and contact information for your board members	
Number for NSGEU (902-424-4063 or 1-877-556-7438)	
NSGEU website: (www.nsg.eu.ca)	
Copy of the NSGEU constitution	
Identify Local Connections to the Labour Movement and Community	Done
District Labour Council	
Names and contact information of the person(s) who represent your local	
Take These Actions in your First Month	Done
Fill out the <i>Local Executive Committee Contact Information</i> form and send a copy to all executive members, stewards and the ERO.	
Review the minutes of the last general meeting and local executive meetings	
Check when the next general meeting and local executive meetings are being held	

Contacts

The following information is required in order to contact your Local Executive when necessary.

Local # _____

Election Date: _____

Position Name	Personal email	Work Phone	Personal Phone
President:			
Vice-President:			
Secretary:			
Treasurer:			
Chief Steward:			
Steward:			
Steward:			
Steward:			
Steward:			
Health and Safety Rep(s):			
Regional Councillor(s):			
Occupational Councillor(s):			
NSGEU Employee Relations Officer:		902-424-4063 877-556-7438	

Why Good Local Meetings Matter

Have you ever attended a union meeting where:

- only a few people knew each other and it stayed that way?
- one person (the president?) did all the talking?
- there was no clear agenda or order of business?
- there was no interaction with or between the people attending the meeting?
- people left not knowing why they came and vowing never to come again?

If the truth were told, some of us have even run a few meetings like that. As activists, we often complain that people don't come to meetings because they don't care. What may be true is that our meetings don't give people a reason to come.

This section of your Toolkit is designed to ensure that your meetings:

- energize and build a sense of community and belonging to the union;
- deal with topics of interest even to apathetic members;
- help you make decisions required to take necessary action in the local;
- draw on the skills and interests of a growing group of local activists.

Did you know
members can book
the meeting rooms
at the NSGEU
Offices at no
charge? Just
contact the Labour
Resource Centre!



Executive Meeting Checklist

Use this checklist to help you plan and run your first local executive committee meeting.

Note: you can share these tasks with other executive members. Put a check mark in the **Done** column when you've completed each task.

Steps	Done
<p>Before the meeting (starting 2 weeks ahead)</p> <p>Check local by-laws for any meeting requirements.</p> <p>Contact each executive member to set up date, time, place, agenda items for the meeting, any accommodations required, roles people will play in prep and running the meeting. In particular, find out who needs to report and who wants to speak to a particular item.</p> <p>Ensure proposed location is accessible and has furniture and any equipment required.</p> <p>Arrange for food if the meeting is at a normal meal time.</p> <p>Confirm logistics and circulate minutes of last meeting and draft agenda to all executive members.</p> <p>Invite NSGEU ERO (if necessary).</p> <p>Pull together any documents (minutes, reports, resolutions, letters, etc.) required by the agenda.</p> <p>Set up the room ahead of time, especially if using flipchart, or audiovisual equipment.</p>	
<p>At the meeting</p> <p>Greet everyone and ensure everyone knows each other's name before the meeting starts.</p> <p>Start the meeting by welcoming people and reading the Statement of Respect.</p> <p>Ask each person to introduce themselves, their name, job, and one thing they would like to contribute to the local through work on the executive. This is important information for leaders to have about each other, and builds a sense of shared purpose as leaders.</p> <p>Review the agenda, (about 5 minutes) and identify:</p> <ul style="list-style-type: none"> • ending time • which items are information sharing and which require a decision • approximate times for each item <p>Amend the agenda with everyone's input.</p>	

<p>Review minutes of the last meeting (about 10 minutes)</p> <ul style="list-style-type: none"> • you're reviewing these for 2 reasons: to ensure they're a correct record; as a basis for following up on decisions and actions taken last time. • briefly review (people should have read this ahead of time) • ask for any corrections or clarifications • secretary (or whoever did the minutes) moves acceptance of minutes; ask for someone to second the motion; vote • review decisions recorded in the minutes and get brief updates on the action taken, obstacles, what else is required. • summarize any further decisions or actions required and suggest where these might be taken up in this agenda <p>For each agenda item, e.g., recruiting new stewards, planning for the next general meeting, etc., work with executive members to:</p> <ul style="list-style-type: none"> • summarize where this item came from – evidence of need • summarize what's been done so far (good place to hear reports, etc) • lead a discussion to identify the next steps • identify what items must go to the membership for discussion (e.g. increased budget; help with recruitment); develop a motion if it requires a membership vote • decide who will do what by when • ensure all decisions are recorded in the minutes. <p>At the end of the meeting (about 10 minutes before the agreed-to adjournment)</p> <ul style="list-style-type: none"> • review decisions taken at the meeting and who has agreed to do what • review items still requiring discussion • identify how these items will be addressed (develop a proposal for discussion, a conference call, etc.) • agree on next meeting date and time and roles for that meeting (e.g. rotating chair) • thank everyone for their participation and good work together 	
<p>Follow-up to Act on Decisions (within 2 weeks of meeting)</p> <p>Ensure minutes go out to executive members no more than two weeks after the meeting.</p> <p>Call and email executive members to see how they're doing, if they're encountering any obstacles to the actions they undertook, and if they need any help.</p> <p>Brief ERO (if unable to attend the executive meeting) on the key outcomes of the meeting and any support you need from them.</p> <p>Do what you said you would do.</p>	

General Meeting Checklist

Steps Before the Meeting Discussion with the Local Executive	Time
<p>Prepare the logistics of the meeting</p> <ul style="list-style-type: none"> • Agree on a meeting location – ensure location is accessible (by transit, wheelchair); room is suitable for size of meeting; chairs and equipment are available. • Identify the issue of most interest to uninvolved parts of the membership – e.g. part-time issues; shift allocations, etc. • Agree on how this issue will be addressed at the meeting – e.g., film, speaker, survey results and discussion (allow 30 to 60 minutes of the meeting for this). • Finalize agenda items. • Agree on dates and time(s) for the meeting(s). More than one meeting may need to be scheduled due to work schedules. • Arrange for food/snacks and beverages. • Determine how meeting information will be communicated. Include the agenda and ask for input. • Invite the Employee Relations Officer and executive board members to attend. • Ensure you have all necessary equipment, including ballot box and a supply of ballots if needed for the meeting. • Pull together necessary documentation and materials for the meeting. • Brief the speaker/resource person/ facilitator if using one. <p>Be sure to check local by-laws. If changes to local by-laws are required special notice to the membership must be given</p>	<p>2 weeks before the meeting</p>
<p>Identify who will do what (The local president should not be the focus of the entire meeting.)</p> <ul style="list-style-type: none"> • Share tasks at the meeting amongst executive members (including greeters, who will move which motion, secretary/minute taker, etc.). • Each executive member should bring two new people to the meeting – people who have never attended a union meeting. 	<p>1 week before the meeting</p>
At the Meeting	
<p>Set up the room prior to members arriving</p> <ul style="list-style-type: none"> • Set up table for the executive to work from. • Flip chart and or audio/visual equipment you may be using. • Set up chairs in a semi-circle so that the room is inviting and that people can see each other as well as executive members. • Put meeting materials on chairs. 	
<p>Have Greeters welcome people</p> <ul style="list-style-type: none"> • Do not be afraid to introduce yourself to people coming, and help people to meet each other. It creates a climate of inclusion. 	

<p>Ensure the meeting has quorum (What is quorum? Check out page 14.)</p> <ul style="list-style-type: none"> • Prior to the meeting, check that you know what quorum is in your Local By-laws. • Before you start the meeting, check that you have quorum. 	
<p>Chair welcomes people, calls the meeting to order</p> <ul style="list-style-type: none"> • Start the meeting on time. • Welcome everyone. • Have people stand and introduce themselves. • Welcome any new members to the meeting and the local. This is an opportunity to recognize members who are coming out to a local meeting for the first time. • Ask the stewards and the officers of the executive to stand and introduce them. 	
<p>Read the NSGEU Statement of Respect or have a couple of different people read different paragraphs</p> <ul style="list-style-type: none"> • The Statement of Respect and Land Acknowledgement can be found on the NSGEU website, or at the front of this Toolkit. 	
<p>Adopt the Agenda</p> <ul style="list-style-type: none"> • The agenda should have been sent out before the meeting. • Post the agenda on a flip chart at the meeting or give members a handout at the meeting that could include the agenda, previous minutes, treasurer’s report etc. 	
<p>Minutes of the previous meeting (to be done by the secretary)</p> <ul style="list-style-type: none"> • If you have had a previous meeting, handout copies of the minutes when members come to the meeting or you can read off the minutes • Ask for any corrections or clarifications of the minutes • Have the secretary move a motion to accept the minutes • Ask for someone to second the motion. • Vote; if accepted, the minutes are adopted. 	
<p>Business arising from the last meeting</p> <ul style="list-style-type: none"> • Are there any items that need to be dealt with from the last meeting before proceeding? • Did any items from the last meeting result in something else needing to be done? If so, suggest a place for this in the meeting’s agenda. 	



Did you know...

Quorum is the minimum number of members that must be present at a meeting to make the proceedings of the meeting valid.

Becoming a Steward

We hope this tool kit isn't intimidating. As a steward you aren't expected to know everything. In fact, there are parts of this tool kit you may never need.

Others you'll use a lot!

Your job in a nutshell:

When you take on the role of steward, you are not expected to perform miracles. NSGEU expects that you will be a union representative for the people you know, and work with.

For these co-workers, you are their link to the union. Your job is to make sure their particular needs and interests are expressed to the leadership of your local; and to make sure that decisions and discussions at the local level are communicated back to them.

Put that way, it is not so intimidating.

As a steward, you are an official of the union. You have rights under your collective agreement and under labour law.

The steward is the face and leader of the union where it really matters: in the workplace.

Your members have elected you because they have confidence in your ability to represent them. This includes representing their views at meetings; representing their interests in the workplace; and representing them through grievances if necessary.

This book aims to help

Every person who takes on the mantle of steward brings their own set of skills and experiences to the role. Some of the information in here is stuff you already know – but someone else doesn't. Some cover situations that may never arise in your work area.

It's all here because it's all material you may need. We've tried to include enough information so you can feel on top of just about any situation that may arise. And remember: you have other stewards in your local, your local officers, and union staff to call on when something comes up that is beyond the scope of this tool kit.

Introduction

The Steward: an honourable history

As steward, you have the oldest title in the labour movement. The first unions were small informal groups of workers with little clout and few resources. They relied on each other and their rank and file leaders, called stewards.

The steward was the face and leader of the union where it really matters...in the workplace.

This is equally true today.

Unions with keen, energetic stewards are leaders in the labour movement and set the standards for contract improvements. Unions lose the respect of both members and employers when they forget the importance of elected leaders with clout in the workplace.

Union staff cannot do the steward's job. Members need someone they can turn to daily as the representative of the union. That's you!

Your position gives you a vital opportunity to improve conditions on the job. Your forebears risked life, limb and livelihood to get their co-workers and families a fair price for their labour.

Your collective agreement, and much of our social and workplace legislation, is a testament to thousands of stewards who sacrificed for us. It's a solid foundation we can all build on.

An ordinary employee taking on the boss must be careful not to cross the line into insubordination.

A union steward, as an elected union official, has more leeway. When you are wearing your "union hat," you are not talking to your supervisor as an employee, but as a representative of the Nova Scotia Government and General Employees Union. You are equal to the boss when wearing your union hat. If you have taken union education, you are also more knowledgeable.

The Steward's job in NSGEU

- Organizer
- Communicator
- Educator
- Grievance Handler
- Advocate
- A link to collective bargaining
- A resource to the local executive

Each part of the job is covered in this tool kit. You aren't expected to be an instant expert in everything. The tool kit, however, has information to help your members in all these areas – plus where to turn for more detailed technical help when you need it.

Your rights as a steward.

When you are dealing with management on union business, you deal with the employer as *an equal*.

You can imagine how happy that makes them. That's why the Canadian Labour Code and provincial labor boards specifically protect you (and other union leaders) from punishment or discrimination by management *because of your union activity*. It's illegal for an employer to:

- Deny you promotions or pay opportunities.
- Isolate you from other workers.
- Saddle you with extra work or unusually tough assignments.
- Deny you overtime opportunities.
- Enforce work rules unfairly against you or harass you with extra supervision.

Your contract will also spell out your rights so review the articles that are related to your rights as a steward.

If your employer tries to discriminate against you in this way, it's a violation of federal and provincial law.

Steward as Organizer

Fitting Into the Union

This chapter starts with you, the steward, in your work unit, and shows how you fit into NSGEU's structure at the local level.

Starting small – your work group

Work areas are the steward's jurisdiction. Ideally a work area has a manageable number of members who elect one of their co-workers as their steward.

Locals define the work areas.

Why work areas need their own steward:

- Shared working conditions bring understanding of the group's issues.
- NSGEU volunteers should not be overburdened.
- Stewards need other stewards to rely on, and to share ideas with.
- Workers need someone to share information.

Workers have to elect their own steward. You lose the benefits just cited when you depend on someone else.

Stewards need a quick informal way of keeping in touch with their work areas – short meetings, shared coffee breaks, an effort to talk to everyone once a week, bulletins. Whatever the system, it reinforces your role as steward to regularly “talk union” and listen to concerns.

Locals:

All NSGEU members belong to a “local” – a group of members who work for the same employer.

When members are organized, the Labour Relations Board certifies the union to represent a “bargaining unit.” This is a legal entity which an employer must bargain with.

Some NSGEU bargaining units (such as the community colleges, NSLC Employees, and Corrections) are province-wide. For practical reasons, NSGEU breaks these huge groups down into much smaller sub-locals.

Practically, people who work together have a lot in common. For that reason, sub-locals make sense.

Locals have their own relationship with their managements, so they need their own union leaders to discuss labour relations. They often operate as “mini-locals” in relation to their managers.

Members elect stewards in their work areas to represent them. A local can have as many stewards as it wishes, each representing a specific work area or unit.

Members identify with their locals. Locals need to support the members to keep the union strong

Locals are the basis of NSGEU's administrative and political worlds. They bring workers together on labour issues.

It's a challenge to bind units into a cohesive local and ensure that one large or active unit does not dominate.

Locals are the bodies that elect delegates to union conventions, approve local budgets and bylaws, get active in central and regional union campaigns and participate in area councils and labour councils.

The Local Executive Committee

The Local Executive Committee is the local leadership. It controls local money, involves the local in union activities and motivates members to act. It recruits, educates and inspires stewards, and runs interesting meetings and communications. The strength of any local is enhanced by a healthy, committed local executive.

The executive is led by the local officers: President, Vice-President(s), Secretary, and Treasurer (or Secretary-Treasurer) and Chief Steward.

It's important that the executive represent your entire local. The constitution and local bylaws can spell out a framework.

Your executive should meet regularly, at accessible times and locations.

You should discuss local issues and share information on labour issues in the community and beyond. As stewards, executive members should report back on these meetings.

Connecting to your community: Regional Councils

NSGEU's Regional Councils bring locals in a geographic area together. They work on internal and external projects and campaigns.

Their political role allows them to propose resolutions and constitutional amendments to the annual Convention. NSGEU campaigns often depend on Regional Council participation.

Regional Councils can take on issues and activities that are too big for individual locals. They can lead in lobbying politicians, plan special events such as Labour Day, and organize strike support and election campaigns.

Regional Councillors are elected from locals.

Connecting to the work you do: Occupational Councils

NSGEU's Occupational Councils bring together local members who do the same or similar work. They work on internal and external projects and campaigns.

Their political role allows them to propose resolutions and constitutional amendments to the annual Convention. NSGEU campaigns often depend on Occupational Council participation.

Occupational Councils can take on issues and activities that are too big for individual locals. They can lead in lobbying politicians, plan special events such as Labour Day, and organize strike support and election campaigns.

Occupational Councillors are elected from locals.

Workplace Mapping

Many trade unionists think “organizing” just means getting non-unionized workers to sign union cards. That’s part of it

This section is about “internal organizing.” That’s working with your own local. These people are already organized in the first sense; internal organizing works to forge them into an effective group that can achieve workplace change.

Essentially, this means planning your union activities to reinforce the links between members, stewards and the union.

You do this so the union is stronger for the next round of bargaining, and can make more contract gains. You do it so management will act on your legitimate complaints and not force you through the long, frustrating and expensive grievance system.

A union’s strength depends on the level of member participation.

The better organized your members are, the stronger their support for the union, and the more you can achieve.

For you, this means working closely with the 10 to 20 people who elected you.

Workplace Mapping builds NSGEU’s strength by drawing as many members as possible into union events. It applies to bargaining a contract and addressing workplace problems. In union work, active members are your strength.

Stewards are more effective when they are organizers, catalysts and leaders, rather than working individuals. Finding shared problems and collective solutions brings more members into union activity.

Advantages of the organizing approach

- It’s more effective
 - An employer will listen and bargain when a large number of workers support and are active in the union.
- Members gain power when they share in decisions and victories Reading about an arbitration win in the union newsletter is good. Knowing something you did made an employer back down on an issue is better.
- Members learn how union-employer disputes work
 - Members who understand the issues and processes are less likely to blame the union for a loss and more likely to identify the employer as the problem.
- You can tackle more problems
 - Having a strong core of supportive members makes the union a force of many activists, not a service organization with a few leaders or paid staff.

What motivates people?

Why do people give time and energy to the union or any other cause?

These are the main reasons, in order of importance:

1. They feel personally affected by the issue
2. They were invited by a friend or someone they respect
3. They feel compassion for other people affected
4. They need to feel part of a group
5. They are attracted by the leaders
6. They dislike the opposition
7. They are looking for status and recognition
8. They feel guilty about being apathetic (Note: This is the least important reason, so forget guilt as a tactic.)

Keep these reasons in mind when asking members to get involved in your local. If one doesn't work, try another.

Remember...

1. You are not alone
You have other stewards in your local, and the NSGEU office staffed with resource people. NSGEU has staff to support bargaining, education, communications, benefits, grievances, research, health & safety and campaigns. NSGEU is committed to energetic, educated, enthusiastic stewards in each of our workplaces.
2. Use your voice
Active union members determine NSGEU's policies and programs. If they don't reflect your members' views, then not enough of them have made their voices heard. You can build understanding, interest and participation, so NSGEU can be strong and effective.
3. Recruit people (be even less alone)
If your local is to thrive, you must involve members as volunteers and leaders. Too often a small core of activists is called on time and time again to do all the work. Not surprisingly, they burn out. Make recruiting new people part of every activity you plan.

Recruitment

1. Welcome new members

Approach and welcome every new employee. It's good to have a new member's kit with orientation materials. Sit down and go over the organization and functions of the union and the contract.

A new worker may have no previous union contact, or may have had a bad experience. You want this person to have a good experience with NSGEU, and to see the union as a lively, legitimate force interested in their ideas and welfare.

Some locals have negotiated time for union orientation; some are less formal. Let new members see the union as the information source on neighbourhood restaurants, other amenities, and community resources. What's important is that new people know your local is there and how to connect with it. Personally invite the new hire to the first meeting or other union event.

2. Encourage volunteers

Make a list of jobs that need doing. However small they are, you need something for everyone you recruit. Don't ask for volunteers unless you have work to do.

Here are some tips on approaching members:

- Prepare for the talk. Know how to pronounce names. Know if there are key things you should mention or ask.
- Put the person at ease. Introduce yourself, your name, job and union position. Be polite and friendly.
- Listen closely. Learn the member's interests and skills. Don't interrupt. Keep your objective in mind. Don't argue.
- Think as you listen. Have you asked your key questions?
- Have you met your objectives? Have you heard anything to change your approach?
- End on a courteous note. Thank the member for their time.

Tips for Orienting a New Member to the Union

Check your collective agreement. Most collective agreements contain language that requires the employer to provide the local paid time to speak to new employees/members. If your collective agreement does not contain this language, negotiate it!

The first meeting

- Introduce yourself and let the member know you are their onsite representative, and where you work.
- Find out about their job – what they do; their classification, job status, the expected length of the contract if temporary, and the name of their supervisor
- Find out what questions they're facing as they try to do their new job; ask if there are any issues with other members or the supervisor with which they need help. Provide any information that's helpful, and promise to follow-up on questions that require a bit of research.
- Help them meet co-workers who are also your members, so they feel less alone and more welcome.
- Ask if they've ever belonged to a union, and if they have any questions about it.
- Provide information about the Union, and connect what you're saying to any questions they've raised. Show them the information you've brought them: e.g., collective agreement, list of the local executive officers.
- Identify when and where your next union meeting is scheduled; get confirmation that they can come; add them to your communications list.
- Provide your contact information – phone, fax, email or face to face
- Ask if they'll sign a union card, after you've explained what it is and why it matters.

After the meeting

- Follow-up by providing information or action you promised
- Check in to see how the person is doing and if they need anything
- Inform your local executive of your meeting and ensure the Secretary has accurate information about this member
- Keep developing the profile of your members as you get to know them.

Remember, the members need to feel like they are a part of the Union. By talking to the member in a respectful manner and listening to the concerns expressed, you are showing you have the member's interest at heart.

Steward as Communicator

Representation means two-way communications with the member. While meetings are one forum for communication, they are primarily designed for making decisions.

Without a doubt, the very best way to communicate is one-to-one in the workplace. This means one person – you – talking to one other person – one of your members.

Another good communication tool is local newsletters. Local publications address local concerns, and report on familiar names, locations and events - as central ones cannot.

Workplace distribution of NSGEU publications (central and local) by stewards lets you check in on members and reinforce your role as a leader, communicator, and representative. It's an opportunity to start a conversation on a union theme.

COMMUNICATION			
TYPE OF COMMUNICATION	EFFORT	RICHNESS OF MESSAGE	EFFECTIVENESS
Newsletter	Moderate	High	Low to Moderate
Mail	Low	Moderate	Low
e-mail	Low	Moderate	Low
Phone Tree	High	Moderate	Moderate
Posting Notice	Low	Low	Low
One-on-One	High	High to Very High	High to Very High

How a message is received

When a message is given, non-verbal communication accounts for 50% of how it is received. Another 40% is accounted for in how you say the message. That means that the actual words themselves only account for about 10% of how the message is received.

4 Steps to Effective Listening

1. Listening is an activity. It is not something we do passively and requires us to ask questions and give feedback.

Four basic goals of good listening to consider when entering a conversation:

- To understand someone
- To enjoy someone
- To learn something
- To give help or solace

Paraphrasing is a basic tool we often use to listen well. We might use phrases like these:

- In other words, did you mean...?
- So how you felt about it was...?
- Did you mean...?
- I think what I am hearing you say is...?
- Correct me if I am wrong...?

Paraphrasing defines common ground, lets the other person know you understand what it is they are communicating, and it helps them feel understood and appreciated.

2. Listen with empathy. This requires us to recognize, except and understand that we are doing the best we can and so are others. Try to put yourself in the other individual's shoes and give him or her the benefit of doubt. Try to understand where someone else is coming from and treat him or her with kindness as you take in the message. Ask what difficulties the other person is experiencing and this will help you hear his or her message.

3. Be open as you listen. Be careful not to judge and put on your critical parent hat. Do not make your mind up too quickly as you take in the information. Give yourself some time to think and reflect. Try not to come to conclusions too quickly and develop a definitive position based on what you are hearing. Allow yourself to consider different perspectives.

4. Listen with awareness. There are two parts to this; compare what is said to your own knowledge, history, people and the way the world operates; and secondly listen and observe for congruence. Watch for visual cues and try to determine if they match the information you were hearing.

Here are a few more skills offered to be a good listener:

- Maintain good eye contact while not staring.
- Lean in slightly while not encroaching on someone's personal space.
- Reinforce by paraphrasing and giving feedback at the right time.
- Ask clarifying questions.
- Try to eliminate distractions and be in the moment.
- Be committed to understanding them.

Tips for communicating with new members

Remember, the members **are** the union. By helping our members solve their problems, we can make the union stronger.

- Listen carefully to the member. Take their concerns seriously.
- Always ask if anyone else has/is affected by the problem.
- Do not delay when dealing with problems.
- Always make sure that the member has asked management to resolve the problem. If they have not, you can go with them to speak to the supervisor.
- Involve the member(s) at each step.
- Always let people who were not at a meeting know what happened.
- Keep your Union leadership informed – especially your Chief Steward and ERO.
- Problem solving and grievance handling are important opportunities to educate members about their rights and the union.
- Discrimination
- Provide advice and be honest. If it is not a grievance do not be afraid to tell them this. If they want to, they can contact the ERO or Chief Steward.

Steward as Grievance Handler

One of a steward's main jobs is policing the collective agreement.

You do this as an official NSGEU representative. Your efforts may have far-reaching effects on the administration of the collective agreement. In this role, the position you take is not your personal opinion but rather a union position.

It's an important role and the tool it uses is the grievance.

Contracts vary in detail, but all include some type of grievance procedure. Normally it has several steps, designed to encourage settlement at each step. The final step is binding arbitration, where an independent third party decides the merits of the case.

Typically the process begins with a member, backed by a steward, raising a complaint with the immediate supervisor. The second stage will see the complaint raised higher up the chain of command.

The final step is the quasi-legal arbitration hearing where you may be supported by a staff rep or grievance officer; the employer will also have counsel. Each of these steps normally has time limits.

The Employee Relations Officer will be consulted at all stages of the process.

The Employer and Union usually share the cost of the arbitrator and the meeting room. Arbitration, clearly, is expensive for both sides – which is supposed to encourage settlement.

For a legitimate grievance, you need more than a complaint. There must be a violation of the rights spelled out in your collective agreement or in labour-related legislation. It's your job, in consultation with the Employee Relations Officer, to decide which rights have been violated and whether a grievance exists.

Not all problems are grievances

1. If a member thinks something violates the contract, investigate.

If you disagree, explain why. Members may not understand the contract. A careful reading may show they don't qualify for a benefit they are claiming. These problems can become contract demands, but not grievances.

2. A grievance is a complaint against management. It doesn't cover a disagreement between workers. These problems should be addressed in other ways.
3. Problems with management that aren't grievable can be raised at your local labour/management or employee relations committee.

They can be the focus of a workplace campaign involving members in forcing a solution.

4. Some problems are best dealt with by the health and safety committee, a joint accommodation committee, or by an unfair labour practice charge.

Four questions to help decide what to do with a complaint

1. Is it a clear violation of the contract?
Grieve. The clearer the violation, the easier it is to win.
2. Is it a violation of the health and safety act?
Talk to your health and safety committee, and complain to the Ministry of Labour, unless your contract has stronger language.
3. Is it a violation of the Human Rights Code?
Grieve. The code is deemed to be incorporated in all collective agreements.
4. Is it a violation of past workplace practice?
Grieve if your contract has some reference to the situation. To be “past practice” something must have been:
 - a. repeated consistently over an extended period of time;
 - b. accepted explicitly or implicitly by both workers and management (verbal or written agreement or unchallenged practice); or
 - c. a contract clause which neither side has tried to enforce in the past.

Three Types of Grievances

Individual grievance

One person grieves that a management action has violated their rights under the collective agreement. Examples include discipline, demotion, harassment, improper classification or denial of earned overtime. Investigate and help the member write the grievance. If the person refuses to grieve, many contracts let the union grieve on behalf of the local. This defends the contract and protects the rights of other employees (see policy grievance). Remember that monetary compensation is not usually awarded in a policy grievance.

Group grievance

A group grievance complains that management action has hurt a group of individuals in the same way. For example, an employer refuses to pay a contractual shift premium. A group grievance shows solidarity and builds power in a work group. If it involves money, members who didn't sign the grievance may not get any.

Some contracts don't allow group grievances. Everyone affected must grieve individually. There is still strength in numbers.

Policy grievance

With a policy or union grievance, the union complains that a management action violates the agreement. It usually deals with contract interpretation, not an individual complaint. Say a straight day shift employee is assigned an off shift with no reference to seniority. The union might grieve, even though the employee had no complaint, to protect other members in the future.

Common sense inquiry

Common sense and the courage to stand up for what's right are your strongest allies. They are backed up by your fellow stewards, local president and access to union resources including grievance officers and staff representatives.

When a worker comes to you with a complaint, get the facts. Cover all the bases by asking the "6 Ws":

WHO is involved in the grievance? For everyone, get basic data: Name, address, telephone number, work location, department, date of appointment, classification, work record (including absenteeism, work record, disciplinary record and lateness record), age, family status, name of supervisor, supervisor's position and witnesses.

WHAT prompted the grievance? What is the injustice? What did management do? What does management say?

WHEN did the event occur? Date, time and context.

WHERE did it happen? Exact location, department, machine, aisle, etc.

WHY is this a grievance? What has been violated? Which contract clause? Past practice? Law? A grievance must be rooted in the words of the collective agreement and any laws which are directly or indirectly incorporated within it.

WHAT must be done to correct the injustice? How can the member be "made whole," as if the violation had not occurred? Ask for full redress.

Serious detective work

- Investigate promptly.
But if your agreement requires permission to leave your job, get it.
- Interview the member.
Choose a place and time where you won't be rushed. Listen attentively and give the member time to vent frustration. Unless approved by the employer, make sure this is not done on work time.
- Get specifics.
Don't accept vague statements like: "The supervisor is picking on me." Repeat the worker's own phrases to show you are listening: "You say your supervisor always criticizes your work. Can you give me an example of this? What did your supervisor say? What did you do?" Ask what solution the member wants.
- Probe the situation.
Members often assume you understand their jobs: they forget vital facts or skip parts of the story that might weaken their case.
You need this information. Keep asking questions until you are satisfied.

- Document the case.
Ask the grievor to write the full story, giving names, dates and places.
Ask for the actual quotes. The exact words may be important. Have the grievor sign and date the statement. This may be useful for refreshing the grievor's memory before a hearing.
- Gather your witnesses.
After you have the worker's story, collect statements from any witnesses. If possible, get these in the witness's own handwriting, signed and dated. If not, write the statement yourself and have the witness sign it. Interview both witnesses who support the grievor and those who don't. You need to know what you are up against. Weigh the grievor's story against other versions. At arbitration, witness statements can be used to refresh a witness's memory or challenge his/her credibility.
Track down the story.
- Talk to other workers, even those on other shifts, to see if they have the same problem. Do you have all the facts?
- Do your homework.
Check the contract, supplementary agreements, precedents or past practice, policies or department rules and arbitration awards. Remember that at arbitration a past practice must have been consistently applied over a long period of time for the arbitrator to find that the employer cannot change the practice.
- Keep good records.
Treat every grievance as if it were going to arbitration. Record your findings so you don't forget or distort key points. If a diagram or map would help, make a clear one showing where members, management, grievor were. This can establish what each could have heard or seen and give validity to their statements.
- Prepare for delay.
Months (even years) may elapse before a grievance is heard at arbitration. Recording the basics at the start ensures you will have what you need at the hearing.
These documents may also be useful to support bargaining demands, or to justify new contract language.

Please see investigation worksheets (pages 58-70).

Writing your Grievances

All grievances must be discussed with the local's Employee Relations Officer (ERO)

Proper wording is important. It can win or lose your case; and it can have an impact on another grievance.

A well-written grievance is brief and to the point. It contains only facts, not opinions. It also has enough information that a staff representative or grievance officer can grasp the problem. Get help from your ERO.

State which clause of the collective agreement you dispute, but include the phrase, "and/or any other clause of the collective agreement that may apply" or "including but not limited to."

Don't forget to ask for the remedy you seek. It is a good idea to add the words "and any other remedy that in the opinion of the arbitrator will make the grievor whole."

Presenting the grievance

When you and the supervisor meet to discuss a grievance, you meet as equals. You represent the union; the supervisor represents management. A good working relationship makes both jobs easier.

Avoid threats, insults, bluffs or unreasonable statements, but make it clear you won't compromise members' rights. Control your temper, even if the supervisor does not.

If the facts don't back your case, you don't have a case. Plan carefully. Decide the most important points. Write notes so you don't forget any of the points you plan to make.

Even if you get an oral agreement, record the grievance for the union files in case a similar situation arises again.

Once the grievance is in writing, both you and the grievor must sign and date it. Either you or the grievor should give the written grievance to the appropriate Step 1 management representative. Know your time limits and keep within them. If you don't, you can lose on this technicality.

If you need an extension of time limits, get it in writing.

13 grievance presentation tips

1. Move quickly.
An immediate answer is not always possible. Supervisors may need to consider an issue or check with superiors. Is delay justified, or is it a stall? Invoke the contract's time limits. Move it to the next stage if the time limit for a response has expired. Ask for a settlement to be retroactive to the date the grievance was filed to reduce the incentive to stall. Be polite throughout.
2. Know when to listen and when to talk.
You can talk your way out of winning. If you listen well, you gain valuable information – and the right to demand that management hears you without interruption when it's your turn.
3. Anticipate employer objections.
How will the supervisor respond? Prepare the right answers to any objections. No matter how well you investigate, the supervisor may have more information. Ask why this grievance happened – and listen to the answer. Don't be side-tracked to other issues. Keep your focus. Let supervisors talk themselves out, and then bring them back to the main point.
4. Know your facts – be confident.
Facts determine the outcome of a grievance; it's rare for presentation alone to carry a case. Present your facts firmly but not militantly. Be accurate and don't exaggerate. Be positive. Don't convey the sense that you are presenting the grievance only because you have to.
5. Control the discussion.
Keep to your best arguments. Ask management questions; ask them to justify themselves. Keep the emphasis on your complaints and grievances. Object if you get evasive answers. Ask for facts if you get vague statements.
Make management prove its position.
6. It can be effective to ask a supervisor to justify management's action. Don't try to show that they were wrong from the outset. Let them carry the burden of proof.
7. Maintain a united position.
Take the grievor along if possible. It's good education. Be sure you and your grievor agree on the issues and facts. Never argue among yourselves in front of management. Ask for a brief recess, if need be, to sort things out.
8. Keep in touch.
Discuss each management reply with the grievor, the chief (or unit) steward and your staff representative. Decide together whether to accept the response or go to the next step. Sometimes managers reply directly to the grievor. Monitor time limits and ask the grievor if there has been a reply. If there has been, get a copy.

9. Settle when possible.

It's best if you can settle a grievance at the first step. Your ability to do this depends on keeping a decent relationship with your supervisor. If you settle, don't rub it in. There'll be other grievances.

10. Disagree with dignity.

Tell management you will pursue the case to a settlement. Supervisors don't like to expose their labour relations problems to higher-ups, and may well settle.

11. Scrutinize any deals.

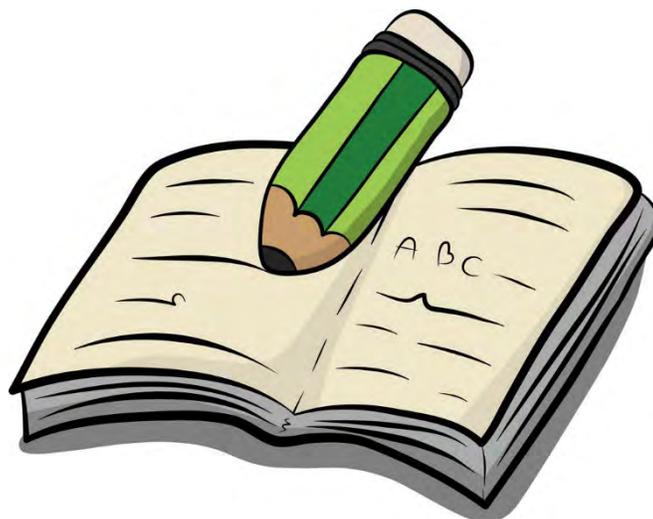
Be careful if your supervisor wants to trade. Remember the rights of all members. Each grievance stands on its own merits. If you trade one member's grievance for another, the member whose case is dropped could charge you. The union is legally required to represent all members fairly. NSGEU has an interest in all grievances. Don't let management intimidate a grievor into abandoning a case. It could set a precedent for other members.

12. Drop grievances with care.

You may have grieved to force a discussion, with no intention of proceeding. Even if the discussion doesn't achieve all you hoped, you may wish to drop the grievance. (Record the problem for your team to raise in bargaining in future). Consult your staff representative when in doubt. You might solve a serious problem by dropping a weak grievance. Or you might drop a case because the grievor has quit or moved away. If you are going to withdraw a grievance, do it "without prejudice."

13. Agree on what you've agreed.

Don't leave without a clear written record of what you have agreed. Don't depend on management records. Keep your own notes. If you have some agreement, write it down and have both sides sign it.



Grievances are not enough

You've got a problem. Why not file a grievance? Perhaps the word "file" is the clue. Activists know you can't rely only on the contract and the grievance procedure to settle problems. You need member action, visible organizing on the shop floor in confrontation with management.

The contract is a compromise hammered out in bargaining as a result of past organizing, grievances, arbitrations and strikes. Management will take every opportunity to strip away things you thought the contract protected. As a steward, you also must interpret it creatively in the interests of your members.

Filing a grievance doesn't alter the balance of power in the member's favour. Grieving is an individual act. It moves the issue out of the workplace to a legalistic structure where the contract language rules. While it proceeds, the members wait.

You can often win by involving your members, and this can depend less on the contract language. Organize at the worksite to show the employer your members won't sit back and let the boss shove them around.

Grievances must be filed, yes, but support them with action:

- Make them visible and public, so members know what is taking place.
- Make them collective, involving many members.
- Make them active, with member activity to support them.
- Make them confrontational so members challenge management at the root of the problems and demand resolution.



The Steward-supervisor relationship

As a union steward, you have the right and obligation to deal with your supervisor as an equal when you are doing union work.

Avoid personal rivalry with your supervisor. Focus on the job to be done. Follow the workplace rules. If you expect supervisors to follow them, you must too.

- Never go over your supervisor's head without telling them. If you intend to appeal a decision, say so.
- Try to understand the other side's point of view, but never lose sight of your own.
- Don't brag about your victories. Let the supervisor save face; you may want to save yours some day.

Make management enforce the rules

Suppose a supervisor says: "Staff are spending too much time in the rest rooms. Tell them if they don't cut it out, I'll have to issue some suspensions."

The boss is trying to prevent trouble; to stop violations before discipline is imposed. Almost everybody benefits: the employer, because the violations stop; and the workers, because discipline is avoided.

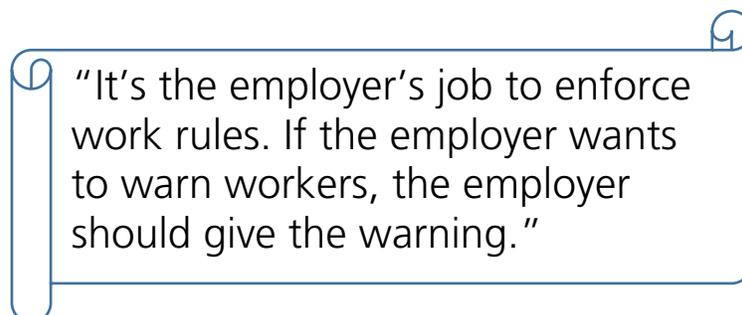
Everybody benefits – except you.

Suppose you pass on the word. What will the workers think?

You are bringing a message from the employer. You are explaining the employer's position.

If this happens often, your members will wonder which side you're on. You are the fall guy.

There's an easy answer. Tell the supervisor it's the employer's job to enforce work rules. If the employer wants to warn workers, the employer should give the warning.



"It's the employer's job to enforce work rules. If the employer wants to warn workers, the employer should give the warning."

Tips for Facing Management

On a Daily Basis:

1. Develop an ongoing process for dealing with problems. Do what you can to keep your relationship with the employer functioning and constructive. If there's no process, try to get one established.
2. Maintain a strong union presence in the workplace. That way, management has to think twice about trying to isolate individual members.
3. Be friendly, but "business-like" or "union-like" with management whenever you meet them in the hallway or a meeting. Sometimes a joking or conciliatory relationship can backfire.
4. Watch for power plays that trivialize the union. Your union leadership is equal to management and should be treated that way.
5. Watch out for favouritism – and challenge it whenever possible.
6. Challenge disrespectful, bullying, or discriminatory actions without attacking the manager as an individual. It is possible to say things like, "That comment is not appropriate and is in conflict with our workplace discrimination policy," without calling the manager names.
7. Be as consistent as possible. Challenging discriminatory and disrespectful behaviours is key to establishing the union's presence in keeping management accountable. If you let one issue or comment go, it will be harder to challenge next time, and you will lose credibility with your membership.
8. Challenge inconsistent management practices. While there may be different styles of managing, there have to be consistent rules applied.

At Meetings with Management:

9. Maintain a calm, formal presence when managers are communicating anger through their words, voice tones, gestures.
10. Speak firmly, clearly, loudly enough for everyone to hear you at the table. A confident speaking voice helps establish you as an equal voice to management.
11. Don't hesitate to call for a break to caucus as a union. It's extremely important to maintain unity.
12. Develop guidelines for respect, if necessary, and monitor them.
13. Develop active listening skills. Often management representatives are not disciplined and the union can gather information, and identify openings for action.
14. Make sure to take very clear and detailed notes at all meetings with management.
15. Summarize agreements and who will do which next steps.



Steward as Leader

What is Duty to Accommodate?

The right for persons with disabilities to be accommodated in the workplace and the corresponding duties of unions and employers are now well established in human rights law, some labour standards law (for instance – Part III of the Canada Labour Code) and case law.

Issues related to accommodation in the workplace stem from prohibitions on discrimination under human rights law. Like the Duty of Fair Representation, the right to equality under the duty to accommodate can also be breached by failure to act or address the needs related to a person with a disability.

There are two key obligations for unions:

- 1) Take an active role as partners in the accommodation process; and,
- 2) Share joint responsibility with the employer to facilitate accommodation.

Refer to the Human Rights Act

<https://nslegislature.ca/sites/default/files/legc/statutes/human%20rights.pdf>

Your Rights — What is Protected?

There are specific protections in Nova Scotia's Human Rights act that mean it's against the law to be treated unfairly in key, protected areas under the province's authority.

These protected areas are:

- the workplace
- housing
- services and facilities such as service in a store or restaurant or through a provincially funded and delivered program
- purchase or sale of property
- volunteer public service
- publication, broadcast or advertisement
- membership in a professional, business or trade association, employer's or employee's organization

Nova Scotia's Human Rights Act affirms every person is free and equal in dignity and rights without regard to:

- age
- race/colour
- religion/creed
- ethnic or national origin
- aboriginal origin
- sex (including gender or pregnancy)
- sexual orientation
- physical or mental disability
- family or marital status
- source of income
- irrational fear of contracting an illness or disease
- association with groups or individuals or political belief, affiliation or activity
- sexual identity and sexual expression

The act also prohibits sexual harassment in all areas of public life.

Nova Scotia Human Rights Act

The Act aims to create a climate of understanding and mutual respect in which all people are equal in dignity and rights. The code prohibits direct and indirect discrimination, discrimination because of association, and constructive discrimination.

The Act aims to assure everyone the right to freedom from discrimination in services, goods and facilities; housing and accommodation; contracts, employment, and membership in vocational associations and trade unions.

Discrimination is barred for reasons of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, handicap, age, marital status, family status, and record of offences.

The [Human Rights Act](#) of Nova Scotia, which is often called the Human Rights Code, is a provincial law that prohibits discrimination and harassment based on prohibited grounds of discrimination (with specific provisions for sexual harassment and reprisal) in specified activities that fall under provincial jurisdiction. It is the principal legal instrument through which equality rights are enforced.

The Act applies to public accommodations, services and facilities (e.g. motels, schools, restaurants, stores, washrooms, insurance); the leasing of premises (e.g. apartments); the sale of property; labour unions and professional, business or trade associations; notices and signs; and all aspects of employment.

The Nova Scotia Human Rights Act applies to private sector businesses and organizations as well as to the provincial and municipal governments. Employers are responsible for the acts of their employees if such acts were committed in the course of employment, that is, if they were in some way related or associated with employment. Co-workers may also be personally liable for their actions. Schools are usually liable for bullying between students based on any of the 16 listed prohibited grounds.

Like all laws, the Human Rights Act is subject to the [Canadian Charter of Rights and Freedoms](#), which has been part of Canada's Constitution since 1982. Like the Act, the Charter protects equality rights. However, the Charter also guarantees certain fundamental freedoms, democratic rights, mobility rights, legal rights, aboriginal rights and linguistic rights, and, unlike the Human Rights Act, the Charter only applies to governments and their agents; private sector businesses and organisations are not subject to the Charter. The Commission interprets and applies the Human Rights Act in a manner consistent with the Charter.

The [Nova Scotia Human Rights Act](#) prohibits actions that discriminate against people based on a protected characteristic in combination with a prohibited area (see below).

Protected Characteristics

- Age
- Race
- Colour
- Religion
- Creed
- Ethnic, national or aboriginal origin
- Sex (including pregnancy and pay equity)
- Sexual orientation
- Physical disability
- Mental disability
- Family status
- Marital status
- Source of income
- Harassment (and sexual harassment)
- Irrational fear of contracting an illness or disease
- Association with protected groups or individuals
- Political belief, affiliation or activity
- Gender Identity
- Gender Expression
- Retaliation

In addition to protection from discrimination, the Act also prohibits harassment based on any of these characteristics and prohibits sexual harassment in all areas of public life.

Prohibited Areas

- Employment
- Housing or accommodation
- Services and facilities (such as stores, restaurants or provincially funded programs)
- Purchase or sale of property
- Volunteer public service
- Publication, broadcasting or advertisement
- Membership in a professional, business or trade association, or employers' or employees' organization

Collective Bargaining for Stewards

Your contract spells out the terms of your employment. It covers hours of work, rates of pay, overtime, vacation entitlement, benefits and much more.

Making changes in the contract requires bargaining them with your employer.

Bargaining is your best opportunity for unifying and involving your members. Every member is affected by what is in – or not in – the collective agreement. Every member is potentially affected by a strike or lockout, or by an arbitrated contract settlement.

Whatever the route to final resolution, increased member involvement directly enhances the quality of your collective agreement. In a strike environment, it also reduces the length of any work stoppage.

The process of bargaining

You elect a team to sit at the table, call the shots and make decisions. You don't have to do that job, but it helps to know the general structure of bargaining.

It begins with demand setting at the local level, where members decide what changes they want in the contract. Whether bargaining is local or province-wide, these demands are consolidated into a package which is presented to the employer. The employer may also propose changes.

The bargaining team, assisted by a professional from union staff, works to negotiate a settlement it can recommend to the members for approval (ratification).

If the two sides become bogged down, the process of conciliation brings in a Conciliation Officer, to try to define and overcome the differences. If this succeeds, there is a settlement to be ratified; if it fails, it starts a clock ticking toward a legal strike/lockout deadline or to contract arbitration.

There can be no strike until the deadline is reached, and until the members of the local vote by secret ballot to strike.

Lockouts must also wait until the deadline, but the decision to act is management's, not the unions'.

Where strikes are outlawed, like in the Civil Service, the dispute will be referred to an arbitrator at this point.

In the days leading up to a strike, a mediator is normally assigned to help avert a walkout. If this succeeds, you have a settlement to be ratified; if it fails, you have job action.

If talks collapse and a strike occurs there is usually a period with no negotiations. Eventually the two sides return to the table, and usually reach a settlement which can be ratified, ending the dispute.

Throughout this process, there is constant opportunity to involve members; and the strength and commitment of members throughout the process have a direct bearing on the gains in the new contract.

Be guided by your elected team in everything you do.

Why do we have strikes?

Many Canadians see strikes as an abuse of union power. They hate public sector strikes and support laws to ban them.

We don't learn about labour relations in school. We only read about unions when they're on strike, even though more than 95 per cent of contracts are settled without any job action.

Inevitably, the perception grows that unionists are troublemakers hurting business and harassing an innocent public. But the right to strike is indispensable in a free and democratic society.

Outlawing unions does not eliminate strikes. More than 8,000 years ago, the builders of the Egyptian pyramids walked off the job. Canada's first recorded strike – by fur trade voyageurs at Rainy Lake in 1794 – pre-dated unions by many years.

Workers need the right to strike because our economic system is neither fair nor rational. It distributes income based on power and pressure.

Employers have power because they can hire and fire, move capital, control production, use replacement workers and control legislation. Workers only power is the right to withdraw their labour.

Even with the right to strike, workers have barely maintained their share of the nation's growing income. Since the 1900s, the share of the national income going to workers has varied by only five per cent.

Setting bargaining demands

Involve members well before your contract runs out. Evaluate your contract's strengths and weaknesses. Set up an informal educational and/or survey your members before your demand-setting meeting. Members' support for the bargaining team is linked to their ownership of the demands. Demands must reflect the desires of all members, not just the energetic few who attended the meeting.

Steward Link to the Bargaining Committee

Negotiations	Enforcement	Demand-setting
Communicate between bargaining team and the membership	Communicate between local executive, Chief Steward and affected members	Listen for members' issues and communicate to local executive
Act as mobilizer for events to support the bargaining team	Represent grievors at meetings with the employer	Survey the membership in preparation for demand-setting
Take a leading role at supporting events	Police the Collective Agreement	Link shortcomings in the Collective Agreement identified in the grievance process to demands for negotiations
Prepare for strike/mobilizing possibility	Mobilize member support for key issues	Get members out to demand set meetings
Get members out to ratification/strike vote/contract meetings	Participate on other workplace/local executive committees as assigned	Assist local executive/bargaining committee with research and preparation. Provide timely feedback to members
Listen for and identify members' diverse issues and carry these to the local executive/bargaining committee for discussion		
Communicate union information to members, including local executive decisions affecting members		
Bring together diverse members to build solidarity and seek support for workplace actions authorized by local executive/bargaining committee		
Attend local executive/bargaining committee meetings to participate in decision-making		
Do basic preparation and investigation on grievances arising from members		
Build relations with community and labour movement on issues affecting members (e.g. labour legislation, immigration, working conditions, discrimination, etc.)		

Steward as Resource to Local Executive

Demonstrate solidarity

Anything that shows that members will act in an organized way helps your bargaining team reach a settlement. Actions can originate locally or with central teams. The point is for all stewards, and as many members as possible, to take part. Plan events to be inclusive and enlist as many members as you can. Be creative. Doing something that's fun gets people involved. If it's a lunch time event, supply refreshments. Plan your event. If it needs signs or leaflets, have them ready.

Solidarity events include:

- a demonstration,
- informational picketing,
- a petition on a bargaining issue or workplace problem,
- all members coming in to work together on a specific date,
- wearing buttons, stickers, or the same colour clothing.

Mini campaigns on workplace issues

Identify a workplace problem, ideally one related to your bargaining proposals, of concern to many members, with a clear "winnable" solution.

Here are some campaign ideas:

- Survey members to document the problem and educate workers about it and the union's efforts to correct it.
- Circulate a petition summarizing the survey results and promoting the union's proposed solution.
- Organize protests in an escalating pattern, moving from symbolic protests like button days toward mass.
- Claim victory if the employer agrees to a solution. If the employer refuses because workers have no rights under the contract, use the refusal to generate bargaining support.

Strike preparation as a tactic

Strike machinery must be running well before any strike deadline. Get ready; set up a headquarters; choose picket captains and picket teams...it shows the employer you're serious.

It also reassures members during the tense countdown to a strike deadline. If we're not prepared, the employer may force a final offer vote. Members may accept a weak contract because they aren't confident the union can run a successful strike. We must never put our members in that position.

Publicize your strike deadline. Hold a registration day to sign-up members for strike duty. Encourage non-members in the bargaining unit to sign union cards.

What about lock outs?

An employer may lock out workers who are in a legal position to strike. Public opinion tends to be more favourable to locked-out workers.

Because management must lock out an entire bargaining unit, the action affects members who might never strike. Some may blame the union for forcing a lockout. Solid organizing and information can counter that.

Winning a lockout takes the same effort as winning a strike: strong pressure through organized picketing to keep the employer from operating normally.

If it goes that far?

NSGEU has a resources to guide locals through every step of running a successful job action.

Labour Issues for Stewards

This section gives a bare-bones outline of some significant issues that may arise in your workplace. It sets out to give you union policy, a legal framework, and/or a basic understanding of the issues.

In all cases, there is a lot more information available. Each section refers you to a source of further expertise.

Duty of Fair Representation

Duty of Fair Representation is:

No trade union and no person acting on behalf of a trade union shall act in a manner that is arbitrary, discriminatory or in bad faith in the representation of any employee in a bargaining unit for which that trade union is the bargaining agent with respect to the employee's rights under a collective agreement. Section 54A(3) of the Trade Union Act

AN EMPLOYEE WHO WISHES TO FILE A COMPLAINT MUST FIRST TRY TO ENGAGE THE GRIEVANCE/INTERNAL APPEAL PROCESS AND MAKE THE COMPLAINT WITHIN THE TIME LIMITS SET OUT IN THE TRADE UNION ACT

When a union is handling an employee's collective agreement dispute with their employer, the union cannot act in a manner that is arbitrary, discriminatory, or in bad faith.

The Board will not interfere with the union's decision about a grievance as long as the union investigated the grievance fully; obtained full details about the grievance, including the employee's side of the story; and made reasonable assessments of the potential outcomes of the grievance and/or arbitration.

The union's duty of fair representation may be higher in cases where human rights and accommodation issues are at stake, and where the consequences for the employee are more serious, such as if you have been fired.

Just because you disagree with the union's decision, this does not necessarily mean that the union violated its duty of fair representation.

Important Definitions:

Arbitrary – This is conduct that is ill-informed or reckless, or where the union has not given sufficient consideration to or has been indifferent with regard to your interests. For example, if the union accepted an employer's version of a grievance without giving you a chance to respond to it, or if it failed to adequately investigate your grievance, then this may be considered arbitrary. However, it is not necessarily a violation if the union makes honest mistakes or exercises poor judgment.

Discriminatory – This includes differential treatment due to personal characteristics such as your race, sex, religion, disability, or just based on individual favouritism, except where justified. For example, if you were treated differently based on irrational or unreasonable grounds, then this may be considered discriminatory.

In Bad Faith – This includes conduct based on ill-will, hostility, or revenge toward an employee. For example, if the union refused to pursue your grievance because you opposed union officials in a union election, or if it engaged in dishonest or deceitful conduct, then this may be found to be in bad faith.

We must,

Educate and train union representatives.

All shop stewards and other representatives involved in handling grievances should be educated and trained in:

- the requirements of the duty of fair representation;
- grievance handling;
- the grievance process in the collective agreement, including the time limits for each step of the process.

Review the union's grievance handling practices.

The union should review its grievance handling practices to determine whether they are sufficient to meet the duty of fair representation and avoid liability.

Conduct a thorough investigation.

When an issue is raised or a grievance is filed, it is essential to thoroughly investigate the facts and circumstances surrounding the matter.

A thorough investigation includes the following steps:

- Interview all available witnesses, including the grievor(s).
- Make notes of the interviews or ask the witnesses for written statements.
- Gather all relevant documentation, including employee files, medical reports or notes, letters of discipline, etc.
- Never rely solely on the employer's version of events.
- Always get the grievor's complete version of events and afford the grievor an opportunity to comment on the employer's allegations and statements.
- Ask the grievor to describe the circumstances and issues in writing.

Know and comply with all time limits.

Know the time limits for filing grievances under the collective agreement, and for proceeding through each step of the grievance process.

When an employee brings forward an issue or problem to the union, the time limit for filing a grievance should be noted and complied with.

Be diligent in processing a grievance.

If a time limit is missed, do not try to hide the error or give up. Ask the employer for an extension of the time limit. Make every reasonable effort to correct the mistake.

Communicate with the grievor in a timely and effective manner.

The most frequent source of dissatisfied members and of claims against unions is the failure to communicate with a grievor in a timely and effective manner.

Timely and effective communication includes the following steps:

- Explain the grievance process to the grievor and how long each will take.
- Keep the grievor informed of the progress of his or her grievance at appropriate intervals. The frequency of reporting may vary with the nature of the grievance.
- Discuss how and when the union will communicate with the grievor.
- Respond promptly to the grievor's calls.
- Arrange for another union representative to handle a grievance in your absence and tell the grievor about the arrangement.

- Be candid about the chance of success.
- Discuss all settlement proposals and offers with the grievor.
- Keep a written record of all communications with the grievor.
- Provide the grievor with a copy of all grievance correspondence.

If the union decides not to proceed to arbitration with a grievance, the union's decision should be confirmed in writing to the grievor.

Maintain detailed records and an organized grievance file.

Effective file management will ensure that all relevant information is available for grievance meetings, arbitration, and, if necessary, responding to a duty of fair representation complaint. In responding to a complaint, written records of the steps taken by the union will be important for substantiating the union's actions.

Effective record-keeping and file management includes the following steps:

- Maintain a file for each grievance.
- Be sure to include contact information for the grievor and all witnesses.
- Make a note of all time limits.
- Keep a detailed record of how a grievance is handled.
- Take notes of all communications with the grievor and the employer, including grievance meetings and phone calls.
- Make a note of telephone messages left and received.
- Be sure to date all records.
- Print out all e-mails relating to a grievance and include them in the file.
- Obtain relevant documents from the grievor and the employer, such as an employee file or a letter of discipline.
- If an employee decides not to file a grievance (particularly where a critical job interest is involved), consider having him or her sign a written statement to that effect.

Thoroughly and objectively assess the merits of a grievance.

In deciding whether to proceed with a grievance, always make a thorough and objective assessment of the merits of the grievance.

A thorough and objective assessment of the merits includes the following steps:

- Base all decisions on relevant considerations.
 - Carefully weigh the interests of the grievor with those of the bargaining unit as a whole.
 - Provided they are weighed fairly against the wishes and interests of the grievor, it is legitimate to consider such factors as:
 - the language of the collective agreement;
 - how similar issues have been decided;
 - the availability of potential witnesses; ○ the credibility of the grievor;
 - whether the discipline imposed is reasonable;
 - the cost of proceeding to arbitration; and
 - the impact on other employees.
8. Exercise extra care when a grievance involves a critical job interest.

While a union should always be diligent and thorough in its representation of bargaining unit members, extra care should be exercised when a grievance concerns a critical job interest, such as discipline, discharge, seniority, job security, or a human rights violation, including a disability that requires accommodation.

Consider obtaining a legal opinion on whether to proceed to arbitration.

A union does not need to obtain a legal opinion before deciding not to go to arbitration.

However, if a critical job interest is involved, we advise our clients to obtain a legal opinion. In most cases, a union that obtains and relies on a legal opinion will not be found in violation of the duty of fair representation.

Avoid conflicts of interest.

If a union representative has a personal interest or involvement in a grievance, assign the grievance to another representative to ensure that the grievance is handled without bias, or the appearance of bias.

Take complaints seriously.

Take complaints about representation seriously.

If a bargaining unit member complains that the union is not adequately representing his or her interests, the complaint should be investigated.

Record the results of the investigation.

Take immediate steps to correct any errors on the part of the union.

A. Harassment and discrimination

Harassment is a course of vexatious comments or conduct that is known or ought reasonably to be known to be unwelcome. It ranges from posting offensive pictures to verbal taunts and physical assault.

Discrimination means practices or attitudes that, whether by design or impact, limit an individual's or a group's right to opportunities because of attributed rather than actual characteristics. Discrimination is action or behaviour based on prejudiced attitudes.

Discriminatory behaviour uses physical differences to deny people equal treatment. Discrimination can target people who are perceived as part of a "different" group – women, people with disabilities or injuries, gays or lesbians, people from different ethnic backgrounds, etc.

NSGEU's commitment to human rights is reflected in the creation of a Provincial Women's Committee, Provincial Human Rights Committee, Provincial Disability Committee and a Provincial Young Workers' Committee.

All have one elected member from each of the union's seven geographic regions. All have a constitutional mandate to develop and promote appropriate programs for their constituencies, and to increase awareness of equality and human rights issues throughout the union's membership.

The NSGEU Constitution gives every member the right to be treated with dignity and respect and be "free from discrimination, interference, restriction, coercion, harassment, intimidation or disciplinary action exercised or practiced by a member with respect to

another member, both within the union and in the workplace, by reason of race, colour, age, national or ethnic origin, political or religious affiliation, sex, sexual orientation, family status, marital status, record of offences, physical characteristics or physical or mental disability.”

All NSGEU members and staff are responsible for maintaining and promoting an environment that is free from discrimination and harassment. Anyone with authority to prevent or discourage discrimination and harassment, who fails to do so, violates this policy.

Local executives, executive board members, and elected committees are all responsible for establishing and maintaining an environment free of harassment and discrimination. If a member believes that they have been harassed or discriminated against by another member they can file a complaint under the grounds-based Harassment and Discrimination Prevention Policy or the non-grounds-based Personal Harassment Policy. Our policies apply to all NSGEU members, retirees, elected officials and guests during any union-related duties, activities and functions.

B. Health and safety

The Occupational Health and Safety Act (OHSA) came into effect in 1979. It applies to all NSGEU workplaces.

Its main purpose is to protect workers from health and safety hazards on the job. It sets out the general roles and responsibilities for employers, supervisors, workers and joint health and safety committees (JHSCs) or worker health and safety representatives.

Many regulations deal with specific hazards on the job. There are special regulations for industrial workplaces, health care facilities, a Workplace Hazardous Materials Information System (WHMIS), designated substances such as asbestos, lead, ethylene oxide,

X-ray safety, and biological and chemical agents.

On June 15, 2010, Bill 168, the Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) came into effect. This new law amends the Occupational Health and Safety Act by introducing new duties on employers with respect to workplace violence and harassment. Overall, the bill requires employers to be far more assertive when dealing with non-Human Rights Code-based workplace violence and harassment.

You will often be the first person contacted when health and safety issues arise, because you are there. The worker health and safety representative, or union member of the JHSC may work in a different area or department.

That’s why you need a basic understanding of workers’ rights under OHSA and of the procedures to follow.

The act provides four basic rights for workers:

1. The right to participate:

Workers have a role in identifying and resolving workplace health and safety concerns. This role is carried out through JHSCs in workplaces with more than 20 workers, or through worker health and safety representatives in workplaces with six to 20 workers.

2. The right to know:

Workers have a right to know about potential hazards to which they might be exposed. They have a right to training and information on machinery, equipment, working conditions, processes and hazardous substances. The employer must provide this information and training.

3. The right to refuse unsafe work:

Workers have the right to refuse work that they believe is dangerous to either their own health and safety or that of another worker. There is a process for refusing dangerous work and for the employer to respond to the refusal.

4. The right to stop work:

In certain circumstances, "certified" members of JHSCs have the right to stop work that is dangerous to any worker. The Act sets how to do this.

Your role in this

As a steward, inform a worker member of the JHSC or your worker representative of any health and safety concerns as soon as possible. In a work refusal, a worker member of the JHSC or the worker representative must be contacted immediately. Worker members of the JHSC or worker representatives are responsible for dealing with health and safety issues. You should respect this role and work cooperatively with them.

Through your daily contact with members, you can help the JHSC or the worker representatives identify and address health and safety concerns. Individual complaints of poor health or sore muscles may point to issues which can and should be addressed under the OHS Act. You can also use the act to get information and training on equipment or materials.

You can help your JHSC or worker representative organize your members around health and safety issues. When your JHSC or worker representative decides workplace action is the way to go, you have a central role.

NSGEU has technical experts at head office to help you deal with health and safety concerns.

C. Privatization

Privatization is a long word that means getting the private sector to do (for profit) work formerly done in the public service.

NSGEU opposes privatization

1. Service suffers as companies cut corners to make a profit.
2. Accessibility suffers when private companies introduce and increase user fees for health care, parks or other services.
3. Workers suffer when well-paid union jobs become non-union jobs with lower pay, fewer benefits, worse working conditions and less job security. New bargaining units are often small and hard to organize.
4. Communities suffer from poorer services, lower payrolls, less secure economies.

Of course we have an interest in preserving unionized public sector jobs. We're proud to protect jobs with decent pay, benefits and pensions.

We oppose profits as the prime goal for public service. It makes more economic sense to pay workers who will spend in Nova Scotia, stimulating the local economy, than to give huge profits to corporations over which we have no control.

The private sector is not more efficient. Private contractors want profits, and get them by paying workers less, charging consumers more or cutting services.

D. New Technology

Every aspect of our lives is being transformed by new technologies.

Data bases replace file cabinets, email supersedes letters. Meetings become "teleconferences" or e-mail to dozens of addressees. Many work at home using communication technology.

Work is being reorganized and restructured. With new technologies, fewer workers do the same amount of work. Employers use computer software to control and monitor you and your co-workers, and they use those measurements against you.

Employers are using technology to control our working lives and threaten our employment, not to liberate us. Technology can and should be more humane. It should make our work easier and our lives better.

Technology raises collective bargaining issues:

1. Electronic monitoring
Modern software can measure work, count keystrokes and time breaks. This violates privacy and can lead to piecework payment.
2. Health and safety
Issues include proper work station design, low-level radiation from computers and repetitive strain injuries such as carpal tunnel syndrome.

3. Working at home (homework)
It isolates workers, leads to longer working hours, and makes it difficult to monitor health and safety and to organize workers.
4. Training
The new labour market requires constant retraining, and employers want to impose the cost on workers. Training is an employer responsibility.
5. Work organization
This affects complement, control, distribution of skills and training, and the union needs input to protect members' interests; to keep the skills in members' hands, not those of management or contractors.

E. Joint Labour / Management Programs

The 1980s produced a host of management schemes to involve workers, "humanize" the workplace, end adversarial relations between unions and employers and give workers more control over the work process.

They claimed to improve quality and enhance the security of the business.

These "employee participation programs" have names like Quality Management (TQM), Continuous Quality Improvement, Re-engineering, Quality Circles or Lean Production.

The promises were appealing: more team work, participation in decisions, more skills, a varied routine and less repetition. In practice, they meant going around the union.

Union members sit on "non-adversarial" committees at management's request, not as union representatives.

The committees vote on things like cutting staff and reducing standards (that enhance working life but eat into profits).

The schemes weaken or bypass the contract and ignore the union. Most compromise quality of services, speed up the work, lower wages and benefits, de-skill staff, and add to stress and burnout. Members don't share in the productivity gains. Management effectively substitutes individualism for the collectivism of unions.

NSGEU has firm guidelines for union participation in these programs, to protect worker rights. (The complete policy is in the policy manual).

1. The local union has joint control with management over the agenda, committee structure and training program.
2. The local union selects all bargaining unit representatives. The union has equal representation with management.
3. All union involvement is on employer-paid time.
4. Paid time includes time to prepare for meetings and to report to union members.
5. Employees can refuse to participate without penalty.
6. The program cannot produce layoffs or service cuts. All
7. articles of the collective agreement must be upheld.

If these conditions are met, there are guidelines for member participation:

1. The NSGEU local or unit executive controls involvement. (In the Nova Scotia Public Service, this is the appropriate Ministry Employee/ Employer Relations Committee team or OPS bargaining unit team).
2. The union elects/appoints its representatives.
3. The union approves all communications to its members, including questionnaires and surveys.
4. NSGEU is the visible legal representative of the workers.
5. NSGEU is involved for the sole purpose of gathering information and statistics from the employer.
6. NSGEU representatives won't discuss union business, priorities, activities or collective agreement matters.
7. NSGEU must approve any hiring of outside consultants.
8. NSGEU representatives will refuse to discuss task analysis and de-skilling; employee participation in discipline; rewarding non-use of sick time or punishing its valid use; peer evaluation; job reclassification; performance-based wage systems; generic or global salaries; voluntary overtime; donations of free work; job losses; increased health and safety hazards; psychological testing; taking on management functions without corresponding pay increases; or working faster than is safe.

The Occupational Health & Safety Act (OHSA)

Frequently Asked OH&S Questions

How do I have a voice in health and safety in my workplace?

If your workplace has between 5 and 20 employees, you can talk to (or become) your Safety Representative. An employee who is a Safety Representative is entitled to such reasonable time off from work as is necessary to carry out the employee's functions as a representative, and such time off is deemed to be work time for which the employee shall be paid by the employer at their regular rate.

For further information, refer to Nova Scotia's Occupational Health & Safety Act.

If your workplace has 20 or more employees, you can talk to, or become, a representative of your Joint Occupational Health and Safety Committee (JOHSC). Every workplace with 20 or more employees must have a JOHSC. This committee must be comprised of at least 50 per cent employees. It is required by provincial law to meet on a monthly basis unless all parties agree that this is unnecessary.

How do I volunteer to be on my JOHSC?

By law, a Joint Occupational Health and Safety Committee (JOHSC) must exist in every workplace with 20 or more employees. Check to see if you have a health and safety bulletin board in your workplace. There should be a list there of who is on your JOHSC. If you do not see a health and safety bulletin board, ask your co-workers if they know who sits on the committee or if they know your workplace union steward. If they don't know, contact us at 902-424-4063, 1-877-556-7438 or email inquiry@nsgeu.ca.

When can I exercise my right to refuse?

Any employee may refuse to do any act where they have reasonable grounds for believing that the act is likely to endanger the employee's health or safety or the health or safety of any other person.

How do I exercise my right to refuse?

You must follow a set procedure. You must first notify your direct supervisor, and he or she must allow you to give them a tour of your specific workplace while you outline your concerns. Your supervisor should then work to address your concerns or provide you with the equipment you feel you need.

If you're unsatisfied with your supervisor's response, you can then stop working. But you must also notify your workplace Safety Representative or a member of your workplace's Joint Occupational Health & Safety Committee (JOHSC). If your representative or the JOHSC doesn't deal satisfactorily with your concerns, you can then notify the Department of Labour and Advanced Education.

If you do refuse to work at your normal job, your employer has the right to reassign you to other work (so long as it doesn't violate your collective agreement). You will be paid as though you were working your normal job. Even if you're not reassigned, you will still be paid as though you were working your normal job.

When should I return to work?

You should not return to work until:

- The employer has taken remedial action to your satisfaction;
- The committee, if any, has investigated the matter and unanimously advised you to return to work; or
- An officer from the Department of Labour has investigated the matter and has advised you to return to work.

How has NSGEU made a difference in Health & Safety in the workplace?

In 2006, NSGEU helped form the Coalition Against Violence in the Workplace with the Nova Scotia Nurses Union, the Nova Scotia Teachers Union, and the Canadian Union of Public Employees to bring an end to workplace violence. We were successful in convincing government to enact the Violence in the Workplace Regulations in April 2007.

Appendix 1 –Canadian Labour History

A Brief History of Canadian Labour

For most of the 19th century, unions were illegal in Canada. Penalties for union membership, union organizing or talking union were stiff: fines, jail or, even worse, being shut out of the job market entirely.

Despite this, workers organized. They knew they stood a better chance of improving their lives speaking with one voice than as individuals, so they met and organized in secret.

The law permitted gatherings of family members. So to follow the law and to protect each other's identity, workers called each other "Brother" and "Sister" instead of using names. We still refer to each other as Brother and Sister to emphasize our kinship and solidarity.

It was a Conservative, Prime Minister Sir John A. Macdonald, who legalized unions.

In the election year of 1872, Toronto printers waged a vigorous campaign for the nine-hour day and 54-hour week. Macdonald, then opposition leader, recognized that most printers were land-owners and therefore voters. He promised to legalize union membership and he won. While his new law allowed membership in unions, it prohibited strikes and it didn't force an employer to negotiate with the union.

Employers could have an employee who missed work, for whatever reason, jailed for absenteeism.

It took many long, brutal strikes before unions won legal recognition. That happened in 1943, with a federal law recognizing unions as the sole collective bargaining agent for their members.

A tradition of social activism

Early on, Canadian unions began their tradition of fighting for universal social programs and better working conditions for all workers, organized or not.

This goal of improving all workers' conditions separates us from U.S. trade unions. Canadian unions recognized a need to enter the political arena and elect pro-labour candidates, who would enact laws to benefit all. American unions, in general, concentrated on their own members.

The results are two very different societies. Canadian labour's involvement in politics has brought us universal health care, unemployment insurance, the Canada Pension Plan, minimum wage laws, and standards ensuring a safe work place. In the U.S., these are often negotiated benefits for the organized minority.

Since organized labour represents only 11 per cent of the American labour force, this causes dangerous divisions in the working class.

It also gives U.S. employers a strong incentive to break their unions and explains the enthusiasm of right-wing governments in Canada for the American system.

Appendix 2 – NSGEU Steward Resources

Here are tools containing questions to be asked for each situation

Discharge/Dismissal and Suspension

What is the employee’s past record of discipline? Be precise, noting any warnings, reprimands or previous penalties, including dates and reasons given:

In applying discipline, the employer may be justifying the action it has taken by claiming that it is following a procedure known as *Progressive Discipline*. In other words, each disciplinary action taken is greater than the last, and the earlier actions justify the severity of the following ones.

What is the employee’s personal relationship to their immediate supervisor or other managers involved? Is there a personal conflict between them?

This is important in establishing whether there may have been any prejudice or bias applied by the employer in issuing the dismissal or suspension. You will want to determine if issues unrelated to the employee’s work contaminated the decision to take disciplinary action.

Are there extraordinary circumstances involved? i.e. Does the employee have an alcohol, drug, or gambling addiction?

If the employee does have some addiction problem, or some other mitigating circumstances that may have lead to their conduct which resulted in the discipline, the employer may be obligated to try some other course of action aimed at recovery or relief of those mitigating circumstances, prior to resorting to discipline. Also, if there are appropriate reasons for the employee’s conduct, such as a health and safety concern, the discipline may be unwarranted.

Has the employer addressed the area of concern with the employee prior to the dismissal or suspension? If so, how?

It is important to note if the area of concern resulting in discipline was ever brought to the employee’s attention before. If the employee was never made aware of a need to correct a situation and what the employer’s expectations were in correcting it, the discipline may have been inappropriate.

Are there other employees doing the same thing without being disciplined? If so, who and how many?

If the employer is taking action against one employee, but not others, it may indicate that discrimination is taking place.

Does the disciplinary action appropriate in the circumstances? Is there Just Cause for the employer to act on?

Establish whether the issued discipline is reasonable in terms of the alleged conduct. In order to satisfy the “*Just Cause*” provisions of the collective agreement, the employer’s action must be well grounded, fair, equitable, and proper.

There are seven tests that can be applied to determine whether “*Just Cause*” requirements have been met:

1. Did management adequately warn the employee of the consequences of his conduct?
2. Was management's rule or order reasonably related to efficient and safe operations?
3. Did management investigate before administering the discipline?
4. Was the investigation fair and objective?
5. Did the investigation produce substantive evidence or proof of guilt?
6. Were the rules, orders and penalties applied even-handedly and without discrimination to all employees?
7. Was the penalty reasonably related to the seriousness of the offence and past record?

Job Posting

What is the grievor's current classification and seniority?

Knowing the current classification and seniority, or length of service, is important, as it may directly relate to the manner in which any vacancies were to be filled in the first place. This information is usually also available from the union, if the member does not know.

Who was the successful applicant, and what is their classification and seniority?

In order to compare whether the grievor should have been awarded the job, you must know who was successful in getting the vacancy, their classification and seniority or length of service.

What are the qualifications of the grievor and the successful applicant?

You must also know the qualifications of the grievor and the successful applicant, so that you can fairly compare whether the grievor should have been awarded the position.

According to the Collective Agreement, what is the determining factor in awarding positions – ability? seniority or length of service? other?

Check your contract to see what it says about how vacancies, promotions, etc. are to be awarded. For instance, if they are awarded solely on length of service, then that will be the most important information for you to gather. If they are awarded primarily on interview scores or if seniority only applies when candidates are of "equal merit" then there is more information needed.

How was the competition conducted and by whom? What questions were posed during the interview and what were the expected answers? Obtain copies if possible.

Ask the grievor about the competition. Was it done by interview? written test? other? Was it conducted by the same panel throughout? It is important to establish that the competition was consistent and directly related to the applicants' ability to do the job. It is most useful to actually get a copy of the competition, including the expected answers, from the employer, whenever possible. This will allow you to make a fair comparison of what was expected and what was given by the grievor and the successful applicant. Obtain competition scores where possible for the same reason.

What is the disciplinary record of the grievor?

Ask the grievor about any prior disciplinary actions, including what the action was, why it was taken, and how long ago. This is useful as you may discover that failure to award a job was a form of punishment for alleged misconduct in the past.

Is there any evidence of discrimination against the grievor?

You should also look into any evidence of any other form of discrimination against the grievor. For example, is there evidence that the grievor's rights were violated under the Human Rights Act, or was there a personal grudge held against the grievor.

Improper Pay

What is the grievor's regularly posted classification and pay grade?

In order to establish an irregularity in the amount paid to the grievor, you must first establish what the grievor's regular pay is.

What was the grievor's work assignment for the period in question?

For the period that the grievor was not properly paid, you will need to determine what their work assignment was. This will be necessary to establish that the work was not expected as part of the grievor's normal classification and responsibilities.

What is the rate of pay applicable to the work assignment given?

Determine what the appropriate rate of pay should have been for the work performed by the grievor. This may be found by checking the Acting Pay provisions of your collective agreement, or under the classification and pay plan.

What is the exact work that was performed, and what were the instructions of the supervisor for the period in question?

Determining the exact work completed by the grievor will help in ensuring that it was indeed outside of the grievor's normal work assignment. Also, being specific about what the grievor was instructed to do by the supervisor may strengthen the case for a different rate of pay for the grievor, whether they actually performed the other work or not.

How long did the grievor perform the work?

How long the grievor performed the other work will be important in determining how much pay they should receive and may impact on whether the employee qualifies for additional pay. For example, in order to receive acting pay, an employee sometimes has to act in the other classification for some minimum period of time.

Overtime

What is the grievor's regularly posted classification and pay grade?

The grievor's classification is important in determining eligibility for overtime, as well as the appropriate compensation for overtime worked.

What shift does the grievor normally work, and when was the overtime scheduled?

What the grievor's normal shift schedule is, and when the overtime was scheduled, is important in determining the grievor's availability to work the overtime.

What is the normal process for allocation of overtime, and who is eligible for the overtime?

Check what the collective agreement says about the allocation of overtime, or what the normal practice has been in filling overtime shifts. Also, it is important to note who is eligible to work the overtime. Was the grievor eligible for the shift, or was it given to someone who was not eligible?

Who worked the overtime?

Get the name of the employee that worked the overtime, to verify if they were eligible for the overtime worked, and how and when they were notified of the requirement to work overtime.

What was the work performed on the overtime shift?

Find out the duties and work performed on the overtime shift. This again will be useful in establishing the eligibility for overtime of both the grievor, and the employee who worked it.

Layoff

What is the grievor's regularly posted classification and pay grade?

Knowing the grievor's regularly posted classification will be important in determining whether the right employee was laid off. For instance, if a Secretary's position was eliminated, but a Clerk was laid off, this may prove the contract violation.

What is the grievor's seniority and length of service?

Depending upon what your contract says about the order in which employees are to be laid off, either the grievor's seniority or length of service will be important to identify whether someone else should have been laid off instead.

What are the names, classifications, and seniority and service of other employees in the work unit?

Find out the names of all other employees in the work unit, what their classifications are, and how much seniority and service they have.

Again, this will be required in making the determination of whether someone else should have been laid off.

What is the location of the grievor's regular place of work?

The grievor's exact work location may also be important in determining whether a different employee should have been laid off and will also be important in exercising any applicable placement or displacement (bumping) rights.

What is the disciplinary record of the grievor?

The disciplinary record of the grievor will be important to ensure that layoff has not been applied as a form of discipline.

What has happened to the work previously performed by the grievor?

Finding out if the work done by the grievor previous to their layoff has been discontinued, reassigned, or perhaps even posted as a new position will be useful in determining whether there should have been any layoffs at all.

When is the layoff effective, and when was the grievor notified?

The collective agreement provides for a requirement of the employer to give a certain period of notice to employees being laid off. Failing that period of notice, the employees being laid off may be entitled to some pay in lieu of the notice required.

Was the Union notified of the layoff, and how many employees are being laid off?

The collective agreement also provides for the Union to be notified of any layoffs. The period of notification often depends on the number of employees being laid off, with a greater notice being required when a greater number are being laid off. Also, the employer may have been obligated by the collective agreement to undertake other processes before any layoff notice was given.

Vacations

What is the process for requesting/scheduling vacations, and how and when did the grievor submit their request?

You must first establish how vacations are supposed to be booked, and whether the grievor followed the appropriate procedures. If not, find out why, as there may be circumstances that prevented the grievor from doing so.

What is the determining factor in scheduling vacation?

It is important to establish if vacation is granted on the basis of seniority, length of service, etc., to measure whether the grievor's vacation should have been granted.

What is the grievor's seniority, length of service, etc., and what is that of the other employees in the work group?

You will have to determine where the grievor places on the list for vacation preference and find out if employees lower on that list were granted vacation that the grievor was denied.

How many employees are in the work group, and what is the availability of replacement employees to cover the period of vacation?

The employer should not unreasonably withhold granting of vacation requests. Knowing the number of employees available to replace the grievor during their vacation will help you in making a case of whether the employer has acted reasonably or not.

Reassignment

What are the current classification, department, and location of the grievor?

The employer may be limited by these factors in reassigning employees. It may be that the employer can only reassign employees within the same classification, department, and geographic location, for example.

What other employees were, or could have been reassigned?

The employer should not exercise reassignment in an unreasonable or arbitrary manner. Find out whether any favouritism or discrimination may have taken place in determining who would be reassigned.

Did the employer seek any expressions of interest in reassignment from the employees who may have been reassigned?

The employer may have been obligated by the collective agreement to see if any employees were interested in the reassignment, rather than simply choosing who would be reassigned.

Has the reassignment resulted in any undue hardship to the grievor?

An employee may have an option under the collective agreement to address reassignment concerns where the reassignment results in undue hardship. Undue hardship does not mean simply inconvenience, however, so there must be significant circumstances involved.

Has the Union been notified or consulted about the reassignment?

There may be requirements in the collective agreement for the employer to explore other alternatives before reassignment takes place. Check with the grievor and Union officials to see whether this has taken place.

Attendance

What are the specific instances of absence or tardiness being addressed by the employer?

Gather information on the grievor's attendance record, including all instances of absence and tardiness. Determine what action the employer took in each of these instances, to see if they acted consistently throughout. You may find that the employer is trying to use attendance as a means to deal with the grievor on an unrelated issue.

Are there extenuating circumstances that lead to the grievor's absence or tardiness?

The individual circumstances of each instance of absence or tardiness may have been things that were beyond the grievor's control or may have been such that they were

unable to notify the employer of their absence or tardiness. You may also discover that the cause of the grievor's attendance problem is something that the employer should have taken other measures to deal with.

What steps has the employer taken to address the concerns in the past?

You must determine what the employer has done to address attendance issues with the grievor in the past. This is so that you can assess if the employer has acted consistently, if the employer has followed a progressive process in addressing the concern, and if the employer has attempted to assist the employee with any underlying causes for the attendance problem.

Are there other employees who are being treated differently in regards to absence or tardiness?

Finding out if other employees have similar records of attendance, and how management has dealt with them, is important in ensuring that the grievor is being treated consistently, and without discrimination.

What adverse effect has the grievor's absence or tardiness had on the employer?

If the grievor's absence or tardiness has not had an adverse effect on the employer, you will want to raise this point through the grievance procedure. Put the onus on the employer to show that the grievor's attendance record truly is a problem.

Statutory Holidays

What is the grievor's regularly posted classification and pay grade?

The grievor's regularly posted classification and pay grade are important in determining eligibility for compensation for work on a statutory holiday and what the appropriate compensation would be.

What is the grievor's regularly scheduled shift, and how does it involve the statutory holiday?

You must determine what hours the grievor actually worked, including how many of them fell on the statutory holiday itself, to ensure that the hours worked qualify for holiday pay.

What is the definition of a holiday according to the collective agreement?

Consult the collective agreement as well, to ensure that the hours worked qualify for holiday pay. Different collective agreements may define the holiday different ways.

What is the normal practice for scheduling work on a holiday?

Find out what the normal process for scheduling work on a statutory holiday is to make sure that the grievor was not improperly scheduled to, or improperly denied the opportunity to work on the holiday.

How much was the grievor paid for work on the holiday and what should have they been paid?

Get copies of pay stubs to show what the grievor was paid and calculate what the grievor was actually paid. This will assist you in formulating the redress of the grievance.

Demotion

What is the grievor's classification, pay grade, and seniority?

You will need to know the grievor's classification, pay grade and seniority to determine whether there was indeed a demotion, and whether the demotion was made in accordance with the collective agreement. It is possible that a demotion could occur for reasons other than discipline, and your contract may provide for the process by which demotions take place, such as by seniority.

What is the classification and pay grade of the position demoted to?

You will need the new classification and pay grade for the same reasons as above. You will have to determine if the demotion was done in accordance with the process outlined in your collective agreement.

What are the grievor's qualifications?

Find out the grievor's qualifications so you can determine if someone other than the grievor should have been demoted, especially if the collective agreement provides that qualifications are a determining factor in demotion. It is also possible that the employer is not giving consideration to the grievor's overall qualifications in enacting the demotion.

Are there other employees that should have been demoted instead of the grievor?

Find out if there are other employees that could have been demoted, by looking at their classification and qualifications. You may find that the grievor was improperly demoted.

What is the disciplinary record of the grievor?

If the demotion was not done for disciplinary reasons, you will want to know the disciplinary record of the grievor to ensure that their disciplinary record was not held against them. If the demotion was disciplinary, you will need the record to determine if the employer is following progressive discipline in carrying out the demotion.

Who is performing the grievor's old job, and what are their qualifications and seniority?

Find out if someone has been placed in the grievor's old job. If so, find out what their qualifications and seniority are. This is so that you can ensure that they were placed in the

job in accordance with the collective agreement, and to compare their qualifications and seniority with that of the grievor.

Harassment/Poison Workplace

What is the harassing behaviour that the grievor says took place?

You must get a detailed account of the actions that the grievor considers harassment. Harassment grievances are amongst the most difficult to prove, and therefore demand a great deal of detail.

Who does the grievor say was harassing them?

Find out whom the harassment has been coming from. In order to properly constitute a grievance, there has to have been a violation of the grievor's rights by the employer. Therefore, a supervisor or other manager should have done the harassing behaviour, or it may be a case where the harassment is coming from another source, and the employer has failed to prevent or correct it.

It is important to note that if the harassment is coming from a fellow Union member, it is most advisable for the Steward to intervene and make an effort to resolve the situation, rather than leaving it to management to address.

How long has the harassment taken place?

Establishing a pattern of harassment will help in proving your case when presenting a harassment grievance.

What has the grievor done about the harassment prior to approaching you?

Find out if the grievor has taken any steps to address the harassment prior to speaking to you. It is important for the grievor to have told the harasser to stop the harassing behaviour, and it is also important to find out whether management has been made aware of the situation, and what steps they have taken to address it.

Are there any witnesses to the harassment?

Harassing behaviours often occur in front of other people. It may be that the grievor has been demeaned or belittled in front of others, for example, giving rise to the harassment. Find out who the witnesses are and be sure to get statements from them if possible. They will also be useful in helping you to verify the information you receive from the grievor and from management.

Does the grievor have documentation of the harassment?

As harassment is so difficult to prove, it is important to have thorough documentation of the harassing behaviour. This should include exactly when the harassment took place, where it occurred, who may have witnessed it, and what the harassing behaviour was. If the grievor does not have thorough documentation of the harassment, advise them to begin documenting it from that point forward. Also ask the grievor to write down the particulars of the harassment that has already occurred to the best of their recollection.

Special Note – *Harassment is a very personal issue, as what may be harassment to one, may not be to another. It can include but is not limited to such things as belittling and/or demeaning comments, assignment of undesirable work, or denial of privileges that others receive. Because it is a very personal issue, be careful not to be judgmental of the grievor for feeling harassed, and also be careful not to allow the employer to minimize the situation.*

Sexual Harassment

What is the sexually harassing behaviour that the grievor says took place?

You must get a detailed account of the actions that the grievor considers to be sexual harassment. Sexual Harassment grievances are very difficult to prove, and therefore demand a great deal of detail.

Who does the grievor say committed the sexual harassment?

Find out whom the sexual harassment has been coming from. In order to properly constitute a grievance, there has to have been a violation of the grievor's rights by the employer. Therefore, a supervisor or other manager should have done the sexually harassing behaviour, or it may be a case where the sexual harassment is coming from another source, and the employer has failed to prevent or correct it.

It is important to note that if the sexual harassment is coming from a fellow Union member, it may be advisable for the Steward to intervene and make an effort to resolve the situation, rather than leaving it to management to address. However, this may not be possible, as sexual harassment cases have legal implications that may differ from other types of harassment.

How long has the sexual harassment taken place?

Establishing a pattern of sexual harassment will help in proving your case when presenting a sexual harassment grievance.

What has the grievor done about the sexual harassment prior to approaching you?

Find out if the grievor has taken any steps to address the sexual harassment prior to speaking to you. It is important for the grievor to have told the harasser to stop the sexually harassing behaviour, and it is also important to find out whether management has been made aware of the situation, and what steps they have taken to address it.

Are there any witnesses to the sexual harassment?

It is extremely important to determine if there were any witnesses to the sexual harassment. Be sure to get statements from those witnesses as soon as possible, in order to ensure accuracy of information and to get the information before there is an opportunity for their statements to be influenced.

Does the grievor have documentation of the sexual harassment?

As sexual harassment may be very difficult to prove, it is important to have thorough documentation of the sexually harassing behaviour. This should include exactly when the sexual harassment took place, where it occurred, who may have witnessed it, and what the harassing behaviour was. If the grievor does not have thorough documentation of the sexual harassment, advise them to begin documenting it from that point forward. Also ask the grievor to write down the particulars of the sexual harassment that has already occurred to the best of their recollection.

Special Note – *Sexual Harassment grievances may differ from grievances regarding other types of harassment. Quite often the collective agreement will specify a separate process for dealing with complaints of sexual harassment. It is especially important to lend as much support as possible to the grievor, and to handle their grievance with the utmost of confidence. Also, you should check into whether the situation has legal implications. Consult with your Chief Steward and Employee Relations Officer as necessary.*

Sick Leave

When was the grievor absent due to illness and for how long?

To ensure that the grievor is properly paid for each day of sick leave, it is imperative to know when the grievor was away from work. Some collective agreements may identify a reduction in salary after a certain number of days of sick leave. You will need to determine the length of the absence so you can determine whether it is general illness, short term illness, or long term disability.

When did the grievor report that they would be absent from work, and to whom?

You should determine how and when the grievor reported to the employer that they would be absent due to illness. This is so that you can make certain that the employer was notified, and to check that it was done in the normally expected manner. If it was not, then determine if there were circumstances beyond the grievor's control, which prevented reporting the illness to the employer.

Has the grievor seen a doctor?

Some collective agreements require that an employee seek "appropriate" medical treatment when an illness causes them to be absent from work. Also, it may be necessary to seek medical information in processing the grievance, and the name of the attending physician will therefore be needed. It may be a good idea to have the grievor sign a release form, to permit the appropriate Union officials to access that medical information. Finally, you may identify a connection between the illness leading to this absence and previous illnesses for which leave was approved.

What is the grievor's sick leave entitlement?

Ensure that the grievor has the appropriate leave credits available to cover the period of absence due to illness. In some cases, it may be accumulated leave, kept in a sick leave bank, or it may be an annual entitlement, automatically renewed. Consult the collective agreement.

Was there any part of the grievor's job that they could have performed?

The employee may have been able to perform a modified job during the period of recovery, and there may have been a requirement on the employer to make such provisions.

Will the grievor require any accommodation in order to return to work?

Following recovery, the employer may be bound by the "*duty to accommodate*" the grievor in returning to the workplace. The "*duty to accommodate*" requires the employer to make whatever adjustments necessary, up to the point of undue hardship, to allow the grievor to return to work. This duty stems from human rights legislation, preventing the employer from discriminating against employees on the basis of prohibited grounds, such as disability. Therefore, adjustments such as a change of work hours, work load, moving the work location, etc. may be possible to allow the grievor to return to work, and the employer would be required to make such accommodations. The only times that the employer would not be bound to make these accommodations, are when there is a bona fide occupational requirement for performance of specific tasks that the grievor would be unable to perform, or when the employer would suffer undue hardship in making the accommodation. Undue hardship means excessive disruption or interference in the employer's operation, not simply that the accommodation is inconvenient.

Could the absence lead to a claim for Long Term Disability benefits?

If the illness is of such nature that the grievor may be making a claim for LTD, the process of application should be identified to the grievor, including the timing of application, so as to ensure no disruption of income.

Additional Resources

Roles & Responsibilities

Chief Steward

Details of the Chief Steward Role varies slightly Local by Local. In some Locals, Chief Stewards review all grievances before they are submitted and write many grievances.

In other Locals, the Chief Steward provides information to the ERO who writes all grievances. Chief Stewards should, however, in every Local, be interested in taking on a high level role in negotiating solutions to workplace problems.

Regardless of the culture of your Local, the role of the Chief Steward includes, but is not limited to the following:

- Be vigilant and monitor the implementation of the Collective Agreement, and issues arising in the workplace. This includes (but is not limited to) contact with the employer, and regular contact and consultation with Stewards and other Local Activists, concerning issues arising out of the workplace/collective agreement.
- Participation in Labour-Management Committees and other joint committees, when applicable.
- High level involvement in Local Executive activities, and regular communications with other Local Officers regarding pertinent matters.
- Recruit and orient Stewards to the Local culture re: collective agreement and complaints.
- Call regular Steward meetings.
- Work with the ERO to hold annual Steward training (on Collective Agreement issues) meetings if necessary.
- Conduct Steward elections at Local meetings.
- When elections are not possible, appoint Steward subject to ratification at the next Local meeting.
- Chief Stewards should keep in touch with, and receive reports from, Stewards and be informed about complaints, and potential areas of labour-management conflict.

At the request of the Local President, the Chief Steward shall report on his/her activities, bearing mind the confidentiality of grievances and reporting only on the location and subject of the of the grievance.

The Steward

- Stewards must be familiar with the collective agreements for which they are responsible.
- Stewards will keep the Local's Chief Steward and the Employee Relations Officer, assigned to their areas, informed about complaints, and potential areas of labour-management conflict.
- Issues that may properly be dealt with by a Labour/Management Committee, where they exist, should be brought to the attention of the union representatives on that Committee.
- The Steward is responsible to represent the members who elected them.
- The Steward should attend all Local meetings and meetings of her/his bargaining unit called by the Local, or at least attend the required number of meetings to maintain eligibility for holding office in accordance with the Local By-Laws, where applicable.
- At the request of the Local President, the Chief Steward shall report on his/her activities. Stewards should bear in mind the confidentiality of grievances and report only on the location of the grievance and its subject.

GENERAL GUIDELINES:

NSGEU will encourage members to deal with stewards or Chief Stewards on complaints or grievances arising out of the workplace.

Where feasible, NSGEU will encourage Stewards' participation in all stages of grievance and arbitration process.

Members who require information or are experiencing problems should contact their steward, or in the absence of their steward, their Chief Steward, or the Labour Resource Center, or the Employee Relations Officer.

Local President

In this duty, the President is required to:

- Conduct the affairs of the Local as dictated by the NSGEU Constitution and By-laws and NSGEU's Policy Manual.
- Hold executive meetings prior to Local meetings to discuss items of importance and plan strategy for Local meetings.
- In advance supply dates, time and location of Local meetings.
- Notify NSGEU office of the meeting schedules.
- Prepare and distribute or post an agenda for the Local meetings, or ensure that this is completed by the Secretary.
- Conduct a business meeting according to Rules of Order.
- Ensure that the members' questions are answered and that issues of concern are discussed at each meeting.
- Ensure that the attendance record is circulated at each meeting.
- Review with the recording Secretary the minutes of the meeting to ensure that all pertinent data has been included.
- Ensure that all positions are elected and that election notice is sent when elections are required.

OTHER DUTIES:

- Inform members of the local of all Educational seminars, workshops, etc.
- Inform the membership of Scholarship and Bursaries available to members and members' children.
- Be knowledgeable of the finances of the Local.
- Make recommendations to the Union Executive concerning certificates of merit for Local members.
- Maintain a close liaison with the rest of the Local executive.
- Use the Constitution as a guideline for calling meetings for election of delegates to conventions, elections of Local officers, and elections of bargaining unit representatives.

THE ROLE OF THE **LOCAL VICE PRESIDENT** is to assist the President in their duties, and where necessary, to replace them.

Suggested role also includes keeping a speakers list at meetings, to assist the Chair, and/or create and complete follow up list, and tasks, from meetings.

Local Secretary

In this duty, the Secretary is required to:

Pre-Meeting

Pre-meeting duties could include the following:

- attending local executive meetings, and also, recording any executive recommendations on correspondence or matters that will be brought forward at the union meeting.
- preparation of agenda for the union meeting
- preparation of notices for the union meeting
- distribution of union meeting notices
- arranging for meeting facilities, refreshments, etc.
- review minutes of the last local union meeting
- copies of various reports & newsletter (if applicable)
- contact those who are responsible for reports as per the agenda.
- distribution of minutes to members
- forward copies of minutes to NSGEU Office
- prepare sign-in sheet - book

Meeting

- read or present minutes from the previous meeting
- record the proceedings of the meeting
- maintaining meeting attendance records (attendance book)
- extra supplies of union info, bursary, scholarship, membership cards, new membership kits, contract.
- request for information from members or executive at the meetings.

Post - Meeting

- Prepare minutes for inclusion into minute book or binder
- Take action on items arising from the meeting: i.e. - responding to correspondence
- filing correspondence
- forwarding copies of minutes to membership (depending on Local Union tradition)
- follow-up on the "action items" with those designated (VP can be assigned to do some of this work)

Local Treasurer

The Local is responsible for maintaining the funds in both the local imprest and local social account as per NSGEU Policy 3.1 and 3.2.

For the local imprest account, the treasurer is required to:

- Ensure funds for the local imprest account are maintained in a separate account called the Local # ____ Imprest Account;
- Keep accurate records and bank statements on the account;
- Prior to issuing payment to members for expenses, review the accuracy of claims and ensure all expenses claimed eligible expenses according to NSGEU policy 3.1;
- Write cheques for valid claims submitted by members;
- Make regular submissions to NSGEU on the appropriate forms and with the required documentation to maintain the funds in the account;
- Keep a copy of attendance records for submission of claims to NSGEU;
- Submit a written report to the Local on this account at each local meeting;
- Ensure the account is audited every term as per NSGEU Policy;
- Ensure a written audit report is submitted at the local triennial meeting.

For the local social account, the local treasurer is required to:

- Ensure funds for the local social account are maintained in a separate bank account;
- Keep accurate records and bank statements on the account;
- Make regular submissions to NSGEU on the appropriate forms and with the required documentation according to NSGEU Policy 3.2 to document the use of funds as approved by the local at local meetings;
- Submit a written report to the Local on this account at each local meeting;
- Ensure the account is audited every term as per NSGEU Policy;
- Ensure a written audit report is submitted at the local triennial meeting.

Regional Councillors

In this duty, the Regional Councillor is required to:

- Represent their local at the Regional Council.
- Takes a full and active part in the operation of the Regional Council and may serve in various capacities as required.
- Takes concerns of their local to the Regional Council and vice versa.
- Establishes and maintains communication between their local and the Regional Council.
- Attends and participates in all meetings of their Local, Regional Council and special meetings that may be required from time to time unless absent do to just cause.
- Ensures that a verbal/written report of Regional Council and/or Board of Directors activities are given to their local.
- May be required to represent the Union at local, provincial or national functions.
- Adheres to the Constitution and By-Laws and respect the rights of each individual member.
- Keeps confidential those matters designated as such.
- Assist in, and is aware of the policies, goals and objectives of the Union.
- Makes decisions without personal prejudice in the best interest of all the members they represent and with the welfare of NSGEU being top priority.
- To be elected as Regional Councillor, the member may be required by their local to have attended a certain percentage of local meetings.

Regional Council members are entitled to expenses per NSGEU Policy 3.6 - Regional Council - Imprest Account System – these expenses include but are not limited to mileage, child care/elder care and meal allowances. Members attending these sessions are not entitled to time off for union business.

NSGEU Constitution & By-Laws Excerpt

SECTION 7.3 - FUNCTIONS OF THE REGIONAL COUNCIL

7.3.1 The Regional Council shall:

- (a) Elect a Board member and alternate as prescribed in this Constitution.
- (b) Serve as a liaison body between the Board of Directors and the Locals in the Region.
- (c) Serve as a venue to present ideas or suggestions for presentation to the Board of Directors meetings.
- (d) Act as a review body to ensure issues coming from the Locals are properly channeled and directed to ensure a fast, efficient and appropriate response.
- (e) Engage in other related activities as requested by the Board of Directors, the Executive Committee or the Locals in the Region.

7.3.2 The Regional Council shall meet at least six (6) times per year and at such other times as are required in accordance with the by-laws of the Regional Council. Where it is practical to do so, the meetings of the Regional Council shall be held between meetings of the Board of Directors of the Union.

Occupational Councillors

In this duty, the Occupational Councillor is required to:

- Represent their occupational group within the local from which they are elected.
- Takes a full and active part in the operation of the Occupational Council and may serve in various capacities as required.
- Takes concerns of the occupational members of the local to the Occupational Council and vice versa.
- Establishes and maintains communication between the occupational members of the Local and the Occupational Council.
- Attends and participates in meetings of the Occupational Council and their respective local. If requested, may attend Regional Council meetings in own respective area.
- Ensures a verbal/written report of the Occupational Council meeting is given to the occupational members of the local and/or to all the local.
- May be required to represent the Union at local, provincial or national functions.
- Adheres to the Constitution and By-Laws and respects the rights of each individual member.
- Keeps confidential those matters designated as such.
- Assists in and be aware of the policies, goals and objectives of the Union.
- Makes decisions without personal prejudice in the best interest of all the members they represent and with welfare of NSGEU being top priority.
- May be involved with negotiations when and where required.
- To be elected as an Occupational Councillor, the member may be required by their local to have attended a certain percentage of local meetings.

Occupational Council members are entitled to expenses per NSGEU Policy 18.8 – Expense Policy and Policy 18.10 – Child Care/Elder Care. Members attending these sessions are entitled to time off for union business.

NSGEU Constitution & By-Laws Excerpt

SECTION 8.3 - FUNCTIONS OF THE OCCUPATIONAL COUNCIL

8.3.1 The Occupational Council shall:

- (a) Elect a Board member and alternate as prescribed in this Constitution
- (b) Serve as a liaison body between the Board of Directors and the Locals within the occupational grouping.
- (c) Serve as a venue to present ideas or suggestions for presentation to the Board of Directors meetings.
- (d) Act as a review body to ensure issues coming from the Locals are properly channeled and directed to ensure a fast, efficient and appropriate response.
- (e) Engage in other related activities as requested by the Board of Directors, the Executive Committee or the Locals within the occupational grouping.

8.3.2 The Occupational Council shall meet at least twice per year or at other times as required and approved by the Executive Committee or the Board.

8.3.3 The Occupational Council shall each year submit a proposed budget to the Secretary Treasurer for inclusion in the annual budget of the Union in order that the Council may plan for the efficient operation of the Council.

Committee Pool Members

NSGEU Provincial Committees are selected by the Union Executive, from the "committee pool" elected by Locals.

Your Local elects a number of committee members, (minimum 2) based on size. Your allocation (that is the number that your Local is entitled to, according to the constitution) is included in the election return form included with this package. Each committee has 8 members, one from each region of the province. (PAG, South Shore, Valley, Metro A, B and C, Cape Breton, and Cumberland-Colchester.)

Ad-hoc Committees, which at the moment include the Pensions and Benefits, Healthcare and Young Worker Committees are not selected from among the committee pool, but a special "call for expression of interest" is emailed to members and put on the website. Members are selected from these "expressions of interest."

- 1) Elect committee pool members,
- 2) Ensure that members elected complete the Committee Pool Forms This allows members to express a preference for the committee they would like to sit on. Members MUST select three committees when they complete this form
- 3) The Local President must submit the committee pool forms to the headquarters of the NSGEU.

Provincial Committees

Constitution & By-Laws Committee

Focus: role outlined in the Constitution & By-Laws

Education Committee

Focus: disbursement of NSGEU scholarship and bursaries. Raise awareness of community available educational issues and resources. Assist the Education Officer to analyze and review members' educational programs and develop an education calendar of training.

Finance Committee

Focus: policy, ongoing fiscal and budget recommendations with defined surplus goals for budgets.

Health, Safety & Environment Committee

Focus: raise awareness, advocacy and promotion of workplace health and safety issues. Secondary is the promotion and awareness of 'green efforts' and environmental.

Human Rights Committee

Focus: raising awareness, advocacy and promotion of human rights and social justice within NSGEU and the global community.

Political Action Committee

Focus: to raise awareness of members on participation in the political process.

Resolutions Committee

Focus: role outlined in the Constitution & By-Laws.

Social Recreation Committee

Focus: coordination and development of social and recreational programs for the membership for NSGEU to promote membership solidarity. Disbursement of Amateur Sports/Fine Arts Awards. Disbursement of Region social funds assistance.

Women's Issues Committee

Focus: advocacy and advancement of women's issues and women's rights.

Composition of Provincial Committees

Each provincial committee is comprised of a Chairperson appointed from the NSGEU Board of Directors, an Executive Liaison and 8 regional members (one member from each region).

Each local is entitled to elect members to serve in a committee pool based on the Local's signed membership. Once a determination is made on the committee pool, forms are provided to elected members to complete indicating their 1st, 2nd, & 3rd committee choices.

Once this information is received, it is reviewed by the Executive and an Executive recommendation to the Board is prepared for ratification at the first meeting of the newly elected Board.

Following ratification of committees, letters from the President's office will be sent to those members selected for committees.

How are Committee members selected? What are their responsibilities?

1. To be eligible for election to a Provincial Committee, a member shall have attended a minimum of forty percent (40%) of his or her Local meetings during the previous twelve (12) months.
2. Provincial Committees shall be comprised of one (1) member selected from the committee pool from each of the eight (8) regions and one (1) member from the Board to act as the chairperson or Recording Secretary.
3. Members submitting their names for Provincial Committees, if chosen to sit on a committee from the Committee Pool, must be willing and able to attend meetings as required and to perform specific tasks between meetings as may be assigned to them.
4. Members selected for Provincial Committees should be aware that Provincial committee meetings are held on Friday nights and carry over business to Saturday morning. Committee members are expected to attend Saturday meetings as required.
5. Any member absent for two (2) consecutive meetings, without cause acceptable to the committee Chairperson and/or the Board Liaison, or any member unable to fulfill their committee duties (at the discretion of the Executive Committee) shall be asked to resign their position on the committee. The Board of Directors will appoint a replacement from the Committee Pool.

JOHSC Members and Alternates

In keeping with the OHS Act, the NSGEU takes the following position with respect to the selection, continuing service and replacement of JOHSC members and alternates that are representing bargaining unit employees:

- The number of JOHSC members and alternates will be agreed upon by the parties and stated in the Rules of Procedure (Terms of Reference)
- Terms of office for members and alternates will be in the 1 to 3 year range and terms may be renewed as agreed in the Rules of Procedure (Terms of Reference)
- JOHSC members and alternates representing bargaining unit employees must be: members of the union be in good standing; selected in an open and fair process that is endorsed by the union; and, free from the influence of management.
- At least half of the members and alternates will represent employees not connected to management.
- Chairing of committee meetings must be rotated between the co-chairs on a regular basis (e.g., monthly, quarterly, semi-annually, etc.) The co-chairs have equal status. The employee members of the JOHSC shall select one of its committee members to act as its co-chair.
- Quorum for meetings will be stated in the Rules of Procedure (Terms of Reference) and will ensure at least half the number required represent employees not connected with management
- Terms for members and alternates who are representing bargaining unit employees are not automatically renewed. Member and alternate positions that have expired are open to the bargaining unit employees for selection/ratification.
- An alternate may fill in for a member when the member is unable to attend a meeting. Alternates are to be afforded similar privileges such as training, receiving the minutes and agenda of meetings and inclusion in committee activities where their assistance is beneficial in carrying out the functions of the committee indicated in Section 31 of the OHS Act (e.g., inspections, program auditing, hazard identification, etc.).
- Alternates may ascend to become JOHSC members as agreed in the Rules of Procedure (Terms of Reference)
- A position is vacant when:
 - the term of office expires
 - the incumbent resigns or changes job so that they no longer are in the bargaining unit or representing the affected employees
 - the incumbent violates conditions of conduct stated in the Rules of Procedure; or,
 - the incumbent is removed by the union acting on behalf of the bargaining unit employees the incumbent represents.
- Workplace JOHSCs must conduct their business as outlined in the OHS Act and as further detailed in the JOHSC's Rules of Procedure (Terms of Reference) that have been agreed upon by the parties.
- As 'owner' of the bargaining unit positions on the JOHSC, the union retains the right to replace members and alternates at any time to ensure incumbents properly represent bargaining unit employees.

- The union may be represented in the workplace by:
 - duly selected JOHSC members and alternates
 - shop stewards
 - local union executive
 - the OHS Officer NSGEU; or,
 - any other officer of the union (e.g., an ERO) who is so authorized.

These expectations should serve as guidelines for JOHSC members and alternates, employees, employers, shop stewards and local executive. They and may be altered from time to time as required. For further information or for specific circumstance, the OHS Officer, NSGEU should be consulted.

For more information call the NSGEU.

What is a Labour Council?

The Canadian Labour Congress (CLC) is the National "Labour Central" at the federal level in Canada.

Federations of Labour, like the Nova Scotia Federation of Labour (NSFL), are the coordinating bodies for the labour movement at the provincial or territorial level. Labour Councils operate at the municipal or regional level.

All of these bodies - CLC, NSFL and Labour Councils bring together affiliated unions and give them opportunities to support each other and create actions that assist in reaching common objectives and interests.

CLC-chartered Labour Councils deal with matters concerning Local government, municipal councils, and local Boards and Commissions. Labour Councils provide a means of bringing together local unions in a community and enable "labour" as a body to play a role in the community. The range of activities in which the Labour Council involves itself is diverse - from providing strike support to Local unions, assisting in Local area organizing, fund raising, and supporting Local and international "causes", hosting education events, liaising with other partners/local groups and coalitions that share objectives, to implementing national or provincial campaigns from the CLC, or Federation of Labour, at the Local level.

Why should we send delegates from our Local?

The NSGEU pays the affiliation fees for all Locals. All that your Local has to do to participate, is to elect, and send delegates to, meetings. Your Local will benefit by meeting and forming support networks with other Union Locals, learning about union issues, and knowing where to go to get support if your Local is going on strike, or seeking allies for a campaign.

If you have any questions regarding the labour council in your area, (other than electing delegates and mileage paid by NSGEU) please contact the Labour Council directly. Contact information is contained on the next page.

Labour Councils have different ways of determining delegate entitlement but every local in a Labour Council area, will be entitled to at least 2 delegates and up to 6 depending on numbers in the Local and the Labour Council by-laws.

1950's



Our History

Post-war Nova Scotia; boom times. As the population grows, so does the need for public services. From health care to birth registration and driver's licenses, the Civil Service, (including health care) is growing and there is a rapid diversification of services.

Government workers have no collective agreement; no 'rules' that make work fair for all. You could be hired and fired on a whim. There was no grievance process.

On April 18 – 19, 1958, a small group of government employees come together to change this. They form the Nova Scotia Civil Service Association. The first Convention has 97 delegates who pass our first constitution and elect our first eight member executive. They knew if they stood together, they could improve their working life – and they did.

1960's



After much lobbying, in 1963 government establishes a Joint Council where negotiations are held. There are three members of this Council appointed by government, with only one appointee from us. It is far from free collective bargaining – but it is a first step. In subsequent years we were able to negotiate an arbitration process as a dispute resolution mechanism.

The 1960's are a time for growth, where the Civil Service Association begins to test the limitations of both being an Association and negotiating in a Joint Council.

1970's



By 1970, the members adopt a new constitution and vote to change our name to the Nova Scotia Government Employees Association. More public employees are joining. The first Steward training and Women's Committee are formed. The Association is becoming a Union.

In 1973, after government continues to stall negotiations and the arbitration process, our nurse members in Halifax vote to mass resign. As a result of their strong stance, they go from the lowest paid to the second highest paid nurses in the country. The gains they make set the bar for other members in health care and beyond.



From 1975 – 1982, there is spiralling inflation nationwide. The cost of living rises by 11 and 12% and government legislates 'Anti-Inflation Wage Controls' on the public sector. There are job cuts too while we hold rallies and lobby for free collective bargaining and fair wages that keep pace with inflation.

In 1977, we withdraw from participating in Joint Council and suspend negotiations with the Public Service Commission over issues of management rights, seniority, and 'right to grieve' management directives. In 1978, government passes the Civil Service Collective Bargaining Act (Bill 73). The Act lays out the collective bargaining process for the Civil Service and does not give members the right to strike. Instead, it provides for an interest arbitration process. At the same time, we join other provincial unions at the National Union of Public and General Employees (NUPGE).

1980's



Our members vote to change our name from the NSGEA to the NSGEU in 1981, reflecting the shift from an Association of employees to a Union. We become affiliated with the Canadian Labour Congress. Delegates also vote at Convention to have a full-time paid President who is dedicated to the implementation of the goals of the membership. Among other initiatives, our first Education Officer is hired, and our first Occupational Health and Safety Committee is established. Labour education is where we put much of our energy in this decade with members learning how to be workplace stewards, local leaders, and OHS representatives in their workplaces.

Negotiations during the 80s contain cost of living increases and we continue to see growth in our membership as Liquor Corporation employees, group home workers, school board workers, correctional workers, hospital workers, and others vote to join us.

In 1989, we win a landmark case in Nova Scotia against a law that forbids government employees from running for political office. Now, all members have political freedom to do so.

1990's



We have our first legal strike in the long weekend in May 1990 when our Nova Scotia Liquor Corporation (NSLC) members decide to “draw their line in the sand”. Our members stand together to fight for better working conditions for part-timers – and win.

We continue to grow through the 1990's with university staff, home care, nursing homes, APSEA, Workers' Compensation Board, Stock Transportation Ltd., Nova Scotia Community College staff, and Canadian Blood Services, among others joining our ranks.



Public Health, Nova Scotia Hearing and Speech, Addiction Services, the NS Hospital and the Victoria General Hospitals are transferred from government to Health Boards which later became Health Authorities.

The Cameron and Savage governments are privatizing, closing and cutting public services in the name of austerity. They enter into private-public partnerships to build schools and jails. They also interfere with collective bargaining to freeze and cap wage increases. Our members join with other workers to hold rallies in support of public services and against cuts and privatization. Savage gains a reputation that matches his name.



Savage's reorganization of health care and the creation of four Regional Health Boards including the QEII Health Sciences Centre results in run-off votes between the NSGEU and other unions representing health care workers. Because we can demonstrate superior collective agreements in health care and are good advocates on behalf of members, we emerge from these votes as a lead union in the health care sector in Nova Scotia. Since then, we have led the struggle for improved wages and working conditions and other unions have followed suit.

During the first decade of the 2000s, the Hamm government

announces cuts to the Civil Service and tries to legislate and impose a contract on health care members with Bill 68. Our health care and nurse bargaining units threaten mass resignation and government is forced to withdraw their legislation. In 2003, members working at Regional Residential Services Society endure the longest strike in NSGEU history - 77 days -fighting for respect for the work they do taking care of adults with intellectual disabilities. In 2004, we stop the Liberal government from taking away the right to strike from all provincial health care workers with rallies and opposition.

Our members build effective coalitions to advance public services and social justice like the Mental Health Coalition of Nova Scotia, the Post-Secondary Coalition, Nova Scotia Health Coalition and the Coalition Against Workplace Violence. It is also a time for giving back. At Conventions, delegates vote to donate annually to Feed Nova Scotia, Transition Houses of Nova Scotia, KidsHelpPhone, and more. The Human Rights Committee launches its annual Sock it to Poverty campaign, and the Women's Committee begins a new NSGEU Cancer Fund. We develop our own Bully-Free Workplaces Program to address the growing issue of mental health in the workplace.

We continue to grow and diversify. Members join from Municipal Housing Authorities, Children's Aid, group homes, Cape Breton Regional Police and Sherbrooke Village, among others. In 2008, we reach a landmark agreement with government to include Casuals working in the Civil Service in the union if they have over ten weeks of continuous employment. Over 1,300 employees now have the right to belong to our union.

Our newly certified Metropolitan Housing Authority members go on strike to secure a fair first contract. Following this, an NDP government passes first-contract legislation, helping expedite the process for achieving an agreement. This same government stabilizes the Public Service Superannuation Pension Plan, agrees to joint trusteeship for the plan, and negotiates an acute health care agreement with us without interfering in the bargaining process. Unfortunately, they also choose to privatize government IT services and hand them over to IBM which affects many of our members and increases costs for Nova Scotians.

In 2013, a majority McNeil Liberal government begins an attack on labour rights that continues to this day.

After our home care workers decide to strike for decent wages, government introduces Bill 30 making home care an essential service. After nurses vote to strike, government introduces Bill 37 which makes all community and acute health care work an essential service.

In order to carry out a health care amalgamation, government writes new legislation – Bill 1. This legislation redesigns the labour landscape to suit the employers and weaken us. It designates four bargaining units for the health care sector with one union representing members of one unit. We have members in multiple bargaining units and would lose

2000



2010





thousands of members with this plan. In the end, an arbitrator refuses to apply the legislation in an unconstitutional manner and awards each bargaining unit to the union which holds the majority of members. As a result, McNeil shifts to a new governance model - a Bargaining Council. This new multi-union Bargaining Council has given one voice to all health care workers across the province.



Next, they pass Bill 148 which mandates a wage pattern for the entire public sector and removes a previously negotiated retirement benefit from new employees and freezes it for current employees.



In 2014, McNeil cuts government programs including closing the Department of Economic and Rural Development and Tourism. He opens a new Department of Business with all positions excluded from the union. We hold rallies and launch campaigns to defend public services and labour rights. Labour unites to launch constitutional appeals of Bills 30, 37, and 148 in the courts.

In 2015, government passes Bill 100 which takes away collective bargaining rights, including the right to strike, from our members working in Universities if their employer declares a financial crisis.

The last decade has seen a growing health care crisis with staffing shortages and wait times escalating. We publish reports like 'Code Census' and 'Code Crisis' with clear solutions from our front line and we extend our hand in collaboration but government refuses to act to address the issue. Government has indicated they are moving forward with P3 builds for the HRM but have changed their mind about Cape Breton builds and they will be publicly funded.



Decades of cuts to the Civil Service are having an impact on our members working in Community Services, Child Welfare, Corrections, and Courthouses. Occupational Health and Safety are top of mind. We work with government where possible to make our members' workplace lives better, and involve the Labour Board where necessary.

In 2018 we partnered with the Civil Service Commission to open an Office of Workplace Mental Health. This Office provides mental health navigational support and is available to all members of the Civil Service Long Term Disability Plan.

We continue to grow with new members in group homes, nursing homes, home care and mental health associations, education, civil service, and with members like you. Thank you for being part of our history!!!

Canadian Labour History

Benefits of Unionization in Canada

Canada's labour movement has a long history of improving workers' everyday lives. We fought for and won many of the rights enjoyed by all workers today – minimum wages, overtime pay, workplace safety standards, maternity and parental leave, vacation pay, and protection from discrimination and harassment.

Today unions work hard every day to protect the rights we've won, and to win new rights for all workers. We are social unions, focused not just on the gains we can make in bargaining, but the gains we can make for society as a whole, like fighting to end child labour, or to win workers compensation, public pensions and social programs that help people keep working, like health care and child care.

Some highlights:

- 1872: The fight for a shorter work-week
- 1919: The Winnipeg general strike
- The birth of Unemployment Insurance
- 1945: Windsor's Ford strike
- The Rand decision – Everyone who benefits should pay
- 1956: Founding of the Canadian Labour Congress
- 1965: Public service workers win bargaining rights
- The right to safety at work
- Maternity & parental benefits

More information can be found at;

<https://canadianlabour.ca/uncategorized/why-unions-history-labour-canada/>

Common Misconceptions About Unions

- Laws already protect workers enough:
 - Only a bargained contract gives you the same "due process" rights at work you have as a citizen generally.
- Unions only protect bad workers:
 - Without a union or a contract, your employers can fire you for no reason or just a suspicion, anytime they want. A Union contract generally requires: 1. that in a layoff, you go by seniority; or 2. that the employer has to prove "just cause" to fire or discipline you. We believe that protecting seniority also protects experience and expertise. Those are good things!. "Just cause" just means the employer has to have convincing proof that a worker has done something wrong before he ruins someone's career. What's so bad about that? The truth is that bad workers are usually protected by bad or lazy management. All the Union does is make sure the employer has proof.
- You won't be able to talk to your managers about problems:
 - Even if unions wanted to stop you from talking to managers about problems (and why on earth would they?) you have the right to go to a manager with a problem without union representation. Management will often complain that unions limit their "flexibility." But think about it: in their idea of "flexibility" who is always flexing, and who is being flexed? Do they really mean "flexibility," or do they just want to be free to be arbitrary and capricious?
- Unions would lead the company into bankruptcy:
 - Unions do not ask for more in a contract than a company can afford. They know that the worst possible disservice that a union could do to its membership is to drive the company they work for out of business. In fact, during hard financial times, most unions will do everything in their power to help companies stay in business.
- The union will be like having another boss:
 - Actually, management reserves all "boss" functions (management's rights) in a contract. So you won't have to check with "the union" to go on vacation, justify being late, or any hiring or firing situations. What the union does do in these situations is to advocate for you if you feel that management's decisions are unfair. For example, if you aren't given a vacation you deserve, the union will do what it can to rectify the situation working with management. (The process by which they do this, known as the grievance procedure, is spelled out in the contract.)

- You won't be able to afford the dues:
 - NSGEU union dues are 2.5%. Union dues are fully tax deductible.
- You'll have to go on strike:
 - Strikes are actually very rare. The chances are much, much greater that you will end up with a fair contract. The only reason strikes leap to mind is that business' stress the fact that they could happen in order to scare employees, the media loves to cover them, and the labour movement glorifies them.
- Of course, the best way to avoid misconceptions and rumors is to go talk to your local members. Ensure members have accurate information and dispel rumors at every opportunity

NSGEU Decision-Making

This section explains how NSGEU is organized on a province-wide basis, giving it a structure that can effectively represent members in workplaces across Nova Scotia.

Triennial Convention

The union's highest decision-making body is the triennial convention. Voting participants are elected delegates from every local and the executive board.

The convention sets union policy and approves the union's budget. Policy resolutions and proposed constitutional amendments are submitted in advance, reviewed and prioritized by convention committees. A convention call, sent 90 days before convention to local presidents, details the procedures.

Every three years the convention elects the full-time president and 1st vice-president, 2nd vice-president, 3rd vice-president, and secretary-treasurer from among the convention delegates.

Board of Directors

Between conventions, the board of directors set policy and controls finances. The board meets about eight times a year, normally for two days at a time.

The constitution defines the board's duties as upholding and enforcing the constitution, implementing convention decisions, formulating and implementing policy, and overseeing the activities of the union's officers, staff, and subsidiary organization.

Board activities are wide-ranging, but do not include negotiations (beyond supporting elected teams), day-to-day operations, supervising staff, providing technical advice, or servicing locals.

Directors work at their normal occupation, but are released for meetings, campaigns, and other activities.

NSGEU publishes minutes of executive committee meetings on the website at www.nsg.eu.ca.

Your local should have good communications from, and to, the board of directors through your regional and occupational councillors.

Executive Committee

The executive committee is responsible for dealing with the affairs of the union between board meetings and make recommendations to the board, operating within the policies, guidelines, and terms of reference given by the board.

Staff

NSGEU depends on its member activists. This network of stewards, health and safety reps, and others do most of the union's work.

They are supported by the work of NSGEU staff. Activist and staff responsibilities interconnect and cross over, but normally staff does work that members cannot do for themselves.

NSGEU employs about 75 people. In addition to the necessary administrative and support staff in the head office and regional offices, there are many labour professionals. They are specialists in bargaining, handling grievances, communications, organizing, pensions and benefits, health & safety, and more.

You will have most contact with those who work as your local employee relations officer, who is assigned to your local. They should know your issues and work with your local executive.

Before calling your ERO, talk to your chief steward. If you can solve the problem within the local, your ERO is freed up for problems that can't be solved locally. If you need the ERO's advice, assign the chief steward to make the call and share the answer with all the stewards.

Central Labour Bodies

Central labour bodies bring different unions together to address common interests and objectives of all workers. They exist at the national, provincial and local levels, drawing strength from unions working together.

Canadian Labour Congress (CLC)

This national body was founded in 1956 when the Trades and Labour Congress and the Canadian Congress of Labour merged.

The merger brought most Canadian unions, national and international, under one umbrella.

The CLC is the national voice of labour, representing working men and women and promoting their interests in national and international forums.

Most unions in Canada are members of the CLC. It speaks with the weight of more than one-third of Canadian workers, and it often speaks for workers as a whole, whether or not they are union members.

The CLC keeps a close watch on the federal government and puts forth labour's ideas to cabinet and parliament. Its chartered provincial federations of labour and municipal labour councils similarly monitor government activities at their respective levels. This framework lets the CLC work with other progressive organizations, nationally, provincially and locally, to achieve worthwhile goals.

National Union of Public and General Employees (NUPGE)

Through NUPGE we exchange ideas, information and strike support with our counterparts in other provinces. The "National Union" was founded in 1976 to unite provincial government workers.

It is through NUPGE that NSGEU gains its membership in the CLC, and a voice in the national debate on changes affecting workers across Canada.

NUPGE, based in Ottawa, also provides valuable research on government policies and their impact on public sector workers at the provincial level.

It has components in all provinces except Quebec.

Nova Scotia Federation of Labour (NSFL)

NSGEU is affiliated to the Nova Scotia Federation of Labour, which represents and speaks for organized workers in the province. The NSFL or "fed" coordinates central union actions, and keeps a sharp eye on legislation and government budgets. It also plays a key role in NDP organizing and recruitment.

The NSFL has a small staff of researchers and campaign organizers.

Labour Councils

NSGEU encourages locals to affiliate with their local Labour Councils.

Labour councils bring together the (LC-affiliated unions in a community. Labour Council activity may include: strike support for local unions, municipal election organizing, United Way fund-raising, union education, co-op housing, and lobbying on labour issues.

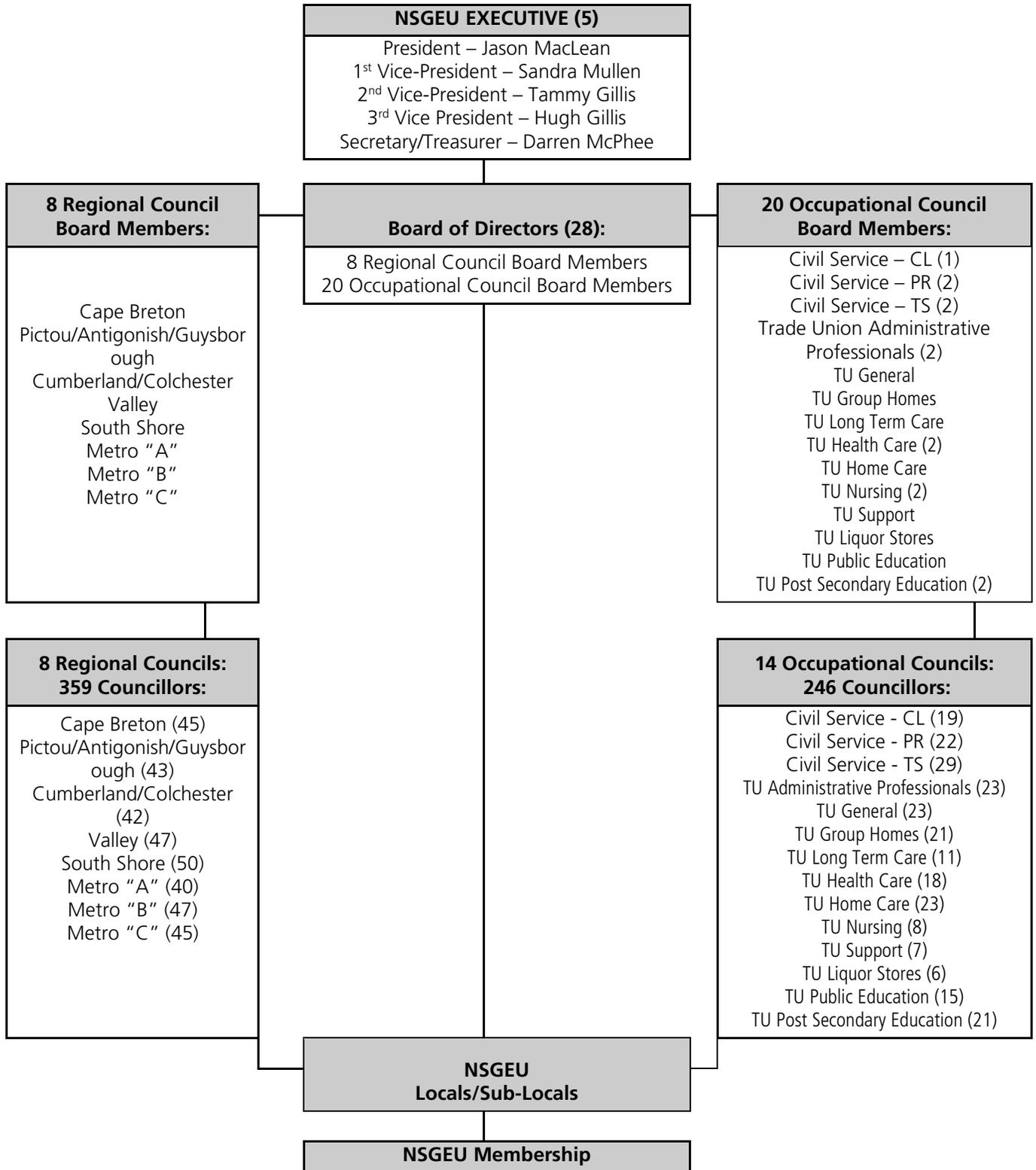
They also co-ordinate events around Labour Day, International Women's Day, Labour's annual Day of Mourning, and similar dates.

The Labour Council is a good place to learn about the labour movement and meet other unionists. Most have limited funds and no full-time staff. Unpaid elected officers and volunteers from member unions do the work. Labour Councils are financed through per capita dues paid by member locals.

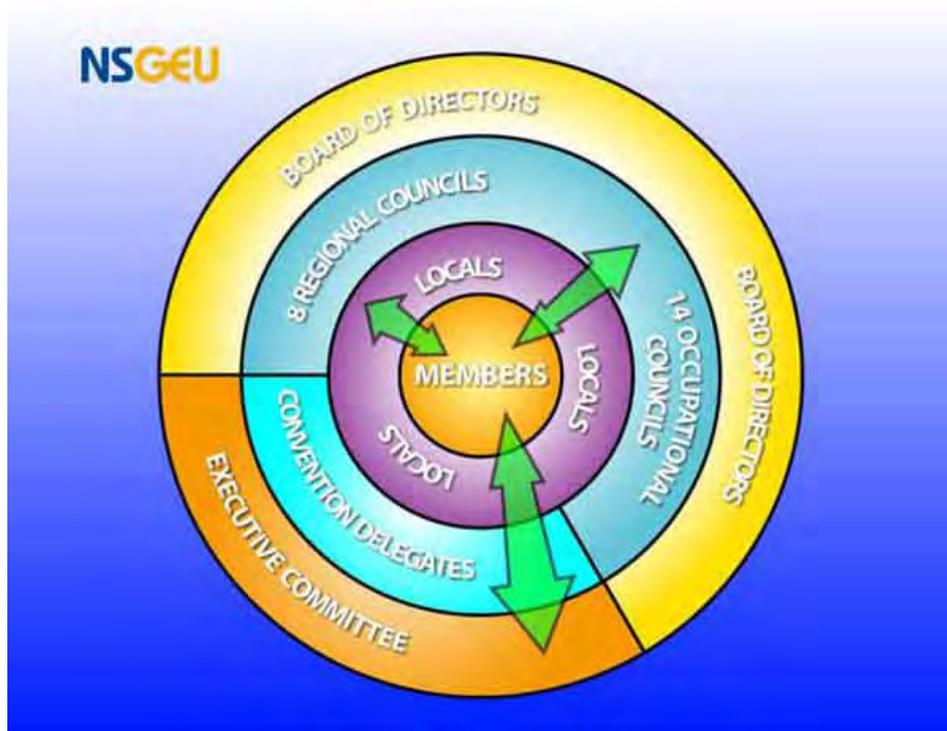
NSGEU Board Structure - Board of Directors

# of Board Seats	Position/Grouping	
5	NSGEU Executive President – Jason MacLean 1 st Vice President – Sandra Mullen 2 nd Vice President – Tammy Gillis 3 rd Vice President – Hugh Gillis Secretary/Treasurer – Darren McPhee	
8 Regional Board as follows:	Regional Board Members	Comprised from locals
1	Cape Breton Region	1, 18, 20, 23, 29, 33, 39, 45, 46, 55, 72, 75, 76, 83, 84, 98, 104, 105, 150, 161, 267D, 267M, 470D, 480C, 1670, 1995
1	Pictou/Antigonish/Guysborough	2, 14, 20, 29, 36, 37, 44, 50, 54, 60, 61, 71C, 72, 85, 88, 103, 104, 113, 131, 193, 267F, 470C, 480A, 1670
1	Cumberland/Colchester	3, 17, 20, 26, 29, 35, 44, 46, 64, 71A, 71B, 72, 75, 80B, 92, 98, 110, 193, 267C, 267N, 470C, 1670
1	Valley	4, 20, 25, 27, 29, 31, 46, 49, 51, 52, 56, 72, 73, 75, 80B, 86, 98, 111A, 111B, 130, 191, 195, 267A, 267K, 470B, 1670
1	South Shore	5, 16, 20, 25, 29, 30, 32, 40, 44, 45, 46, 57, 59A, 65, 70, 72, 74, 98, 112, 189, 190, 195, 267B, 267E, 267L, 470A, 470B, 480I, 1670, 1783
1	Metro "A"	6, 24, 43, 46, 55, 72, 75, 78A, 78B, 100, 102, 107, 119, 122, 124, 267I, 267W, 267Z, 470A, 470E, 470W
1	Metro "B"	8, 20, 28, 29, 34, 38, 41, 47, 57, 58, 59B, 62, 63, 66, 67, 87, 101, 106, 152, 480F
1	Metro "C"	7, 21, 44, 45, 48, 53, 77, 80A, 80B, 81, 82, 98, 99, 179, 423, 1246, 1670
20 Occupational Board as follows:	Occupational Board Members	
5	Civil Service – CL (1) Civil Service – TS (2) Civil Service – PR (2)	1, 2, 3, 4, 5, 6, 7, 8, 14, 16, 17, 480
2	TU Administrative Professionals	21, 29, 38, 104, 189, 190, 191, 193, 195, 423, 1246
1	TU General	23, 25, 26, 44, 46, 47, 48, 49, 50, 51, 55, 57, 60, 67, 75, 78A, 78B, 98, 103, 107, 150, 152, 161, 1783, 1995
1	TU Public Education	53, 70, 71A, 71B, 71C, 72, 73, 74, 80A, 80B
1	TU Group Homes	52, 54, 58, 59, 61, 62, 63, 64, 65, 66, 105, 110, 111A, 111B, 112, 113
1	TU Long Term Care	27, 28, 41, 56, 86, 87, 130, 131
2	TU Health Care	20, 43, 100, 102, 104, 122, 193, 195
2	TU Nursing	101, 104, 193, 195
1	TU Support	24, 119, 124, 193
1	TU Home Care	30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 76, 83, 84, 85, 106
1	TU Liquor Stores	470, 1670
2	TU Post Secondary Education	18, 45, 77, 81, 82, 88, 92, 99, 179, 267

NSGEU Reporting Structure



NSGEU Organizational Structure



NSGEU

Board of Directors (33 members)



Occupational Councils

Civil Service

Clerical

Professional

Technical & Services

Trade Union Act

Administrative Professionals

General

Public Education

Group Homes

Long Term Care

Health Care

Nursing

Support

Home Care

Liquor Stores

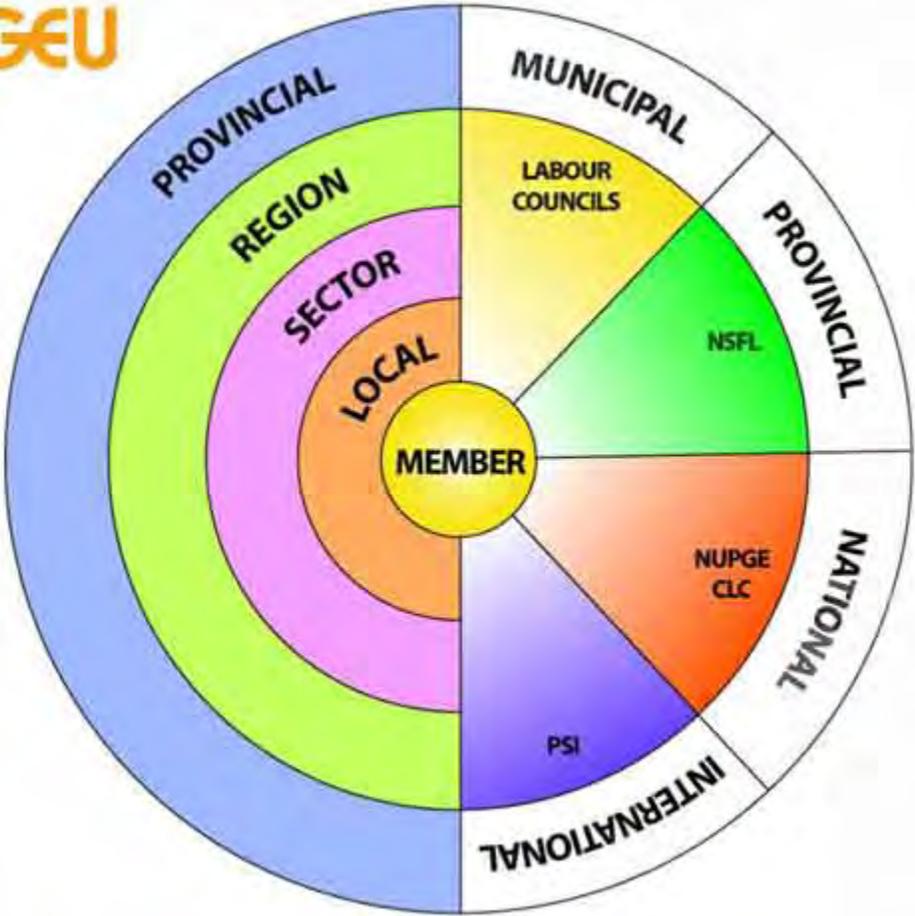
Post Secondary Education



Area	Localities
Cape Breton	1, 18, 20, 23, 29, 33, 39, 45, 46, 55, 72, 75, 76, 83, 84, 98, 104, 105, 150, 161, 267D, 267M, 470D, 480C, 1670, 1995
Valley	4, 20, 25, 27, 29, 31, 46, 49, 51, 52, 56, 72, 73, 75, 80B, 86, 98, 111A, 111B, 130, 191, 195, 267A, 267K, 470B, 1670
Cumberland - Colchester	3, 17, 20, 26, 29, 35, 44, 46, 64, 71A, 71B, 72, 75, 80B, 92, 98, 110, 193, 267C, 267N, 470C, 1670
Metro (A, B, C)	6, 24, 43, 46, 55, 72, 75, 78A, 78B, 100, 102, 107, 119, 122, 124, 267I, 267W, 267Z, 470A, 470E, 470W
South Shore	267N, 470C, 1670
Pictou, Antigonish, Guysborough	5, 16, 20, 25, 29, 30, 32, 40, 44, 45, 46, 57, 59A, 65, 70, 72, 74, 98, 112, 189, 190, 195, 267B, 267E, 267L, 470A, 470B, 480I, 1670, 1783
Metro C	7, 21, 44, 45, 48, 53, 77, 80A, 80B, 81, 82, 98, 99, 179, 423, 1246, 1670
Pictou Antigonish Guysborough	2, 14, 20, 29, 36, 37, 44, 50, 54, 60, 61, 71C, 72, 85, 88, 103, 104, 113, 131, 193, 267F, 470C, 480A, 1670
Metro B	8, 20, 28, 29, 34, 38, 41, 47, 57, 58, 59B, 62, 63, 66, 67, 87, 101, 106, 152, 480F
Metro A	6, 24, 43, 46, 55, 72, 75, 78A, 78B, 100, 102, 107, 119, 122, 124, 267I, 267W, 267Z, 470A, 470E, 470W
Cumberland Colchester	3, 17, 20, 26, 29, 35, 44, 46, 64, 71A, 71B, 72, 75, 80B, 92, 98, 110, 193, 267C, 267N, 470C, 1670
South Shore	267N, 470C, 1670

NSGEU Regions

Labour Movement



NSGEU Glossary

The glossary can be found on the NSGEU website, however, a print copy is available upon request.



Policy Manual

Page:	1	Section:	4	Policy:	4.1
Section:	Stewards	Date:	December, 1990		
Policy:	Guidelines	Revised Date:	June, 2008		

The most important aspect of being a steward is that they are an employee's link to the union. A steward is a trusted co-worker, one who is knowledgeable of the collective agreement, advises employees of their rights in the workplace, and listens and responds conscientiously.

ELECTION:

1. Stewards shall be elected to serve the Local in accordance with the NSGEU Constitution & By-Laws.
2. When elections are not possible, Stewards shall be appointed by the Chief Steward subject to ratification at the next Local meeting.
3. Elections for Stewards shall be conducted by the Chief Steward and only members to be represented by the stewards may vote.
4. The Steward may be required to represent more than one bargaining unit.

RESPONSIBILITY:

1. Stewards must be familiar with the collective agreements for which they are responsible.
2. Stewards will keep the Local Chief Steward and the Employee Relations Officer, assigned to their areas, informed about complaints, and potential areas of labour-management conflict.
3. Issues that may properly be dealt with by a Labour/Management Committee, where they exist, should be brought to the attention of the union representatives on that Committee.
4. The Steward is responsible to represent the members who elected her/him.
5. The Steward should attend all Local meetings and meetings of her/his bargaining unit called by the Local bargaining unit representative, or at least attend the required number of meetings to maintain eligibility for holding office in accordance with the Local By-Laws, where applicable.
6. At the request of the Local President, the Chief Steward shall report on his/her activities. Stewards should bear in mind the confidentiality of grievances and report only on the location of the grievance and its subject.

GENERAL GUIDELINES:

NSGEU will encourage members to deal with stewards or Chief Stewards on complaints or grievances arising out of the workplace.

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Section:	Stewards	Date:	December, 1990		
Procedure:	Guidelines	Revised Date:	June, 2008		

Where feasible, NSGEU will encourage Stewards participation in all stages of grievance and arbitration process.

Members who require information or are experiencing problems should contact their steward, or in the absence of their steward, their Chief Steward or the Labour Resource Center or the Employee Relations Officer.

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Section:	NSGEU Members Rights	Date:	November, 2021		
Policy:	NSGEU Respectful Workplace	Revised Date:			
Basic Principles					
1.1.	The NSGEU is committed to maintaining a respectful workplace, free of harassment and discrimination.				
1.2.	All employees and members of the NSGEU are entitled to a healthy and safe work environment.				
1.3.	Any conduct that jeopardizes this basic entitlement will not be tolerated.				
Application					
2.1.	This policy applies to complaints of harassment or discrimination made by a member of the NSGEU against another member, or against an employee or officer of the NSGEU, arising from participation in Union activities.				
2.2.	"Union activities" include all meetings and functions of the Union as well as all social activities and events sponsored by the Union. It includes all forms of communication, including communication through social media.				
2.3.	A claim of harassment made by an employee of the NSGEU is to be dealt with under the NSGEU staff collective agreement.				
2.4.	Nothing in this policy is intended to interfere with the right of an employee or member of the NSGEU to make a complaint to the Nova Scotia Human Rights Commission.				
Definitions					
3.1	Harassment is offensive behavior that a reasonable person would consider unwelcome. Harassment may be personal or sexual in nature.				
	a) Personal Harassment				
3.2.	Personal harassment consists of objectionable or offensive behavior that is known or ought reasonably to be known to be unwelcome. It includes comment or conduct that demeans, belittles, or causes personal humiliation or embarrassment.				
3.3.	Person harassment includes bullying, which is verbal or physical conduct that is threatening or humiliating.				
3.4.	Personal harassment includes discrimination as defined by the Nova Scotia Human Rights Act.				

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3.5. Consensual banter or behavior, disagreements over a course of action, respectful debate, and management of the performance of members or officers or employees of the Union is not personal harassment.

b) Sexual Harassment

3.6. Sexual harassment means any conduct, comment, gesture or contact of a sexual nature that:

- i. might reasonably be expected to cause offense or humiliation;
- ii. might reasonably be perceived as placing a condition of a sexual nature on employment or access to activities, supports or services within the Union.

Complaints

4.1. All complaints will be taken seriously. Complaints may be resolved through either an informal or formal process.

a) Informal Process

4.2. If possible, the informal resolution of an issue as soon as possible is preferable. Individuals who believe they have been subjected to harassment are encouraged to approach the person whose behavior is of concern, tell them their behavior is unwelcome and must stop.

4.3. If the individual does not feel comfortable approaching the person directly, or they are not satisfied with the response of the person, they may seek the assistance of the Executive Director of the Union or their designate to bring an informal resolution to the matter.

4.4. If the complaint involves the Executive Director of the Union, the individual may approach the President of the Union for help in reaching an informal resolution.

b) Formal Process

4.5. If the matter cannot be resolved informally, a complainant may file a formal complaint.

4.6. A formal complaint must be in writing and must set out the nature of the offensive behavior, the person or persons involved and the date, time and location at which the behavior is alleged to have occurred. The complaint should identify any persons who witnessed the incident.

4.7. A formal complaint is to be submitted to the Executive Director of the Union. If the complaint involves the Executive Director, it is to be submitted to the President of the Union who shall act in the place of the Executive Director in the formal process.

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4.8.	Upon receipt of a formal complaint, the Executive Director will first determine whether, if proven, the matter complained of would constitute personal or sexual harassment as defined by this policy.				
4.9.	If the Executive Director determines that the matter complained of could not, if proven, constitute personal or sexual harassment, no further action will be taken. This decision may be appealed to the President of the Union. If the complaint is against the Executive Director of the Union, a decision not to proceed with a formal complaint may be appealed to the Executive Committee of the Union.				
4.10.	If the Executive Director determines that the matter complained of may constitute personal or sexual harassment, the Executive Director will assign it to an impartial investigator, normally a member of the Management of the Union, trained in the investigation of such matters.				
4.11.	The Executive Director may determine that the nature of the complaint is such that it should be investigated by an external investigator. In that case, the Executive Director will retain a trained, external investigator to conduct the investigation and make recommendations.				
4.12.	The investigator shall meet with the complainant and any witnesses who may have relevant information about the complaint.				
4.13.	The investigator will provide the person whose behavior is the subject the complaint with a copy of the complaint. The investigator will advise that person that they have the right to be represented through the investigation and give them an opportunity to respond to the allegations.				
4.14.	The complaint and all matters related to the investigation of the complaint will be kept confidential except where disclosure is necessary to facilitate the investigation.				
4.15.	The investigator may consult external resources, including Union legal counsel, to assist in the investigation.				
4.16.	When the investigation is concluded, the investigator will report findings and recommendations to the Executive Director.				
4.17.	Any actions taken by the Union in response to an investigation may be appealed to the Executive Committee of the Union.				

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Page:	1	Section:	6	Procedure:	6.2
Section:	NSGEU Members Rights	Date:	Various		
Policy:	Scent Elimination Policy	Revised Date:	February, 2006		

Objective: Create an awareness of the impact of scented products on the health and wellness of people who suffer from environmental sensitivities and to eliminate to the fullest extent possible scents present at NSGEU functions and gatherings.

Policy: Everyone involved in a NSGEU function or gathering shall, to the greatest extent possible, refrain from wearing or using perfume, scented hairspray, cologne, after shave, scented deodorant, and other scented product(s) and avoid bringing scented items with them.

Scented products contain chemicals, which cause serious health problems for many people, especially those with asthma, allergies and environmental illness. Not applying/using scents, is a significant act of caring and respect for others - one which makes a real difference and helps in the provision of a healthy environment for all.

Implementation:

- Notify all participants prior to attending an NSGEU function or gathering.
- Maintain, to the greatest extent possible, a scent-free environment at the NSGEU office.
- Advise space and service providers to the NSGEU of this policy and work with them to achieve the policy objective.

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Page: 1 Section: 14 Policy: 14.3

Section: Communications/Public Relations Date: April, 2011

Policy: Local Websites Revised Date: October, 2014

Preamble:

In order to facilitate communications at the local level, NSGEU will provide space on its website for Local web pages.

Purpose

To ensure NSGEU is protected from liability of any Locals' use of Websites.

General Guidelines:

NSGEU only supports the use of NSGEU created and managed websites which states:

"This is the official (website, twitter feed, Facebook page) of the NSGEU. NSGEU does not authorize the use of the NSGEU name logo or image for any purpose except with the express written consent of the President or Executive Director"

All such communications must be respectful, and mindful of potential discipline and liability issues as a Local's web page may contain the following:

- Listing of Local Executive Members and their contact information
- Local news and events
- Local social functions
- Links to other NSGEU Local Web Pages, NUPGE, and other labour bodies as approved by the Executive Committee
- Other Local material consistent with this policy and the Union's Social Networking Policy

All material shall be submitted to the NSGEU, for placement on the website.

Unauthorized Sites

In any electronic communications, including but not limited to websites or facebook posts, blogs, tweets and instant messaging, members shall refrain from speaking on behalf of NSGEU, unless specifically authorized by the President or Executive Director. NSGEU does not authorize the use of its name on any such communications, unless prior permission is obtained.

With liabilities in mind; the NSGEU requires all members to add this to their websites in which they identify themselves as a NSGEU Member: "The views expressed in all posts on this website are personal views of the author and not authorized by the NSGEU."

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Section: Communications/Public Relations Date: April, 2011
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Responsibility:

Material on a Local website could be viewed by members, the Employer and the general public. As such, all content must be consistent with the Constitution and By-Laws of the Union, and with Union Policy. More particularly, content must respect the rights and privileges of members as set out in article 1-Section 9 of the Constitution. Article 9.1.3 states that every member in good standing is entitled:

To be free from discrimination, interference, restriction, coercion, harassment, intimidation or disciplinary action exercise or practice by a Member with respect to another Member, both within the union and in the workplace, by reason of age, sex, race, religion, colour, creed, ethnic, national or aboriginal origin, sexual orientation, physical or mental disability, family status, an irrational fear of contracting an illness or disease, marital status, political belief, affiliation or activity, source of income, that individual's association with another individual or class of individuals having characteristics referred to above within the affairs of the union and in their occupation in accordance with the Nova Scotia *Human Rights Act*.

Jurisdiction:

NSGEU reserves the right to edit, restrict, or refuse content should it determine, in its sole discretion that such content does not appropriately reflect the values of the NSGEU and the labour movement, constitution and By-Laws or Union Policy, and/or violates either the Social Networking Policy, or the rights of members as set out above.

Tips for Creating a Welcoming Cross-Cultural Environment

1. If offering food at your meetings, always include a options. ASK ABOUT FOOD REQUIREMENTS IN ADVANCE.
2. Clearly label the food so people can make informed choices about what they are eating.
3. If in doubt, do not assume. Ask questions in a respectful and open manner and know that most people welcome an environment where they can talk about their backgrounds.
4. Take the time to learn how to pronounce and spell your members' names accurately.
5. When people do not get involved, do not assume it is because they are not interested. Ask questions about what might interest them, or how they could see themselves getting more involved.
6. Avoid swearing and the use of aggressive language. People who are new to the Union or to their jobs may not be accustomed to this language and may feel intimidated about getting involved.
7. Be mindful when others are speaking. Allow them time to express their opinions and try to respectfully answer their questions.
8. Avoid cliques at your meetings. Build activities into your meetings that provide opportunities for everyone to get to know each other and ensure there are roles for everyone to get involved.
9. When planning a large gathering, send out a questionnaire in advance that canvasses your members' needs regarding accommodation.
10. Refrain from making negative comments or jokes about people's clothing, food, accent, way of speaking, etc. It is not intent but impact that matters.



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