
DO I HAVE A GRIEVANCE?

Did you know...Each Grievance is logged and kept for evaluation by the Negotiating Committee before negotiations begin for a new contract with the company. Grievances help negotiators determine which areas of the current contract need stronger or different language.

Six Grounds for a Grievance

Generally, a grievance exists if there is a violation of one or more of the following:

- **The Contract** (Agreement, Memorandum of Understanding, Letters of Agreement, or whatever documents function as an agreement in a particular plant, office or agency.)

These are often the easiest grievances to win in the early steps of the grievance procedure, especially where the violation is clear-cut, and management is not overly belligerent.

- **The Law** (Municipal, state and/or other federal laws may have been violated.)

One way to look at the law is that it provides certain minimum protections which can be enhanced through the collective bargaining process. For instance, the Fair Labor Standards Act will require paying a minimum wage (www.dol.gov), an employer cannot pay less than that amount. However, a union can certainly attempt to bargain wages that exceed this minimum. Other laws that might be violated are the National Labor Relations Act the Civil Rights Act the Equal Pay Act, laws governing unemployment and workers compensation and the Occupational Safety and Health Act. Knowing that management is in violation of the law can be an important lever in the grievance procedure.

- **Past Practice.** The violation of long-standing practice is accepted by the union and management, is legitimate grounds for a grievance. Deciding whether a past practice does in fact exist can be difficult.
- **Company Rules or Agency Regulations.** Management normally has the right to unilaterally promulgate reasonable rules that must be observed by workers as a condition of employment. The union however has the right to grieve such rules based upon their reasonableness.

Just as management has the right to initiate rules, it is expected to enforce them in an evenhanded manner, and to abide by them when dealing with those covered by the rules.

- **Management's Responsibilities.** While the management rights clause reserves many areas to management's discretion, it may be inferred that, conversely, management has certain responsibilities in the same areas.

For example, by reserving the right to determine methods and processes of production, management can be held responsible for the proper functioning of the equipment and machinery, particularly if workers are on a production rate or if their safety or health is affected by the malfunctioning equipment.

- **Just Cause/Discipline.** The overwhelming majority of contracts stipulate that "just cause" must exist for the issuance of discipline or discharge. Rarely is just cause defined in the contract, but standards have emerged that most arbitrators will accept, and the union should use when pursuing this type of grievance.
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Grievance Screening – A Rationale

The term “screening” is used to describe one of the essential jobs of the Steward - that of sifting out from all the complaints that are brought to him or her, those which are legitimate grievances or borderline cases, and discarding those that are not grievances.

This is a problem of separating the wheat from the chaff. The task is a difficult one, requiring the Steward to educate those he or she represents about the grievance procedure, and to exercise fairness, honesty, and good judgment.

Why is it so difficult? First of all, the Steward has to admit that his or her judgment is not always right. Secondly, the Steward is often in the position of having to convince the member that the screening decision is the right one. The job can be made easier, however, as the Steward gains the respect and trust of those he or she represents.

Two main problems occur in the screening process. One is the situation where grievances are not being filed on real violations and cases of

mistreatment. The members may be afraid of management, or they may not respect the union's ability to win grievances. As a result, there are not enough complaints to screen. As an enforcer of the contract, the Steward's obligation under these circumstances is to pursue grievances on behalf of the union where members are reluctant, as well as to continue to stress to the members the importance of filing legitimate grievances.

More often the Steward faces the situation where too many complaints that lack merit are being passed up through the grievance procedure. Somebody isn't doing a good job and screening out bad grievances. This may be due to internal political considerations beyond the Steward's control, or it may be due to the inability of stewards to say “no” and convince the member that his or her judgment is incorrect.

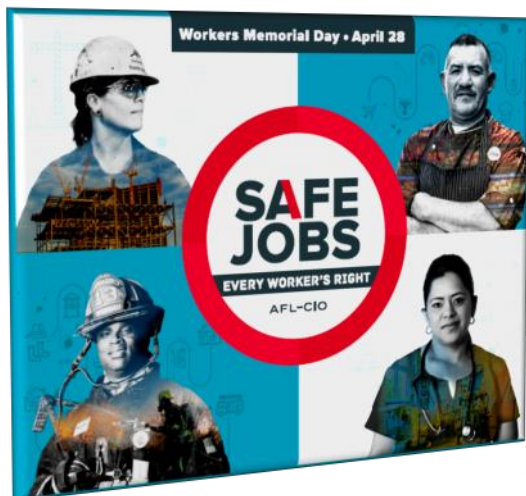
Six Grounds for a Grievance and Grievance Screening taken from the IAM's William W. Winpisinger Education & Technology Center's Leadership II, Advanced Steward Training Manual.

Local 774 and District 70 Noteworthy Events

For the latest information on events go to the calendar link on our webpage www.il774.org

- **Thursday, April 25, 2019**, 6:00 p.m. the Wichita/Hutchinson Labor Federation will host the Workers Memorial Dinner at District 70, 3830 S. Meridian, Wichita, KS 67217.
- **Friday, April 26, 2019**, 6:00 p.m. Kansas School for Effective Learning (KANSEL) Team Trivia (Also celebrating 30 years serving the community), 3130 W. Central.
- **Monday, May 27, 2019**, Memorial Day.
- **Sunday, May 12, 2019**, Mother's Day.
- **Saturday, June 1, 2019**, The 14th Annual Local Lodge 774 Spring Classic Golf Invitational.
- **Sunday, June 16, 2019**, Father's Day.
- **Monday, July 1 - 5, 2019**, Shutdown for those scheduled for 4th of July.
- **Saturday, July 27, 2019**, District 70's 7th Annual Doggie Bowl.
- **Tuesday, August 6, 2019**, District 70's National Night Out.
- **Saturday, August 17, 2019**, L.L. 774 Free Breast Cancer Screenings.
- **Monday, September 2, 2019**, Labor Day.
- **Sunday, September 22, 2019**, District 70's 8th Annual Robert Martinez Jr. Golf Invitational.
- **Local Lodge 774 Membership meetings are every third Saturday of every month. 10:00 A.M.**





The Wichita/Hutchinson Labor Federation is hosting a Workers Memorial Dinner on **Thursday, April 25, 2019 at 6:00 P.M.**

Please join us to commemorate workers who have been injured, become ill, or killed on the job. We will continue the fight for safe jobs!

THE TOLL OF NEGLECT			
The 2018 edition of the Death on the Job: The Toll of Neglect report shows how too many workers remain at serious risk of workplace injury, illness and death.			
5,190 The number of workers killed on the job in the United States in 2016.	1,848 The number of workers ages 55 or older killed on the job in 2016, which represents 36% of all worker fatalities.	991 The number of construction workers killed on the job in 2016, the most of any sector.	866 The number of worker deaths caused by workplace violence in 2016, now the second leading cause of death of workplace death.

Workers Memorial Dinner, 3830 S. Meridian, Wichita, KS 67217 - Free and open to the public.

HAPPY EASTER

From your District and Local leadership... We wish you and your families a memorable weekend!



Local Lodge News:

Local Lodge 774 Secretary-Treasurer Judy Pierce has submitted a letter of resignation to the Local E-Board to become effective May 1, 2019. Teresa Peart will be appointed as Secretary-Treasurer to fill the vacancy for the remainder of the term. Geronimo Terronez will be appointed to fill Teresa Peart's Trustee position for the remainder of the term. The Local Lodge officer terms end this year, therefore, officer nominations will take place during the September 2019 membership meeting. Elections will be held in October 2019. The newly elected officers will be seated at the January membership meeting in 2020. *(Please refer to the L.L. 774 Bylaws Article III.)*

To update your contact information for 2019, please return the completed "Member Contact Form" in person, to:
IAMAW District Lodge 70, 3830 S. Meridian, Wichita, KS 67217

IAM MEMBER CONTACT UPDATE FORM

LOCAL LODGE NO. _____ DATE: _____

NAME: _____
(FIRST) (MI) (LAST)

NEW ADDRESS: _____
(STREET) (APT)

(CITY) (STATE) (ZIP)

NEW PHONE: (_____) - _____ - _____ (PLEASE INCLUDE AREA CODE)

(PERSONAL EMAIL - NOT COMPANY)

(MEMBERS SIGNATURE)



IA **LOCAL** **LODGE** **774**

WE DESERVE



LIVING WAGES AND BENEFITS

To learn more about the benefits of being an IAM member, please ask your Shop Steward, Plant Chair or another Union Representative.

Please Help Support Mario's Food Pantry

Please bring your non-perishable food items to:
Machinists Hall, 3830 S. Meridian, Wichita, KS



AFL-CIO Community Services and United Way Partnership



Local Lodge 774 Executive Board

Brian Alexander	President
Wendy Brooks	Recording Secretary
Kurt Holtz	Vice President
Judy Pierce	Secretary/Treasurer
Eric Rourk	Trustee
Teressa Peart	Trustee
Joe Harris	Trustee
Scott Gardner	Conductor Sentinel

Contacts

District Lodge 70 Office:
316-522-1591

Local Lodge 774 Webpage:
WWW.LL774.ORG

Email: **communicator@d70iam.org**

W7/1st Shift Plant Chair
Russell Allen: 316-517-6901

W7/2nd Shift Plant Chair
Kelly Cleaton: 316-517-6455

Pawnee/1st Shift Plant Chair
Charlie Cowell: 515-4108

Pawnee/2nd Shift Plant Chair
Rick Dutcher: 515-4214

East/1st Shift Plant Chair
Robert Hunt: 515-6345

East/2nd Shift Plant Chair
Lonnie Cox: 316-252-7709

IAM Safety Co-Chair
Jan Marple: 316-517-7233

*We are the International Association of Machinists and Aerospace Workers Local Lodge 774 of District Lodge 70
Home of the "Fighting Machinists" in the Air Capital of the world.*

We represent the collective bargaining unit of Textron Aviation, Wichita, Kansas.

Visit us on   

Membership meetings are the third Saturday of each month @ 10 AM.

IT'S ABOUT OUR FUTURE!

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**CONTRACT EXPIRES
SEPTEMBER 20, 2020**

