

Steward Protections

2.8 Union Steward Protection

“The State shall be prohibited from imposing or threatening to impose reprisals, from discriminating or threatening to discriminate against Union stewards, or otherwise interfering with, restraining, or coercing Union stewards because of the exercise of any rights given by this Contract”

The Equality Rule for Stewards

When stewards are engaged in representational union activities, they are equals with management. According to the National Labor Relations Board (the NLRB governs the National Labor Relations Act and is often imitated by PERB), "The relationship at a grievance meeting is not a master-servant relationship but a relationship between company advocates on one side and union advocates on the other side."

The Equality Rule allows a steward to:

- Use shop talk language or gestures
- Challenge management's truthfulness
- Threaten legal action
- Raise the possibility of group protest

The No Reprisal Rule for Stewards

An employer may not retaliate against a steward because of the way the steward carries out her/his duties. A steward cannot be punished or threatened with punishment even if the boss considers the steward's grievances or problem-solving to be overly frequent,



petty or offensively written. Nor may management threaten a steward with adverse consequences for advancing a grievance to a higher step.

The Retaliation for Union Activity Rule

- Orders a steward to perform more difficult or unpleasant work
- Gives a steward an undeserved unfavorable evaluation
- Issues an undeserved warning to a steward for failing to meet productivity standards
- Denies a steward pay opportunities
- Segregates a steward from other employees
- Deprives a steward of overtime or other benefits
- Threatens a steward with physical harm
- Increases unwarranted supervision of a steward
- Transfers a steward to different job or shift
- Gives a steward an unwarranted poor reference

The Same Standards Rule

- An employer must apply the same standards to stewards as it does toward any other employees
- An employer cannot impose greater discipline on a steward
- An employer cannot tell a steward that she / he is expected to set an example for other workers
- The only circumstance in which a steward may be disciplined to a greater degree than another employee is when a clause in the contract imposes higher duties on them. Example: A no-strike clause

