

**NJ Merged Branch 38**

**Shop Steward  
Basic Grievance  
Tutorial**

**As a Shop Steward you have one of the most difficult jobs in the NALC. You are the front line of defense in the never ending struggle to insure contract compliance and protect your fellow Brothers and Sisters against discipline.**

**It is a stressful job at best and a downright thankless one at worst but it is a challenge you accepted and for that you are to be commended.**

**The purpose of this document is to improve your skills, tools, effectiveness and more importantly make your job easier**

# What is the first step in a discipline case?

- **Before routine discipline can be issued local management must conduct a PDI (pre-discipline investigation). If this is not done then the employee has been denied “his/her day in court”. That is a serious due process violation which will usually result in the discipline being voided.**
- **The PDI is where the Union and grievant discover what management is contemplating discipline for.**
- **Grievants must request representation at any PDI, that is known as invoking Weingarten Rights. Make sure Carriers know this right.**
- **Before entering the office for a PDI the Steward should ask supervisor what the issue is and request time to speak privately with the Carrier. At that time ask the Carrier if they know what it is about.**
- **There is no time limit on a PDI, don't permit management to set one. Steward should make detailed notes of all question & answers.**
- **The Steward must make sure that the grievant is allowed to fully respond to all accusations and not be brow beaten or mistreated by the manager.**

- **Immediately following a PDI the Steward must advise the grievant that he must begin to prepare his/her statement in the event discipline is issued.**
- **The Carrier should also be advised to obtain any documentation that may be helpful to his defense, if applicable.**
- **Advise the Carrier to not speak with anyone about the case without representation.**
- **Inform the Carrier to immediately inform the Steward if discipline is issued and to sign the letter of discipline to acknowledge and fix the date / time of issue. Signing the letter does not signify any admission or agreement.**

**The PDI is the first opportunity to resolve a dispute or avoid discipline. Both the Steward and Carrier should always conduct themselves professionally and unemotionally for the sole purpose of either avoiding discipline or getting management to see an issue the Union's way. Being argumentative or uncooperative at the outset of any dispute will only cause management to dig in their heels.**

# What happens when discipline is issued?

- The Steward gets a copy of the discipline.
- Review each and every allegation made and make a list of any documents that may help the defense of the charges.
- Request **in writing** any documents that may be needed to defend Carrier or prove a violation. Use Branch 38 form for all requests.
- Request **in writing** any investigation time needed
- Request **in writing** time to interview Carrier and / or witnesses and take statements.
- When investigation has been completed and statements obtained, request **in writing** the scheduling of the Informal A meeting. At this point the Steward should complete PS Form 8190 lines 1 thru 12b. All information is important. Leave no box blank.

All Union work related to processing a grievance should be done on the clock. Making management pay for the handling of grievances is a disincentive for them to issue frivolous actions. Making all requests **in writing** establishes what was requested, of who and when.

**If it's not in writing, it never happened!**

# What happens at the Informal A meeting?

- **The Informal A meeting is the Union's opportunity to present all of its arguments and the results of the investigation in an attempt to persuade management to either dismiss or modify the discipline. In a contract case the objective is to correct / eliminate the alleged contract violation.**
- **As with a PDI there is no set time for the Informal A meeting and the Steward is on equal footing with the management person.**
- **Both representatives have the authority to resolve the dispute.**
- **All available documentation from each side must be exchanged during the meeting. Such documentation would include DOIS and/or TAC reports; witness statements; Steward statement; 3996's; MSP Scan Reports; 3972's; etc. as applicable to the case.**
- **All original documents must be included in the case file which will be sent to the Formal A representative. Copies of the entire case file should be made for the Steward and manager.**

- **If after the case has been thoroughly discussed and there is a settlement, it must be reduced to writing, signed and dated by both parties.**
- **In the event there is no settlement then both parties need to complete Lines 13a & 13b on PS Form 8190. The 8190 becomes the cover page of the grievance file.**
- **The Union is responsible for the case file. The original case file must then be immediately forwarded to the Formal A representative.**
- **There are time limits at every stage of the process. Do not unnecessarily delay the processing of the grievance at Informal A. It could cost us the grievance.**
- **Send the case file to the Union Formal A representative. Contact the Formal A rep by phone or e-mail to advise them that the case is on the way and to discuss what transpired at Informal A.**

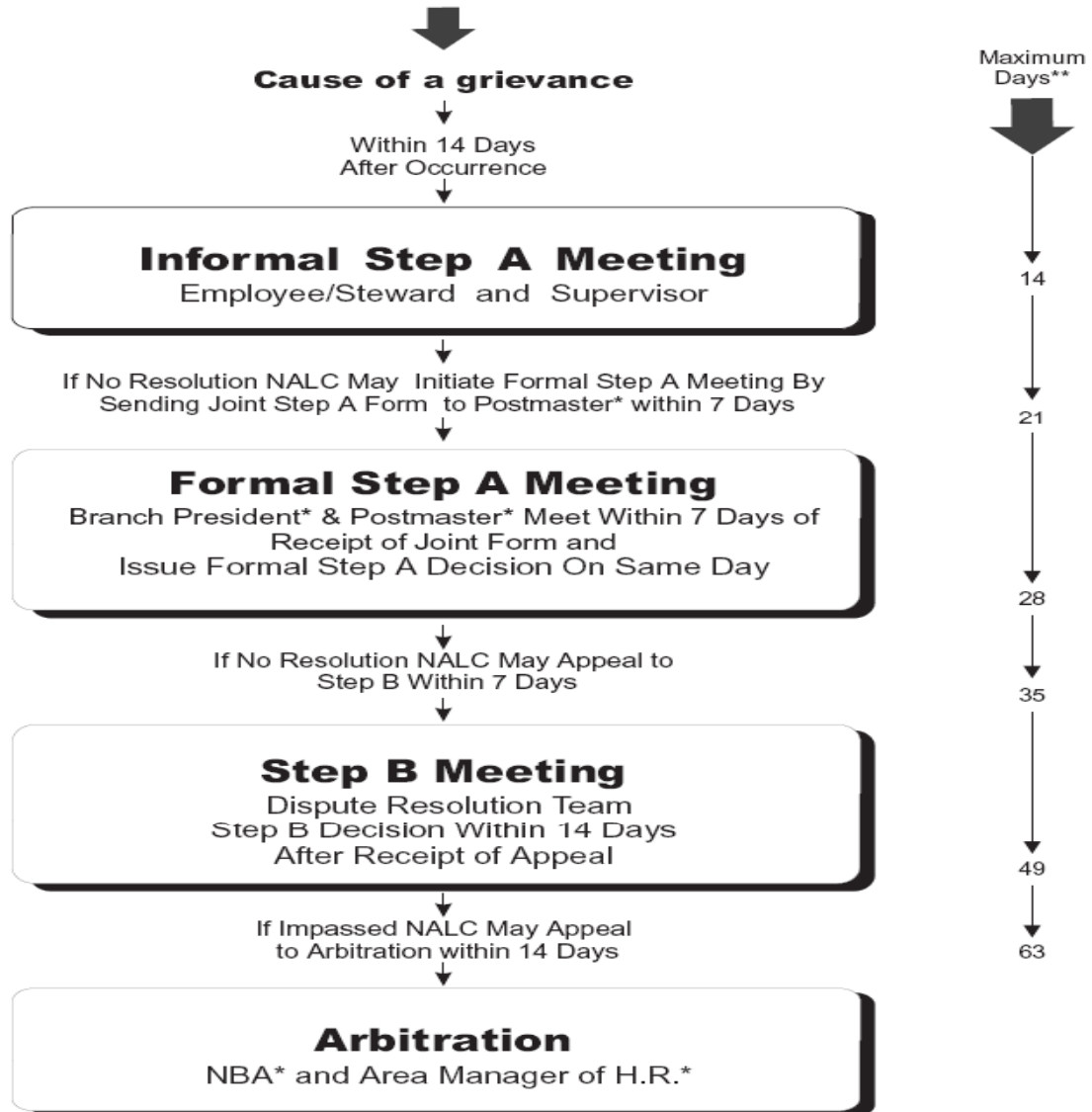
**The Shop Steward builds the foundation of every case. If the foundation is weak it will support nothing. Even if the merits of a case are strong, unless all the supporting documentation for the Unions arguments are in the case file it will be a weak case. Leave nothing out. **IMPORTANT:** ANY TIME LIMIT EXTENSION MUST BE IN WRITING.**



# GRIEVANCE PROCEDURE CHART

## ARTICLE 15

### DISPUTE RESOLUTION PROCESS



\*Or Designee

\*\*Days an appeal is in transit are variable and are not counted here.



# PS FORM 8190



## USPS-NALC Joint Step A Grievance Form

### INFORMAL STEP A — NALC Shop Steward Completes This Section

1. Grievant's Name (Last, first, middle initial)		2. Home Telephone No.	
3. Seniority Date (MM/DD/YYYY)	4. Status (Check one) <input type="checkbox"/> FT <input type="checkbox"/> FTF <input type="checkbox"/> PTR <input type="checkbox"/> PTF <input type="checkbox"/> TE		5. Grievant's SSN
6. Installation/Work Unit		7. Finance Number	
8. NALC Branch No.	9. NALC Grievance No.	10. Incident Date (MM/DD/YYYY)	11. Date Discussed with Supervisor (Filing Date)
12a. Companion MSPB Appeal? <input type="checkbox"/> Yes <input type="checkbox"/> No		12b. Companion EEO Appeal? <input type="checkbox"/> Yes <input type="checkbox"/> No	
13a. Supervisor's Printed Name and Initials (Completed by Supervisor)		13b. Steward's Printed Name and Initials (Completed by Steward)	

### FORMAL STEP A — Formal Step A Parties Complete This Section