

Grievance Training – August 2010
Questions and Answers

1. If a member approaches a Steward and wants to file a grievance that doesn't fall under the six (6) grounds, what should they do?

Answer: Listen to their issue and show compassion. Then explain to them that it doesn't fit the criteria for a grievance and explain the grievance criterion. Treat any personal and medical information the employee tells you as 'confidential.'

2. Where can I find the company disciplinary guidelines?

Answer: They can be found on the Company Intranet in the Human Resources folder under Operating Procedures. To locate them go to your Spirit home page, click on Business Writings on the left side of the screen. You will get another list of documents and folders; click on Operating Procedures. There will be a list of areas appear on the screen, go to the Human Resources (HR) folder and click on the + sign to expand. The HR procedures will be listed; go to OP3-179 – Disciplinary Guidelines.

3. How long does a verbal warning stay on the employee record?

Answer: Six months.

4. What is the time limit on Step 1 of the grievance process?

Answer: Grievances should be brought forward as soon as possible after the events occurred to prevent staleness, loss of evidence, and loss of recollection by witnesses. The Agreement does not state a specific time limit for initiating a grievance at Step 1. Depending upon the circumstances, however, a grievance might be denied, however, if it has grown too stale because too much time has elapsed since the underlying events. It is always better to address a problem sooner rather than later. Please remember that in cases involving layoff, or dismissal or suspension for cause, or involuntary resignation, the employee has a right to appeal the decision only if a written grievance is filed through the In-Plant Representative within seven (7) workdays of the event.

5. Is 737-800 P8A considered military for the purposes of clocking union time?

Answer: No, use normal clocking processes.

6. How come the language in the contract seems to be interpreted in more than one way?

Answer: Interpretation of language in any situation is often influenced by a person's background, education and experiences. That is why the IAM and the Company are working together to conduct training on the contract, to communicate the intent of the language.

7. Is there a drop down menu to alert Labor Relations if a Supervisor pays an employee as a result of a settlement by the First Level Manager and Steward?

Answer: No, the new process requires managers to take the proposed resolution to Labor Relations for approval and payment.

8. Can a complaint be settled between a Steward and a First Level Manager without involving Labor Relations and Union Leadership?

Answer: Yes, settling complaints before they require a written grievance is the intent of the language in the IAM contract. Note, any settlement must still be consistent with the Contract.

9. When do we report seeing another person get injured?

Answer: If you see another person get injured, and assistance is needed, contact Spirit Emergency at 526-3333. Also, notify your Manager, or the closest Manager to your area, of the situation. If emergency assistance is not required, notify the employee's Manager.

10. How do we find out if the employee is on the right shift?

Answer: Employee information is available to all Spirit employees and managers. Go to your Spirit home page, click on 'myHR' tab and go to Employee Search.

11. How do we handle a situation where an employee refuses to take a ten minute break?

Answer: Employees are given a ten minute rest period in each half of the shift to which they are assigned. Employees should be given the opportunity to take the breaks. If they choose not to do so, that is their choice.

12. Does the steward have rights to information pertaining to employee payroll, seniority and discipline records?

Answer: When an issue requires the Manager and Steward to obtain personal information, the Manager will request the pertinent information needed from the Employee Relations Office (ERO), copies will not be provided at this stage. The information will be discussed between the Manager and the Steward as part of their investigation. All personal employee information must be treated as 'confidential.'

13. Can Stewards and Managers have access to shift preference data?

Answer: This information is available to Stewards through the Local Lodge 839 and the Managers through the HR Service Center.

14. When is the contract going to be ready?

Answer: The contract is in review and will be available soon. The Company and the Union will do a joint notification to the Stewards, Managers and employees when the contract is ready.

15. What can be done to get certain clocks fixed so employees can clock in?

Answer: Anyone can turn in a trouble call at 526-2222.

16. What happens if interpretation of the contract is not what you believe, should you proceed with the complaint?

Answer: Interpretation disputes should be resolved between the IAM and Company representatives.

17. If FMLA is being abused, what is the steward's responsibility if they know about it?

Answer:

The Steward should go to the employee first to discuss the situation and then to the In-Plant Rep.

18. Do you use the same clocking numbers in CATS for both commercial and military?

Answer: At this time, the Company has no military work statement that requires the IAM represented employee to use a military clocking practices. If this changes in the future, information will be communicated to employees.

19. What should a Steward do when they need to investigate an issue and the Manager doesn't want to hear or do anything about it?

Answer: The Steward should continue with their investigation and contact the In-Plant rep to assist as needed. The In-Plant rep should get with the 2nd level Manager.

20. Does the Steward need to obtain permission from their Manager to spend time on investigating a complaint or grievance?

Answer: The Steward needs to communicate with their Manager and Team Leader, the need to spend time on a complaint or grievance.

21. What if the Manager tells the Steward they can't take the time to investigate a complaint?

Answer: The Manager may ask the Steward to wait until later to work on the complaint due to work or schedule constraints. If too much delay is occurring, please work with the In-Plant Rep so the problem may be addressed with the 2nd level manager.

22. Communication issues exist on the floor between Managers and Steward, how should the Steward handle this?

Answer: Speak with your Manager about your concerns on information you would like to have but are not getting. Provide specifics if possible. If you are not satisfied with the results, contact your In-Plant representative. The In-Plant rep will get with the 2nd level Manager as needed.

23. Is FMLA information confidential?

Answer: Information regarding FMLA certification can be communicated to the manager from the steward with the employee's authorization. But communication beyond from the steward is not to take place. The specific reasons for FMLA are confidential.

24. Can a Manager direct their employees to work outside of their medical restrictions?

Answer: Managers should not be assigning work to an employee that falls outside of their medical restrictions. If they do, the employee is responsible for informing their Manager of the violation and ensuring their restrictions are accurate and being adhered to.

25. Is the 5-day processing time in Step 2 referring to calendar days or working days?

Answer: The processing time is in working days.

26. When calculating your union time, is it over 30 min a day, or per incident?

Answer: Since our time card is daily, you should add up your time and charge total time spent each day appropriately.

27. Who fills out the complaint form?

Answer: The employee or the Steward can fill out the complaint form.

28. What if an individual employee is not being treated in accordance with the contract, but does not want to file a complaint?

Answer: The Steward should use his or her discretion. If the underlying issue involves a matter of policy, discuss the situation with the In-Plant Rep.

29. How do we improve the consistency of enforcing policies and procedures across the company? For example, some Managers let their employees line up prior to shift end, to clock out.

Answer: It is the responsibility of each of us to comply with company policies and procedures. Inconsistencies and violations result in increased cost of our product and impact our ability to be competitive in the market. These types of concerns should be elevated by the Manager to their 2nd level. MB – the employee should address their concerns with their first level and the first level manager should address the issue.

30. Can a Manager begin enforcing a company policy after sending e-mail notification? Can they after a read and sign?

Answer: A Manager always has the authority to enforce company policies.

31. Should the Manager be communicating to their Union Steward ahead of time, when an employee in their shop will be receiving a discipline memo?

Answer: In some cases, the Manager and the Steward will both be aware of the situation, before it reaches the discipline process or this may be discussed before the discipline memo is issued. There may be cases when the Manager is not able to notify the Steward in advance.

32. Is all of the Management in the company on-board with this training and 'partnering' philosophy?

Answer: All Managers will support the training and partnering philosophy. We are in the beginning stages of the education phase and it will take some time for all Managers and employees to get to the same level of understanding.

33. What if an employee does not want union representation?

Answer: The contract requires the Manager to provide union representation if asked for. Whether they do or not, is the employee's choice.

34. Is the slide, '5 points to prepare for a grievance' information on the Local Lodge website? If not, could it be put in the Stewards toolbox?

Answer: The slide containing the 5 points to prepare for a grievance will be made available on the Local Lodge website.