Labor Education for Women Workers

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CHAPTER 15

Grievance Handling for
Women Stewards

By Ida Torres

More than a decade ago, a department store worker wrote about her job as a shop steward:

I have the problem of being two people at the same time, a worker and a union representative. When acting as a union representative I must understand the traditions of the union, know what I am fighting for, use common sense and have an awareness of my rights and the rights of those depending on me . . . . As a steward I must think, act and talk like management's equal.¹

The steward's job is not much different today. It remains central to the local and to the union's strength on the plant floor or in the office, and critical to how the individual feels about the union as a service organization. It is still how members should be able to complain without jeopardizing their jobs, and obtain fair solutions to their problems.² It is the contract in action, the day-by-day extension of the collective bargaining process. It makes the union agreement come alive.

Most shop steward training courses deal with grievance handling from this point of view, and many good course outlines and manuals are available (several of the better ones are listed at the end of this chapter). Specific content varies, of course, depending on the needs of the union and the stewards in the class. The teacher will want to deal with the roles and duties

¹. 1966 Leadership Training Course, New York State School of Industrial and Labor Relations, Cornell University.
². See Rose Sell, Grievance Handling for Effectiveness (New York: Institute for Education and Research on Women and Work, NYSSILR, Cornell, 1974), a six-session course on grievance handling for women stewards.
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of the steward; the problems of recognizing grievances and maximizing contract provisions to deal with them; the investigative process and written grievance forms; interpersonal relations; the skills stewards need; basic information concerning labor laws (some courses include material on the three newest laws that are increasingly important for stewards, the Civil Rights Act of 1964, the Occupational Safety and Health Act of 1970, and the Pension Reform [ERISA] Act of 1974).\(^3\) and the steward's vital role in building the union.

Most manuals and course outlines are designed for male stewards. One apologizes "to the ladies" for using the pronoun "he," stating that the manual is addressed to stewards of both sexes but that most stewards are male. James Wallihan, in his manual, makes a concerted effort toward sex-neutral language.\(^4\) But neither the texts nor illustrations of most manuals have been revised or adjusted to accommodate the increasing number of union women who are becoming stewards and taking on responsibilities at every level of union administration.

Since steward training materials abound, this chapter will not take up grievance handling topics in general. What it will set forth is, first, the rationale for teaching grievance handling to women stewards; second, some cases of women's issues that have been solved through careful use of grievance procedures; and third, some suggestions on structuring grievance handling for women stewards. In view of the growing number of women in the work force and in unions today, it is hoped that labor educators will want to sensitize all stewards on issues that relate to women workers.

**Why Courses for Women Stewards?**

There are 44 million women in the work force, making up 43 percent of all workers. The Department of Labor estimates that, by the end of the century, one-half of all employed adults will be women. In the last decade, three out of every five new jobs have been filled by women. In terms of union membership, the total number of members in organized labor has been steady, but more than half of all newly enrolled unionists have been women, who now make up some 27 percent of all union and association members. This is despite the fact that only one in eight working women, little more than 6.5 million altogether, belongs to a union.

\(^3\) See James Wallihan, *Grievance Representation Manual for Stewards and Officers* (Indiana University Labor, Education, and Resource Center, 1977). This is the single best resource for teaching stewards that we have found.

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Not only are women entering unions in growing numbers, but their length of stay in the work force is approaching that of men. The average woman can expect to spend 25 years at a paying job, while the woman who is single and a family head averages the same 45 years as men. Thus her interest and stake in her job and union is long term. It is no surprise to find that women are showing increased participation in their unions. More women than ever are shop stewards. But as most women are clustered in primarily female occupations (for example, the garment industries, department and retail food stores, offices, libraries, nursery and elementary school teaching, and the service trades), programs to train stewards address women representing women, using materials designed for men.

Women have unique problems that may make new demands on the steward. They still carry dual responsibilities, at home and on the job. They have traditional fears of failing, especially if they are new entrants to the work force. Often their economic situation is shaky: they hold the lowest paid, least skilled jobs, but often they are single heads of households or are returning to work because of the pressures inflation has placed on their family. They may be new to the work world, and unused to the particular pressures of their job. They may face hostility from other workers, particularly if they take a non-traditional job. There is guilt over leaving their traditional role as nurturer and homemaker.

Because stewards may be asked to deal with problems stemming from concerns like these, it is important for them to know when to refer a member to another office or service of the union for help, or to a community organization.

Union and contract-related problems of special concern to women include maternity/paternity leave, pregnancy disability, equal pay, rights to job training and advancement, "crisis" leave to meet family needs, and other problems related to job health and safety. How one union handled some of these under its grievance procedure is discussed below.

Grievance handling for women stewards should also address the needs of those who represent both men and women on the shop floor. These stewards may have special problems of acceptance. In their study on the barriers to women's participation in labor unions, Wertheimer and Nelson found that women stewards felt supervisors did not take them as seriously as they did men in the same posts. This was especially true in predominantly female unions. Stewards' courses can structure role playing to deal with

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this, simulating experiences that give women stewards both techniques to use and a chance to practice them before trying them out in a work situation.

A course for women stewards should discuss discrimination and equal employment law, including how to work through the union to eliminate discriminatory practices and how to begin to implement the concept of equal pay for work of comparable worth. While a session on this subject is recommended for all steward training classes, it rarely is included where women are not an overwhelming majority—and then not unless students request it specifically.

Finally, a course for women stewards should build self-confidence in three ways: by providing specific knowledge of what grievance procedures are and how they work; by developing personal leadership skills for using this new knowledge effectively; and by providing practice in using these skills in the supportive environment that other women provide. In mixed-sex classes, women traditionally take a back seat, deferring to the men as more experienced (which they often are) or more knowledgeable (which they often are not). In classes for women stewards, participation is encouraged. The women share experiences and assist each other.

Ways in which grievance handling is a natural avocation for women can be pointed out. They are traditionally arbiters in disagreements among their children, or between their children and their father or grandparents. Women are practiced in the art of negotiating with shopkeepers. They bargain with family members, encouraging them to help with household tasks, for example. To save loved ones from danger, women have learned since time began how to live by rules and regulations. They teach their children to respect other people's opinions. All these are grievance handling skills.

The listening and communicating skills stewards need can be discussed and practiced. The context may be new for the women, but the skills are familiar ones turned to a new use. The steward's role in daily educating fellow workers is merely a new application of old skills.

Thus women emerge from the course stronger and more secure in their steward roles. The skills they discuss and practice will be useful if and when they decide to pursue other union leadership positions.

Settling Women's Issues through Grievance Procedures

As vice-president of the United Storeworkers, I am responsible for solving the complaints of workers in one of New York City's major department stores, where 88 percent of the members are women. I have selected seven
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examples from my experience, and suggest them as case studies for class
discussion for the instructor to develop as formal role plays. Also included
are questions designed to supplement the traditional classroom analysis of
how the grievance was handled.

Breaking the Barrier of Job Segregation

In this department store, as in most, tradition dictated that women worked
in the lower-paying departments, while men handled sales in furniture,
rugs, men's clothing, appliances, and other high-commission sections. With
the commission rates in these departments running at 5 to 6 percent, men
earned between $15,000 and $47,000 a year. Even after the passage of the
Civil Rights Act of 1964 and much consultation with management, only
one woman had been promoted into a sales department historically re­
served for men.

The union designed a two-pronged approach to this problem. First, it
put the full weight of union commitments behind the contract's anti-dis­
crimination clause, and insisted that women be promoted to these jobs.
At the same time, it designed support efforts to ensure the success of women
who did move up. Second, the union negotiated a different method of
compensation for women in traditionally female departments where work
could be comparable to that performed by men. This was inaugurated in
the better quality women's clothing departments, where merchandise is
comparable in quality and price to that sold in the high-commission men's
clothing departments.

To implement the frontal approach and move women into formerly
male departments, the union needed to: (1) Search out women willing to
accept the challenge of working next to and competing with men. Com­
mission work means "hustling." (2) Educate the men in those departments,
who were bristling on the reasons for and justice of the changes to take
place. It was essential to ensure that they would give the same initial help
to the women that they gave to the men transferred into their departments.
This included teaching them the stock, the language special to that depart­
ment, customer relations, how to establish a customer file for future ref­
erence, and so forth.

Total support from the union for the women moving into these new jobs
was a priority. They needed reassurance, encouragement, someone to talk
with when depression and panic set in. As the people closest to the member
on the job, shop stewards received special briefings on their support role.

The Search for Comparable Worth

In another case, the union negotiated a new method of paying women
who had never been involved in "aggressive selling." In their mid-forties,
most were the product of a traditional upbringing. They earned between $140 and $170 a week, plus one-half of 1 percent commission on all sales, less returns. The new method proposed a flat 6 percent commission on all sales, less returns.

To deal with worker insecurities, the union won a guarantee that participating salesclerks would receive no less than their earnings of the previous year plus the general increase that the union negotiated for all workers that year.

Next, the union had to help workers in the departments undergoing this major change to develop rules to limit competition that would increase job stress unbearably. For example, a customer might telephone for a particular saleswoman, indicating that she was ready to consummate her purchase of a $400 dress. Could the salesclerk answering the phone resist the temptation to inform the customer that the original saleswoman was not there and complete the sale herself, thereby earning the commission?

To determine the best way to establish rules of behavior, the union surveyed the salesclerks in the men's clothing and other men's departments. This provided a working guide for the women to discuss. When the company complained that the women did not have the necessary expertise for commission selling, did not know how to keep follow-up files, and would not put forth the extra-service effort that this kind of selling demanded, the union responded in two ways. It indicated that in the future the major responsibility for training should be the company's. But because this had not been provided for, the union designed a seminar in which male shop stewards experienced in such sales coached the women and gave them specific suggestions about how to function in this new situation.

The first year that saleswomen worked under the 6 percent commission arrangement, they earned from $17,000 to $28,000, at least tripling what they had earned the preceding year. The second year brought their earnings up from $20,000 to $33,000. For this local, equal pay for work of comparable worth was an idea whose time had come.

Some Questions to Discuss

What are some ways that stewards could smooth the transition—for both women and men—when women move into traditionally all-male job areas?

What are some methods that would prepare women for commission work? How would you enlist the cooperation of the men? Would it work? Why or why not? Discuss any doubts that stewards may have; out of these could come ideas for a realistic program.
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Discuss the comparable worth issue in general. How can what the Storeworkers did in this instance be applied to other industries and occupations? The training responsibility that the union assumed is a useful enlargement of the letter of the contract. Discuss other examples where the stewards in the class have seen this done.

The union developed a way to enlist the cooperation of workers in a particular section in developing a set of rules for all of them to follow. What are some other ways to achieve this goal?

Leave of Absence for Child Care

Gloria C. was a keypunch operator whose husband had been moved from the night to the day shift for a three-month period at the company where he was employed. Thus he could no longer stay with their five-year-old daughter while Gloria worked. He was not willing or able to refuse this shift change. Gloria then requested a three-month leave of absence for child care, which the company refused. Based on past practice, the union appealed the refusal, proving that leaves had been granted in the past for other, equally personal and less serious, purposes: honeymoons, trips to Europe, and the like. The leave was granted.

Some Questions to Discuss

Why is Gloria C.'s case more than a woman's issue? Discuss it in terms of protecting the principle of past practice and of extending applications of the principle to leaves for care of family members who are ill, for example, or crisis leave.

Use this case example to encourage stewards to act out different approaches and arguments for different kinds of supervisors.

Act out appeals procedures under the contract, taking this case all the way to the appeals board. What are the differences in procedures for the steward in preparing a case on appeal? What kind of necessary back-up data is needed?

Discuss some of the pressures on Gloria C. in this situation. Is there anything else that the union could or should do to assist her? How does this case relate to the issue of child care? To the union's involvement in legislative issues? To the position of candidates for office on the subject of child care, and the union's participation in political action?

The Cause behind the Symptom

When Yvonne B. was called to the personnel office for a review of her lateness record, she explained that her mother had died recently, making
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her surrogate mother to her younger brother and housekeeper for her father, who left the house early each morning to get to his job. Yvonne could not start for work before the school bus picked up her brother. Her own transportation to work was complicated, involving a bus, a commuter train, and a subway. Her home commitment plus her dependence on three modes of public transportation prevented her from guaranteeing that she could get to work on time every day. She requested transfer to a job that required a later starting time.

The personnel officer agreed that she needed such a transfer, but failed to act immediately on the request. Meanwhile, the pressure on Yvonne built up and she became nervous and short-tempered. When she continued to come in late she was placed on “warning” by the company, with a notice of this sent to the union. The union suggested she come in to the local’s office to discuss the problem, but when she came in she failed to mention any of the reasons behind her lateness, dismissing the problem as “all my fault.” When Yvonne returned to the union the following week for the name of a doctor who could treat a cold she had developed, the union representative took advantage of the occasion to talk with her further about what really was the matter. When the situation was fully understood, the union called the company to protest the warning; obtained a company agreement to an immediate job transfer as soon as Yvonne returned following her cold; and talked with Yvonne about how she could approach her father to share responsibility for the care of her brother after school, since she would now be leaving later in the morning but working later in the afternoon.

Some Questions to Discuss

Solving this kind of problem, some stewards say, is the part of their job that gives them the most satisfaction. Discuss the role of the union, over and above the letter of the contract, as protector of the worker as a person with off-the-job problems. How do these relate to workers’ ability to perform effectively?

This case underscores the need to bring problems to the steward when they first arise. How can stewards encourage members to do this?

How can stewards be more sensitive to behavior changes of the members they represent? What are some approaches to getting at the whole story when problems like Yvonne’s arise? Act out several, through spontaneous role plays. Reverse roles. Discuss.

How far does a steward’s responsibility go toward union members? When is meddling not meddling?
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An Equal Pay Issue

In the department store world, as in other occupations and industries, the problem of men and women competing for the few better-paying jobs is a real one. Heavy and semi-heavy jobs, when they open up, pay well. Men are accustomed to scrambling for them. Historically, too, the department store union has viewed these jobs as a way for minority men to advance.

Warehouse work is one of these job areas. Job titles useful in establishing higher-paying non-selling jobs were tied directly to warehousing duties. Thus stock clerks who worked in selling departments that had stock in the warehouse received a ten-dollar pay differential, that is, the warehouse rates.

Female stock clerks were excluded from this differential and these jobs; automatically they received less money. For years no one noticed this discrepancy. However, a careful examination by a collective bargaining unit revealed that four women had been moved into departments with stock in the warehouse without receiving the mandated salary increase. They had replaced men who had been receiving the higher rates. Through grievance procedures the union brought up the issue and was able to achieve the proper job classification for the four women, the proper rate of pay for the classification, and back pay for past services.

It did not end there. Upon investigation, the union verified that women could perform warehousing jobs equally with men; these had become to a large extent mechanized and involved driving high-low equipment, counting stock, or packing merchandise. The union put in a formal request that women be offered transfers from the store to the warehouse at the higher pay level when openings occurred. It took time and many meetings, but it succeeded. Not long afterward, an initial twenty women were offered—and accepted—such transfers. As a spinoff useful to the union, these women have become increasingly active members. Today one of them leads the warehouse section of the local.

Some Questions to Discuss

What is the importance to men of equal pay for women? Discuss the implications for men if the same job can pay less when women hold it.

What is the steward's role and responsibility on the first day that transfers from sales to warehouse jobs take place? Discuss or act out in spontaneous role plays what he/she might do. What could be done to prepare both women and men?

How do the classification and pay sections of the contracts that stewards
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are enforcing read? Are there any situations similar to the Storeworkers case that need investigation?

Two Mini-cases for Spontaneous Role Plays

Two shorter cases are included here as examples of situations useful for informal or spontaneous role plays. Teachers will have others that readily come to mind. These are from Indiana University’s excellent publication, Grievance Representation Manual for Stewards and Officers.

1. Over a month ago, a worker in your office decided to handle her own grievance. Now she comes to you, her steward, and tells you that the personnel manager has denied the grievance. She wants you to represent her in the grievance procedure. What difficulties are involved in this situation? How would you handle the case?

2. Your contract requires that employees be notified of shift changes at least 72 hours before they take effect. On Friday your supervisor asks you to take over Sundays for the next month, starting two days hence. You refer to the contract, and say no. The supervisor replies, “O.K., so I can’t require you to work this coming Sunday, but I’ll have to put a notation in your file about your unwillingness to cooperate.” What happens next? What should happen?

Summary

Beyond the specific issues lie the broader dimensions of the problems illustrated in each case. What are the implications for women moving into non-traditional jobs? What do their schooling and home environment prepare them for, compared to the training men receive? What kinds of pressures do women often bring with them to their jobs? What role assumptions are made about women? With each case, discussion should heighten sensitivity, particularly if male stewards are in the class as well, and should bring out (and, through role playing, try out) new approaches to the problem.

Women need information about their job rights. Too many cases still come up based on such issues as firings for pregnancy, mandating specific periods of pregnancy leave, denial of seniority for women following such leave, refusal of applications for apprenticeship programs, and sex segregation by department or category—despite laws and court decisions around each of these. Not only do many women not know their rights, many more are reluctant to do anything about violations. The special functions of the woman steward are to educate rank-and-file women on their legal and contractual rights; to develop a women’s support network in the shop or
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office; and to indicate how the union can help women move toward equality on the job.

Training programs in grievance handling should discuss why these goals are important and how they serve to build the union. For building the union is another job of the steward. As part of this role, she/he is responsible for encouraging members to participate, attend meetings, join committees, or take responsibility for some activity. The strength of the union lies in the number of volunteers who give to it the most valuable thing they have—their time.

A woman's participation often begins with a personal approach, perhaps when the steward signs her up as a new member, invites her to her first union meeting, introduces her to others. Today we are seeing a renaissance of the brotherhood and sisterhood concept on which early unions were built. And sisterhood is important. Women stewards carry it forward when they build a support network on the shop floor; in union committee work; and in all aspects of union life. For some women, often those who hold full responsibilities for their families, the support role of the union is critical. It means not only grievance assistance, but also legal and family counseling, family health and medical benefits, consumer advice, summer camp programs, and a multitude of other services. For some it becomes a surrogate family. For other women, who may be locked into dead-end jobs with little chance to realize their capabilities through their work, unions offer opportunities for growth and development, the chance to return to school and complete long-delayed educational goals, or to use their leadership talents in ways that their jobs do not permit.

Stewards' classes should discuss ways to reach out and include women in union activities. Unions need all the leadership talent they can get, and increasingly look to women members to provide it. The future for women in leadership roles in unions should be a bright one. Stewardship is a first and a vital step along the way.

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University of California, Los Angeles. New materials in preparation (well worth writing for), will include role plays based on women's grievances. Write to: Gloria Busman, Coordinator of Labor Programs, Center for Research and Education, Institute of Industrial Relations, Los Angeles, Cal., 90024.


Wallihan, James. *Grievance Representation Manual for Stewards and Officers*. Bloomington, Ind.: Labor Education and Research Center, Indiana University, 1977. Includes special section for public employees, numerous work sheets, questionnaires, and grievance forms, all attractively presented. Especially good section on analyzing grievance cases. The *Instructor's Guide* that accompanies the manual is also excellent.