

# Labor's Language: Glossary of Union Terms

Labor agreements, publications, and even officials often use terms that are almost exclusive to the labor arena. To help stewards feel more comfortable operating in this arena, "Labor's Language: A glossary of Labor's Terms" is a regular *Steward Edition* feature.

**Blocking:** A National Labor Relations Board decision not to proceed with an election in a bargaining unit where there are unresolved unfair labor practice charges.

**Boycott:** A concerted refusal to work for, purchase from, or handle the products of an employer. Where the action is directed against the employer directly involved in the labor dispute, it is termed a primary boycott. In a secondary boycott, the action is

directed against a neutral employer in an attempt to have them stop doing business with the company with which the union is having a dispute. Secondary boycotts are illegal.

**Business Agent (B.A., Business Representative):** A full-time employee of a local union whose job is to represent members in the local.

**Call-in Pay:** Compensation to workers who report for work and, for a variety of reasons, the employer decides to send back home. Examples of call in pay include: "show up pay" when a worker is called into work by error for overtime work and is sent back home; or, wages paid when the worker is required to report and there is insufficient work for a full day.

**Canvass:** A method of talking individually to every member of a bargaining unit to either convey information, gather information, or plan a united action.

**Canvass Coordinator:** A term sometimes used for the person at the "top" of a member-to-member action network. Other terms include "network coordinator" or "campaign coordinator." This person is responsible for establishing the one-on-one network, and for planning and scheduling activities of the network.

**Captive Audience Meeting:** Meetings of workers called by management and held on company time and property. Usually the purpose of these meetings is to try to persuade workers to vote against union representation.



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# UFCW 876 STEWARD EDITION

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## Stewards Encouraged to Participate in Lobby-Day Event

# UFCW Members to Descend on State Capitol

UFCW members from across the state will unite in Lansing on May 3 for a day of activities at the state capitol which will expose participants to the inner workings of the state's political system and give members experience interacting with their representatives.

In the morning, while the legislature is in session, members will spend time in the halls of the capital, listening to the proceedings and talking to their representatives indicating their presence and requesting specific action.

"I think it will be a very interesting morning for participants, it's not often you get this type of behind-the-scenes look at our political process," Roger Robinson, Local 876's president, said.

### Members/Stewards to Receive Quicker Response from Union

Calls to the Local 876 office for individual business representatives are now being transferred to the representative's cell phone, instead of their office voice mail. The local expects this change to provide members quicker contact with their representative and will enable representatives to spend more time at members' workplaces.

The UFCW has invited legislators to spend their lunch break with members at a luncheon hosted by the union.

"During lunch, members will be able to spend

some time getting to know their representatives in an informal and casual setting," Robinson said. "We are trying to help members develop personal and institutional relationships with their elected officials, as these associations are at the heart of a positive working relationship between workers and their unions, and elected officials."

Following lunch, members will break into small groups to call on their individual representatives to discuss issues on the UFCW Michigan's united political agenda. The 2007-2008 UFCW Michigan political agenda features several issues of importance to working families including: maintaining

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and strengthening Michigan's Item Pricing Law; improvements to the state's unemployment system; legislation that would increase access to health care; make health care more affordable; and strengthening workers' collective bargaining rights.

"Again, our goal is to help members become comfortable visiting their representatives at their offices and asking for support on issues," Robinson said. "Michigan is going through a tough time, and we fully expect to be calling on our elected officials to do the right thing for workers and their families as they make future decisions."

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## Community Resources Training Available

Local 876 stewards are invited to join the members of the newly-formed Community Services Committee for training designed to increase their knowledge of area health and human services agencies.

"Local 876 realizes that from time to time, members may need assistance beyond the services provided by their union," Roger Robinson, Local 876's president, said. "Which is one of the reasons we formed a Community Services Committee. The union can help members during their time of need by linking them with the appropriate community agency."

Since stewards are often faced with situations where they know of members who need assistance beyond workplace representation, they are being invited to the community resources training.

"Many of our stewards are drawn to the position out of a desire to help others," Robinson said. "By learning more about community resources, stewards can be more effective in helping members find solutions to personal problems that may or may not be impacting their performance at work. Many times, just being able to tell a member where to go for help, and encouraging them to get help can make all the difference in the world."

The session will be scheduled after the local polls interested members on the best time to conduct the training. To have your name added to the contact list, call the local's Public Relations Department.

## Membership Survey Coming in April

To help Local 876 provide all members with the best services possible, Local 876 is conducting a complete survey of the membership during 2007. In preparation for upcoming contract bargaining, Kroger members were surveyed earlier in the year. All other members, with the exception of those working at Farmer Jack, will be surveyed in late April.

To insure the survey's accuracy and confidentiality, the project is being administered by Wayne State University. The survey will be sent to members' homes in a clearly marked envelope, and stewards will be notified of the mailing date so they can remind members to be on the look out for their survey. Each survey is specially coded by the researchers, therefore replacements are not available.

"We are still a month away from mailing the survey, giving members plenty of time to verify their mailing address with the union office," Roger Robinson, Local 876's president, said. "Stewards should remind members who may have recently moved or say they never receive union mail to call the union office with their current address."

As an incentive to complete their survey, members who return their survey will be entered into a random drawing for one of 15 U.S. Savings Bonds valued up to \$1,000.

## UFCW Lobby-Day in Lansing

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In addition to being part of Local 876's efforts to strengthen and educate members in political action, Lobby-Day will be one of the first public displays of the UFCW's new united political voice in Michigan. As of January 1, UFCW Locals 876 and 951, joined forces politically and will be speaking with one united political voice, in Michigan and Washington D.C. Local 876 Political and Legislative Director, Chris Michalak, will oversee the newly united political program.

"The rocky 30-plus year history between Local 876 and 951 is no secret, but new presidents took office at both locals last year, and we decided to leave the past in the past, and try to work together for the benefit of our members," Robinson said. "Late last year, we started to team up on Wake-Up Wal-Mart events, and decided it

made a lot of sense to join forces politically as well. Together, our locals have much more political clout that we can use to make advancements for UFCW members and all workers. Lobby-Day will show Michigan legislators that they can no longer play one UFCW local against the other to the disadvantage of workers."

Lobby-Day participants will meet at the Local 876 office and take a bus to Lansing. Members will be responsible for getting the time off work and will receive \$50 from the local to cover any transportation expenses and/or lost wages. Space is limited to 20 Local 876 members and will be filled on a first come, first served basis.

For more information, or to sign-up for Lobby-Day, contact Michalak at 1-800-321-6406, extension 8644.

## Help Members Maximize their Weingarten Rights

In its National Labor Relations Board vs. J. Weingarten ruling, the U.S. Supreme Court detailed the "Weingarten" rights of union members during investigatory interviews.

"Members are relying on stewards to make sure their rights are protected under Weingarten," Roger Robinson, Local 876's president, said. "This right to representation is an important value of union membership, and stewards need to have a solid understanding of Weingarten to insure members receive the best representation possible."

### Weingarten Rules

While the Supreme Court defined union members' Weingarten rights, it did not impose a notice requirement, or make this right automatic. Employers have no obligation to inform workers of their right to union representation. Nor are they obligated to provide workers with union representation who fail to ask for it.

"Stewards need to educate members about their Weingarten rights, stressing that they are required to ask for representation," Robinson said. "Employers are not considered in violation of Weingarten if the member never asked for representation."

Under the Supreme Court's ruling when an investigatory interview occurs, the following rules apply:

**Rule 1:** The worker must make a clear request for union representation before or during the interview. Workers cannot be punished for making this request.

**Rule 2:** After the worker requests representation, the employer has three options: (1) grant the request and delay questioning until the union representative arrives and has a chance to consult

privately with the worker; (2) deny the request and end the interview immediately; or (3) give the worker the choice between ending the interview or continuing without representation.

**Rule 3:** If the employer denies the request for union representation, and continues questioning, they are committing an unfair labor practice.

### Investigatory Interviews Defined

The Court considered "investigatory interviews" as questioning by a supervisor to obtain information that could be used as a basis for discipline or asks a worker to defend his or her conduct.

Not every management-initiated discussion is an investigatory interview. For example, a manager may talk to a worker about the proper way to do a job. Even if the boss asks questions, this is not an investigatory interview because the possibility of discipline is remote. The same is true of other routine conversations.

Nevertheless, even an ordinary shop-floor discussion can change in intent if the supervisor is dissatisfied with the employee's answers. If this happens, the employee can insist on representation before the conversation continues.

In addition, meetings called to announce a warning or other discipline, do not qualify for Weingarten representation because the employer is merely announcing a decision, not questioning the worker. Such a meeting can become an investigatory interview if management asks questions to support the decision. Once this occurs, workers can demand representation.

### Stewards' Rights

Employers may incorrectly assert the steward's role during an investigatory

interview is that of an observer, or silent witness. The Supreme Court, however, clearly gave stewards the right to assist and counsel workers during the interview. Decided cases establish the following procedures:

- Upon arrival, the steward must be informed by management of the misconduct for which discipline is being considered (theft, lateness, drugs, etc.). However, the steward does not have the right to bargain over the purpose of the interview.

- Stewards must be allowed to conduct a private pre-interview conference with the member. During this time, stewards should remind members anything said can be used against them. Members should be instructed to be truthful, but keep answers as short as possible. Members cannot refuse to answer questions, but they should not volunteer additional information.

- Stewards must be allowed to speak and take notes during the interview. Notes will be important in case a grievance is filed.

- Stewards can request questions be clarified so that the worker can understand what is being asked.

- At any time during the interview, stewards have the right to request a brief recess to confer with the member.

- After a question is asked, the steward can give the member advice on how to answer.

- When the questioning ends, the steward can provide additional information to the supervisor.

If you have any questions regarding members' Weingarten rights, or your role as a union representative during Weingarten interviews, call your Local 876 representative at 1-800-321-6406.