

Got a grievance?



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An old buddy of mine used to say, “If you hang around a barbershop long enough, you are going to end up getting a haircut.” It was his folksy way of saying that if you put yourself in certain circumstances, there are going to be predictable results. As letter carriers, we might say this: “If you work for the post office long enough, you are going to file a grievance.”

It may be that a grievance is filed on your behalf, or you are part of a class-action grievance filed for a group of carriers, but at some point, something is going to happen to you that violates the contract and you are going to want it corrected. Maybe you were disciplined for some

minor infraction or, worse yet, for something you didn’t do. Perhaps you were denied annual leave when there was an open slot on the leave board. Possibly you were required to work on a holiday when it should have been done by someone else. There are as many reasons for grievances as there are sentences in the contract; hang around long enough, and one of them will find you.

There are many good things about working for the post office, but employee morale usually isn’t one of them. While you may initially want to give management the benefit of the doubt and ignore what you might think are “minor” contract violations, inevitably you are going to reach a point where you’ve had enough. For some—too many, in fact—this point is reached early and often. For others, it may take years, but eventually, nearly every one of us gets there.

So, when you reach the point of wanting to file a grievance, how do you go about it? The first thing you should do is contact your steward as soon as possible and let him/her know that you want to discuss a potential grievance. It is essential to do this right away, as the contract requires that a grievance be filed within 14 days from the date you or the union first learned, or may reasonably have been expected to learn, of its cause. Contacting your steward right away will give him/her time to fully investigate the matter and, if a valid grievance exists, to prepare a solid case.

Our contract allows you and your steward reasonable time to discuss your situation on-the-clock and although this might not happen immediately, the supervisor and steward are to decide mutually when it will occur. Your steward will likely ask you many questions and will take extensive notes. You may be asked to write a statement about what happened and provide documentation to sup-

port your claim; for example, a copy of the letter of warning you received or a copy of your paystub. The sooner you do this, the better chance your grievance will have.

Your steward may ask you some tough questions or ask you about things that don’t seem related. This is normal. Although your steward is there to defend you, to do so, he/she needs to get as complete a picture as possible to avoid being surprised by something later on. For this reason, the steward also will want to interview others who may be witnesses, as well as any supervisors involved in the situation. After interviewing the others, the steward may have more questions for you. Expect this; it’s a sign he/she is doing a thorough job.

As the steward is conducting the investigation, he/she will also spend some time researching the issues involved by reviewing reference material such as the *Joint Contract Administration Manual (JCAM)*, the Materials Reference System (MRS) and relevant postal handbooks and manuals like the *M-39*, *M-41* and the *Employee and Labor Relations Manual (ELM)*. The steward also will look at prior grievance resolutions and arbitration decisions in cases similar to yours to help formulate the union’s arguments. He/she will also talk to other branch officers about the case, especially those who might handle the case at the second step of the grievance procedure if it can’t be resolved with your supervisor.

This all takes time—time that the steward often has to struggle with management to get. Being a steward is not an easy job. They spend a lot of their own time learning about the contract and how to defend it, and sometimes they end up having to do grievance work on their own time to protect the time limits. So be as patient and helpful as you can.

When the steward is ready to file, he/she will schedule a meeting with the supervisor. You may decide to bypass the steward completely and file the grievance on your own behalf; you have that right. But you should consider this carefully. You do not have the contractual right to investigate the grievance, interview witnesses, obtain relevant documents, research the issues and prepare the case all on the clock; only the steward does. Additionally, the steward has more experience handling grievances and a greater understanding of the contract than you do. So remember the wise saying, “An attorney who represents himself has a fool for a client.”

Hopefully your steward will be able to resolve your grievance with your supervisor. If not, the union can appeal it to the next step and the next. The union may even have to ask a third party to arbitrate the dispute, but eventually your case will be adjudicated. Justice on the job is something the union stands for and is part of what your union dues pay for. So don’t be hesitant to take advantage of it.