

A Steward's Rights

Stewards have to challenge the employer's authority when members' rights and the contract are violated. So what protection do you have when you do that?

As a steward, you are the employer's equal and deserve to be treated with

respect. You do not need the employer's permission to speak, to enter a meeting room, or to sit down. You do not have to put up with abuse or intimidation from the employer, and you should set the employer straight if this happens. That's not to say that the employer must treat you with kid gloves, or vice versa. It's usually a conflict that brings you together, and both sides have the right to present their positions energetically.

It is against the law for the employer to interfere with, restrict, discipline, or discriminate against you for performing any legitimate trade union activity. If you face any difficulties or reprisals in doing your job as a steward, contact your chief steward or staff representative immediately.

Most collective agreements protect union activity. If the employer tries to deny your rights as a steward, they are also violating the collective agreement.

Most collective agreements allow you to do steward duties on work time. Read your own collective agreement and check with your chief steward and staff rep for specifics. Typically, stewards can file grievances, attend problem-solving and grievance meetings, and accompany members to disciplinary meetings on work time. (The member or grievor is also entitled to attend these meetings on work time.) Other union work, such as investigating grievances, distributing information, or encouraging workers to take part in union campaigns, must be done on your breaks or outside of working hours.

There are some limits on a steward's behaviour. You cannot, for example, advise employees to disobey the employer's orders unless those orders are illegal or pose a threat to health and safety. You must also continue to meet your obligations as an employee, unless you are off on union leave.

Arbitrators recognize that stewards are not "career diplomats." One arbitrator wrote that stewards "may be required one day to speak harsh words to management and another day to speak harsh words about management to employees in an effort to inform or rally them. . . They must not be muzzled into quiet complacency by the threat of discipline at the hands of their employer."