

Greetings 3937! We hope you have been enjoying April (snow aside) so far! This week we have a link to some photos from the IAM2018 rally, some words from our VP, a new Steward's Corner, and more!

Don't forget, we have a Happy Hour tonight at Acadia from 5-7pm! That's at [329 Cedar Avenue](#) Minneapolis MN, 55454 [Click here](#) for their happy hour specials!

#IAM2018

Yesterday was the 50th anniversary of the assassination of Dr. Martin Luther King Jr. Follow this link to see pictures from the I AM 2018 rally and march!

<https://www.facebook.com/AFSCME3800/photos/pcb.2013974028645207/2013972801978663/?type=3&theater>

Council 5 Phone Bank

Hello everyone!

Due to the fast paced environment at the legislature, the most pressing need for local government issues right now is around local control. Minnesota Legislators are currently hearing a bad bill that would steal paid sick days from 150,000 working Minnesotans and prevent communities like St Paul from raising wages and labor standards at the local level.

In order to stop this bad bill, we need to act quickly. We will be moving our phonebank from AFSCME Council 5 to the St Paul Regional labor Federation, and joining other labor unions to

fight this together.

WHAT: Legislative phonebank to protect local government control.

WHEN: Thursday April 12th 5:00pm to 8:30pm

WHERE: St Paul RLF ([353 west 7th street St Paul](#))

Please RSVP your attendance so that I can order enough food (and let me know if you have any dietary requirements).

From: Laura Askelin

Political Organizer, AFSCME Council 5

Laura.Askelin@afscmemn.org

651-238-5334

Stewards' Corner

(taken from Labor Notes magazine #469 April 2018 written by Robert M. Schwartz. Excerpted from The Legal Rights of Union Stewards.)

Standing up to bosses is essential to being a steward. On the shop floor and in grievance meetings, you must defend the actions of members and contest those of management.

In many cases you should be able to make your points temperately, practicing "quiet diplomacy." But occasions will undoubtedly arise when you will want to raise your voice, challenge a supervisor's credibility, or argue your case in other vigorous ways.

A widely accepted labor relations canon allows employers to discipline workers who fail to act respectfully toward management. Some legal treatises call this the "master-servant rule."

But if stewards were subject to this rule while engaging in union activity, they would face an intolerable risk: speaking up for a member could put their own jobs in jeopardy. To resolve this dilemma, labor law accords a special status to union representatives.

EQUALITY PRINCIPLE

Under the National Labor Relations Act, when stewards and officers engage in representational activity, including grievance meetings and bargaining sessions, behavior that in other circumstances would warrant discipline must be tolerated.

According to one NLRB ruling, "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, engaged as equal opposing parties in litigation."

In another decision, the Board said: "some profanity and even defiance must be tolerated during confrontations over contractual rights."

The principle of union equality, sometimes termed "steward's immunity," is also recognized by the courts. The Fifth Circuit said the NLRA protects "against discipline for impulsive and perhaps insubordinate behavior that occurs during grievance meetings for such meetings require a free and frank exchange of views..."

Arbitrators generally agree. Typical is this ruling by arbitrator Fred Witney.: "...the [steward] was not in the status of an employee when he called the division manager a fool and liar. ...the relationship was between a Company and Union representative... They stood as equals when negotiating the grievance."

The equality principle allows a representative to speak in a loud voice, gesture, use "salty" language, demean a supervisor's credibility, or threaten group protests.

When does the equality principle apply? Being a steward is not a general license to tell management to "stick it." The equality principle applies when a steward acts in a representational capacity: argues a contract matter, attempts to resolve a problem, investigates a complaint, requests information, presents a grievance, disputes a decision affecting the bargaining unit, or leads a union protest.

It does not apply when a steward acts in his or her individual capacity: objects to a work assignment, responds to criticism of her job performance, or receives notice of her own

discipline.

NLRA (National Labor Relations Act) protection has its limits.

Local 3937 will be holding a stewards' training soon. If you have any interest in being more active in your local, please let me know and you will be invited to join us when it gets scheduled. Taking the training does not mean that you will be required to do the above actions or even to file a grievance. Come see what it is about!

Mary Austin, President, afscme3937@gmail.com

VP Corner

Our Vice President Bob Francis is traveling to Chicago for the Labor Notes Conference! We wish him safe travels and look forward to pictures and a report of what he learned for next week!

Don't forget! Every Friday is a new opportunity to show your support for the union with a little bit of fun. Wear something green this Friday! Take a selfie or have a friend take a picture and post it to our [Facebook event](#), the most interesting or creative selfie will win a prize! Show us your green socks, shirts, pants, ties, lanyards, lipstick, earrings, or scarves!

Save The Date

Steward meeting

- 2nd Wednesdays: April 11th

Organizing meeting

- 3rd Wednesdays: April 18th

Membership meeting

- 4th Wednesdays: April 25th (E-board meeting at 5:15pm immediately followed by membership meeting)

All at 5:30pm in Suite 356

[312 Central Avenue SE.](#)

[Minneapolis, MN 55414](#)

Game Nights

April 26th location TBD

Know of a good location? Let us know!

Happy Hours

April 5th location (this time we would like to do somewhere on West Bank!)



[Our home page](#) has more information and resources such as steward contact information. Find the most current version of our contract [here](#).

Like us on [Facebook](#) and/or follow us on [Twitter](#), we post a variety of labor related items daily as well as breaking news that affects us.

submitted in solidarity by AFSCME Local 3937 leadership, edited by Diana Rico, Organizer