

Leveraging Union Power

Simply processing grievances in the “routine” way no longer seems to be working for many stewards.

Employers in both the private and public sectors are stalling, dragging out the meeting schedules, refusing to settle even the most obvious contract violations, trying to force unions to file for arbitrations and generally using the “Management Rights” clause of the contract as a club to whack away at rights that had long been accepted. While it may seem erratic, this behavior is well-calculated to gain leverage for management.

What is leverage? It’s the force that each side uses to make the other side yield. For a steward, leverage gets the boss to respect the union and to resolve the daily problems in the workplace.

Leverage makes the boss do what he really does not want to do: abide by the union contract. While the typical grievance plods through the steps and is eventually sent to arbitration, by using leverage you can speed up the process and save both time and money for the union.

One steward, describing the difficulties in this area, remarked: “With so many things at the arbitration stage, some are low down the priority list. We don’t want to be steamrolled on these smaller issues, we are a strong union with 99 percent membership, but our employer has very deep pockets.”

Demoralized Membership?

One crucial impact of management leverage is the demoralization of the members and the loss of confidence in the union. Every grievance that stretches out for months without resolution — especially if it’s *my* grievance! — reinforces the image of an employer too powerful for a union to confront. Nothing is more frustrating for a member than asking a steward “Where’s my grievance?” and being told “We’re waiting for a response” or, worse,

that the boss is flatly and loudly saying “NO” to every grievance.

Employers are routinely taking huge bites out of union contracts and out of conditions in the workplace, with a confidence that the union representing their workers will simply file yet another futile grievance. One steel producer, for example, started importing slabs from one of its foreign divisions, jeopardizing the jobs of hundreds of unionized workers. The local’s response: file a grievance and threaten arbitration. But the problem is, in a year or so, if the arbitration is ever heard, the damage will be long done and, in many ways, irreparable.

Stewards can fight these employer tactics in a number of ways.

First off, include the word leverage in every grievance-handling strategy session, since it’s as important as other common language like time limits,

or steps or proof. Discussing leverage in the evaluation of every grievance makes stewards and members begin to think organizationally, looking at the union contract as not just a legal document but as a reflection of a power-sharing agreement that is always changing, depending on the relative strengths of the union and the employer.

Try a “Leverage Contest”

Also, think about having “leverage” contests among the stewards to figure out how to win the game called *Move The Boss*. In some of the grievance handling classes I teach we had this discussion and came up with a nifty list of pressure tactics to encourage an employer to be more reasonable. Included in the list:

1 Work as carefully, and as slowly, as possible on key procedures like maintenance.

2 Follow every instruction carefully while taking no initiative so that every move has to be directed by a supervisor.

3 Pressure supervisors to resolve disputes at a low level, especially if higher management dislikes getting a lot of third-step grievances and seeing a lot of them can affect supervisors’ evaluations.

4 Have “education” classes for the members on the situation and on their importance in developing leverage — and also educate them on how management uses various tricks to gain leverage for its side.

5 Bring members into grievance meetings, possibly with group grievances.

6 Be particularly careful about health and safety issues and reporting them as “imminent dangers,” so that workers can legally refuse the assignment.

7 Take control of the workplace rumor mill. Usually the boss will get leverage in a situation by informally spreading horror stories of what could happen if the union doesn’t cave in. Reverse the process so management will know it could feel some pain if it doesn’t behave in a more reasonable way.

8 Demand to bargain over any changes in the workplace, rather than simply filing a grievance. Negotiations always get members involved and the added pressure can only help settle grievances.

9 Build a solid communications network among the members — using new technology if possible — so that every management move gets the membership’s full attention.

10 Publicize any threats from management against individual workers who are trying to use leverage so that all of the members and the boss understand the old union tradition: an injury to one is an injury to all.

Most important, be positive and be strong. As soon as a steward says “Well, there’s nothing we can do,” the grievance — and the union — are sunk. A steward needs to figure out what can be done to win a grievance. Don’t be afraid to think outside the box, and do everything you can to involve your co-workers.

— Bill Barry. The writer is director of labor studies at the Community College of Baltimore County.

**Leverage:
The force
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