

Article 15 and time limits



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Time limits for the grievance arbitration procedure are critical for the process to work. We should follow the timelines in the contract to ensure timely results of grievances for our members and to ensure that successful grievance processing takes place.

A problem sometimes occurs when a shop steward does not receive time to investigate a potential grievance, to talk with a member or witness, or to file a grievance. The contract is quite clear and has specific language that provides time frames to meet or process a grievance. What is the shop steward to do? Article 17, Section 3, Rights of Stewards, states:

[T]he steward shall request permission from the immediate supervisor and such request shall not be unreasonably denied.

“Don’t let repeated denials stop the process. Insist on a meeting and move the case as expeditiously as possible. Strict adherence to the timelines will protect the grievance.”

This provision gives a steward the ability to request time to investigate a grievance. One issue that has been coming up is when a steward has requested time from a supervisor and the time requested is denied. At this point, the steward needs to refer to Article 15, Section 2, Grievance Procedure—Steps, Informal Step A:

(a) Any employee who feels aggrieved must discuss the grievance with the employee’s immediate supervisor within fourteen (14) days of the date on which the employee or the Union first learned or may reasonably have been expected to have learned of its cause. This constitutes the Informal Step A filing date.

This is the beginning of the grievance procedure, and it is up to you to follow the time limits. So what does the steward need to do when the supervisor denies the request for time? The best method is to make an official request in writing and to be specific as to why you need time (i.e.,

time needed to meet with grievant John Jones concerning a letter of warning on an alleged safety violation). It is important that you put your request in writing (in duplicate) so that you have documented proof of your request. The supervisor will have to make a decision of either approval or disapproval. Be sure to maintain your copy for the grievance file.

If, in fact, denial(s) continue, you will have the supporting documentation for your local branch officers or NBA to use, which will show that you requested the time as well as the disposition made by your supervisor. Don’t get frustrated if denial(s) continue; keep giving written notice of your request and add the specifics of why you are requesting time regularly. Also, enter this fact in Item 15 of the PS Form 8190, “Issue Statement,” and Item 17, “Union Contentions,” that you made repeated attempts to meet with management concerning the grievance. Include the dates, times and the responses of the supervisor. Alternatively, you could decide to file an additional, separate grievance based on the denials. Just be patient and continue to do what is right. Don’t let repeated denials stop the process. Insist on a meeting and move the case as expeditiously as possible. Strict adherence to the timelines will protect the grievance.

There are numerous settlements that can be referenced about steward’s time, especially M-00127, M-01001 and M-01144. They can be found in the Materials Reference System (MRS), which can be downloaded from the NALC website, nalc.org.

On January 10th, we lost dearly beloved President Emeritus Vincent R. Sombrotto. He was truly an amazing man. We thank his family for sharing him with us over his long career and we appreciate the roles he played both in our union and the labor movement. It was truly a pleasure to know him and to have worked with him over the years. His accomplishments were many, but when you talked with Vince, he would always say that the membership did it. Please remember him and his family in your prayers.

