

How Far Can You Go

Answer Sheet

1. No. Under the principle of equity, the steward, while acting in his or her official capacity as steward, has a right to accuse the foreman of lying – even if it turns out that he or she was wrong.
2. No, as long as it doesn't interfere with production. Shouting is a protected activity under the law.
3. No. Strong language during grievance meetings is protected.
4. No. The law provides for a short "cooling off" period immediately following a grievance meeting. Protection may be lost, however, if the steward ignores repeated orders to return to work.
5. The general rule is to "obey now, and grieve later". However, the NLRB has ruled in the steward's favor in cases where the supervisor is bent on preventing the steward from engaging in legitimate union business as long as it is permitted by contract or past practice, does not disrupt the work of others, and is not an attempt to avoid work.
6. No. In this case the steward went too far by threatening physical violence and by having the fight near other workers, interfering with their work.
7. No. The law permits employers to criticize union activities. They become illegal only when they reach the level of harassment or contain threats.
8. Yes. This is a veiled threat from the employer that implies that your union activity is incompatible with your job.
9. No. The union has the obligation to cooperate when management is conducting a legitimate investigation of misconduct. Instructing workers not to answer questions could lead to the steward being disciplined.
10. No. The rule to follow is "obey now; grieve later".
11. Yes. Union representatives have a protected right to speak up at shop meetings as long as the employer has not clearly forbidden employee comments.
12. It depends on your contract. If it requires the union to take prompt action to end all work stoppages, then the union representatives may have a special responsibility to stop the strike and may be liable for greater discipline for participating.