

EDUCATIONAL PULL-OUT

Steward Notes

VOL. 6 • ISSUE 2 • SPRING 2013

UNION STEWARDS ARE THE FRONT LINE OF DEFENCE FOR UNION MEMBERS IN THE WORKPLACE. STEWARDS PLAY ONE OF THE MOST IMPORTANT ROLES IN THE LABOUR MOVEMENT.



Your steward, your choice

by Wendy Webber
Membership Services Officer

Union stewards attend meetings between union members and employers when their attendance is requested by a member. It's one of the duties stewards have. It's the member's right to have a steward present, but who that steward is is the member's choice.

The member may also choose to have their Membership Services Officer attend meetings and may do this if they do not want anyone from their worksite to know certain details of the meeting. Although a steward must keep the contents of meetings confidential,

a member may not want coworkers to know personal information.

So what happens if an employer requests you to be the union steward at a meeting?

First, you should let the employer know that the member gets to choose the steward, not the employer.

Second, you should speak privately with the member before the meeting. Let them know that the employer asked you to be in attendance as the union steward, and that it's up to them to allow you to stay or not.

Your steward, your choice

Continued

You should also contact the MSO and let them know the employer asked you to attend the meeting as the steward.

If the member is okay with you attending the meeting, in front of the member, let the employer know the member has approved your attending as a steward.

If the member is not okay having you represent them, go to the employer and advise them that the member is not satisfied with you as their steward. Ask the employer to give the member time to find a representative of their own.

meeting. However, it's unusual for an employer to refuse the member time to find their own union representative.

If the employer is still insistent the meeting go forward, the member has the option to attend the meeting alone or have you attend with them.

If the employee insists you not attend, in a private meeting advise the employer that in recent arbitrations, some forms of discipline have been overturned by arbitrators due to lack of proper union representation. Inform the employer the member does not want you to represent

Again, suggest the member be given time to find appropriate union representation. If you know who the employer participants are, note them down.

Finally, call your MSO and make them aware of the situation. The MSO may want to have a meeting or conversation with the Human Resources Department to remind them that the member/employee has the right to choose their own representation.

Although the member has the right to choose their union representation, that does not mean a member may put off a meeting if their MSO is on a six-week holiday. If the employer insists, the member should obey, and note the details of the incident in writing for later argument.

Ideally, the employer should give the employee a reasonable amount of time to find their choice of union representation. Either a union steward on site, their MSO or a cover-off MSO. Sometimes the amount of time is dictated in a collective agreement and sometimes it is just a suggestion of a "reasonable amount of time." Whatever the language, it's the member's right to choose the representative they want. The employer should not be doing it for them.

If the employee insists you not attend, in a private meeting with the employer advise the employer that in recent arbitrations, some forms of discipline have been overturned by arbitrators due to lack of proper union representation.

The employer should then postpone the meeting until the member finds a representative.

If the employer refuses to postpone the meeting, the member still has the right to decline your attendance at the

them, that the employer is proceeding even though you have advised them the member does not wish to have you as their representative, and that the member will be attending the meeting alone.

**HAVE QUESTIONS?
CONTACT YOUR
MEMBER SERVICES OFFICER
CALL 1-800-232-7284**



Have your local/chapter number and worksite location ready so your call can be directed quickly.





"I'm out of Kleenex. Am I allowed to go get more?"

Answers about illness leave

Often when an employee calls in sick for work, they think they must be in bed or lying on the couch to truly be considered ill. They also believe they cannot go outside for fear of the employer seeing them and not believing they are ill.

An employee goes on illness leave for a variety of reasons, including but not limited to:

- They have been injured at work and are on Workers Compensation.
- They have been injured outside of work and cannot fulfill their duties.
- They are having surgery and will be recovering.
- They have a medical problem and are under a health care professional's care.
- They have a minor medical problem and are off work to get well (i.e. headache, cold, minor strain).

Many members will call their Membership Services Officer or Union Steward to ask if they can go somewhere or do something while they are off on illness leave, especially if they are off for more than one day. So what are the general guidelines for activity on illness leave?

What a member can do

A member can go to the store or pharmacy when they are on illness leave. They are also allowed to leave their house to attend appointments with doctors, dentists, and other health professionals without fear of reprisals from the employer.

A member on General Illness, Short Term Disability, or Long Term Disability does not have to stay home 24/7. Their health care professional will advise them

as to what they can do to stay healthy and active with their condition. If the member is advised to swim or walk by their doctor, then they can do those things.

What a member cannot do

An employee should never call in sick from one employer and go to work for another employer for the same hours they are on illness leave. Illness leave benefits are income replacement so an employee does not lose income while they are sick. To claim illness benefits from one employer while working for another employer is grounds for discipline, and may be grounds for dismissal.

A member should not call in sick from one job, then go to a shift with another employer later that same day, even if they are feeling better. The employer may feel the employee was not really ill if they discover the situation. Even if the member was feeling better, it would be

by Wendy Webber
Membership Services Officer

are posted online. There are also times where the employer has found out about the event from discussions in the coffee or lunch room. The employer will request a meeting with the member, and discipline is possible.

What a member may be able to do

Attending seminars, conferences, meetings, and union events while on illness leave should only be on the advice of the member's health care professional. Current practices of allowing employees to return to modified duties have also created a situation where the employer can question why a member can attend union events but not work. It is important in this case for members to keep their health care professional informed and to seek their advice.



A member on General Illness, Short Term Disability, or Long Term Disability does not have to stay home 24/7.

almost impossible to prove. The situation could lead to discipline.

An employee should not call in sick, then go to a social event on the same day. Employers are monitoring social media like Facebook and Twitter, and will almost certainly find out the member attended a social event if photos

Meetings between the employer and the member are generally not recommended while the member is on illness leave. If a meeting is necessary before the member can return to work, for whatever reason, the member should contact their MSO and their health care professional for advice.

Labour Education

Upcoming courses and training

For information on any of these courses or to register please call **1-800-232-7284**

Edmonton

Introduction to Your Union
May 1
June 14

Union Steward Level 1
June 25-26

Union Steward Level 2
June 11-12

Contract Interpretation
Apr 30
June 27

OH&S Advocate Level 1
Apr 23-24
June 19-20

OH&S Advocate Level 2
May 15-16

Respect in the Workplace
May 31

Union Officer Training
Apr 9-10
June 5-6

Calgary

Introduction to Your Union
May 1
June 14

Union Steward Level 1
June 25-26

Union Steward Level 2
June 11-12

Contract Interpretation
Apr 30
June 27

OH&S Advocate Level 1
Apr 23-24
June 19-20

OH&S Advocate Level 2
May 15-16

Respect in the Workplace
May 31

Union Officer Training
Apr 9-10
June 5-6

Red Deer

Introduction to Your Union
June 6

Union Steward Level 1
June 13-14

Union Steward Level 2
May 28-29

Contract Interpretation
June 7

OH&S Advocate Level 1
May 22-23

OH&S Advocate Level 2
Apr 17-18

Respect in the Workplace
May 7

Union Officer Training
June 18-19

Steward Notes is published by the Alberta Union of Provincial Employees to provide information of technical interest to AUPE Union Stewards, worksite contacts and other members. Topics deal with training for union activists, worksite issues, disputes and arbitrations, health and safety, trends in labour law, bargaining and related material. For more information, contact the editor.

President

Guy Smith

Executive Secretary-Treasurer

Bill Dechant

Vice-Presidents

Jason Heistad

Erez Raz

Carrie-Lynn Rusznak

Glen Scott

Susan Slade

Karen Weiers

Executive Director

Ron Hodgins

Editor

Mark Wells

m.wells@aupe.org

Writers

Tyler Bedford

t.bedford@aupe.org

Wendy Webber

w.webber@aupe.org

Design

Jon Olsen

The goal of Steward Notes is to help today's AUPE union stewards do their jobs effectively. To help us, we encourage readers to submit story ideas that deserve exposure among all AUPE stewards.

Story suggestions for Steward Notes may be submitted for consideration to Communications Staff Writer Tyler Bedford by e-mail at t.bedford@aupe.org or by mail. Please include names and contact information for yourself and potential story sources.

Alberta Union of Provincial Employees

10451 - 170 Street NW

Edmonton, AB T5P 4S7

T: 1-800-232-7284

F: (780) 930-3392

info@aupe.org

www.aupe.org

