

Making Connections to the Workplace:
Unions as a Resource
Consumer Training Manual

GOAL:

Introduce consumers of vocational services to the employment opportunities and support offered by Unions and ways to access these supports.

LEARNING OBJECTIVES:

- § Describe Unions and the benefits they offer
- § Identify the ways Unions can help consumers in the workplace with accommodation and other support to
- § Access Unions and include union representatives in the accommodation process
- § Understand the significance of the collective bargaining agreements and their influence on accommodation and other actions of the parties

Target Audience: This training is targeted to people with mental health conditions who are actively involved in securing or retaining integrated, competitive employment.

Facilitator: The training should be facilitated by a mental health care provider who offers vocational assistance to people with mental health conditions who are seeking integrated, competitive employment. Co-facilitation with a consumer is encouraged. In preparation for the session, the facilitator should be familiar with Unions and the concept of a collective bargaining agreement, basic workplace organizational structures, the Americans with Disabilities Act, issues around disclosure and the process of accommodation. This session is intended to be integrated into existing career club or job club units.

This should be an interactive session. The facilitator should encourage participation by asking for questions and comments every few minutes. Keep the question/comment periods brief, 2-3 minutes.

Training group size: The group should not exceed 12-15 participants.

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Needed materials: Copies of training handouts for all participants and a dry erase board or flip chart. There are 5 handouts. The training video, *A People with Mental Health Conditions and Unions: A Supportive Relationship*, and related audio visual equipment.

Estimated Time: 2 sessions. The first session is approximately 60 minutes. The second session is approximately 50 to 60 minutes depending on whether or not you use the videotape.

Leader Notes: Your directions are in bold type. The material to share with training participants is in regular type and italics.

Session One (60 minutes)

Introduction (10 minutes)

Welcome participants. Introduce yourself and indicate your connection (expertise) with today=s content.

§ Introduce purpose of the session.

§ Today we are going to talk about Unions as a source of employment opportunities and support and ways to access job possibilities where there may be a Union representing the workers.

§ Leader: It is assumed everyone knows each other since this content is recommended as part of an ongoing group. If not:

§ Before we get started let=s make sure we all know one another.

§ Leader: Have participants introduce themselves.

§ As you all know, some jobs are union jobs, i.e., Unions have a contract with the employer that provides for joint agreement concerning wages, hours and working conditions. Union jobs are often good jobs. The pay is usually higher than minimum wage and there are guaranteed benefits.

§ Union jobs account for 26% of the jobs in New York City.

§ Today we are going to explore what that means and how you might be able to take advantage of a union job.

§ Do any of you have personal experiences with Unions? What about family or friends? Are there any experiences with Unions that you can remember hearing about?

§ Allow a few people to describe their experiences.

§ *When you think of Unions what words come to mind?*

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§ Leader: Words may be positive or negative. Respond to negative words with examples of positive Union work such as Unions negotiating for pay increases or better benefits for workers.

What is a Union? (10 minutes)

Most of you have some sense of Unions but let=s be sure we all understand the basics.

§ A Union is a group of employees that comes together to try and improve things like wages, hours, benefits and other working conditions.

§ The employees participate in a government supervised election. If the majority of employees vote for a Union, the government certifies the Union as the official representative of the employees. After that, usually, the Union secures a union shop agreement which requires that all other employees who come to work for that employer pay dues and can join the Union after they pass the probationary work period.

§ The Union bargains for a contract with the employer called the collective bargaining agreement.

§ The contract with the employer usually governs the requirements of each job and the amount of pay, benefits and other working conditions for workers of the employer.

§ Employers cannot change the job requirements and terms of employment without the consent of the Union.

§ This is different from non-union workers who do not have a contract and have no protection from the employer=s will.

§ There are, of course, federal and state laws which protect some rights of workers even without a Union B e.g., anti-discrimination laws like the ADA B but workers must make an individual claim in court against an employer for violation of these rights, and may have to finance legal action if the Equal Employment Opportunity Commission does not agree that the worker=s rights have been violated. This can be costly and time consuming.

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§ Grievance procedure: An important part of the union contract is the grievance procedure. Before employers can discipline or fire a worker, they must meet with the Union and present evidence to support their action. We will talk about this more later.

Unions are made up of workers who organize themselves so that, together, they can have more power and control of their circumstances than if they were not represented. There are differences among Unions, but there are also many similarities in the ways they are set up and run.

§ Unions have a national and a local office. The local office provides day to day services to members and is where you and your provider would go for information and help.

§ Each worksite has one or more shop stewards who are usually elected by union members to deal with day to day problems of members on the job. Shop stewards are union members and co-workers, they are NOT employees of the Union. They are like the eyes and ears of the Union at the workplace. All of the members know who the shop steward is and they know that they can go to him or her with a problem. Shop stewards know the worksite and the supervisor and they can relate to the issues of workers.

§ The business representative (also called the business agent or chapter chair) IS an employee of the Union who handles issues that come up for members with the employer. The business rep has a more formal role. The business rep acts as a liaison, covering many workplaces, and handling any issues that come up for members with the employer that cannot be handled successfully by the shop steward. The business agent reports to the local president.

§ The local president is elected by all the members and runs the local office and becomes involved in more complex problems between members and the employer. The local president helps negotiate contracts between the union members of the local workplaces (factories, stores, offices, other worksites) and the employers. Local presidents are also the liaison between the local office and the national office and they run the meetings where members can raise issues and vote on issues important to the workplace.

Union Jobs (5 minutes)

§ Leader: Ask participants the following question and list on board the jobs mentioned.

§ *What kinds of jobs are union jobs?*

§ **Summarize as follows:**

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§ Many job types are union jobs, both in the public sector (such as city, state or federal government jobs) and the private sector (such as construction and maintenance in buildings).

§ Most skilled trades have unionized jobs e.g., plumbing, electrical work, carpentry, doormen, etc.

§ Most civil service jobs are unionized (city, state and federal government).

§ A wide range of industries have union jobs in NYC:

§ Healthcare

§ Construction, including trades such as plumbing and electrical

§ Teachers and other workers in educational institutions

§ Some food service and food distribution, e.g., supermarkets

§ Some maintenance jobs, especially in schools and hospitals

§ Restaurant and hotel services

§ Many of these jobs have an aging workforce, so even in times of a slow economy, job openings come up through retirement, and if you are considering training, these jobs have a future.

§ The latest New York State Department of Labor statistics suggest that many of the industries expected to grow are in unionized job settings.

§ Support staff at colleges and universities

§ Hospitals and health services

§ Restaurants and hotels

So how do you know if there is a Union at an employer with whom you are interviewing?

§ Ask the employer whether there is a Union at the workplace.

§ If you know someone working there, you can ask them.

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Apprenticeship Programs (5 minutes)

§ Leader: Try to determine whether anyone knows about or has ever trained as an apprentice. Ask. After a few volunteer statements, summarize as follows:

§ Some Unions offer training through apprenticeship programs.

§ An apprenticeship is a combination of classroom learning and on the job training.

§ There are over 800 different job types that involve apprenticeships.

§ Many occupations have apprenticeships including baking, mechanic or medical assistant, handymen in buildings.

§ Most apprenticeship programs have some requirements such as:

§ An aptitude test

§ Interviews

§ High school diploma or a GED

- § Previous work experience
- § You can find out about apprenticeships from:
 - § New York State Department of Labor, Bureau of Apprenticeship Training
 - § One Stop Centers

**§ Leader: Distribute Handout 1, Apprenticeship Programs.
Is a Union Job Right for Me? (10 minutes)**

We have introduced some of the positive aspects of union jobs (i.e., protection of contract re: wages, benefits, grievance procedure and terms of employment).

- § It makes sense to think about jobs in unionized settings.

- § We are going to look at some ways to do this.

- § **Leader: Outline these steps for participants.**

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- § Begin by writing out a full work history.

- § Then, think about your past work history.

- § Were any of these jobs unionized?

- § If yes, are you still a union member? Can you return to your former job?

- § If you have stopped paying dues and are no longer a member, it may be possible to become reinstated. If you are a union member or are reinstated, you can take advantage of any job search resources the Union may offer.

- § If your past work history does not include union jobs, think about the types of jobs you have held and think about your career interest in relation to the kinds of jobs that are likely to be union jobs.

- § **Leader: Ask participants if they might be interested in a union job? An apprenticeship? Encourage a few people to explore out loud the kinds of jobs that might lead to union membership for them.**

- § **Distribute Handout 2, Work Interests - Likes and Dislikes, and Handout 3, Employment History - Thinking About Unions, and have participants complete them as homework for next session. Ask participants to think about:**

- § *How might your interests translate into jobs or training programs?*

- § *What past work experience do you have that might translate into a job in a union setting or an apprenticeship program?*

- § *What steps would you take to find out about this possibility?*

- § **Leader: Tell trainees we will start next session with these questions.**

Getting Help on the Job (10 minutes)

Let's imagine you have a union job and have become a union member.

- § *How can the Union help you on the job?*

- § Imagine you are in a job you like, a member of the Union, and your symptoms or side

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effects of medication interfere with some aspect of work, such as getting to work on time, answering telephones when the receptionist is at lunch or understanding how your supervisor prioritizes tasks. This problem makes you worried about your ability to keep your job. What steps should you take and how does

being a union member help you?

§ Leader: Distribute Handout 4, Plan to Work with the Union, and outline these steps with the participants. Ask for comments or questions intermittently.

§ Step 1: Define what is to be accomplished by contacting the Union. Be as specific as possible.

§ Step 2: Determine what information will be shared. Think about whether or not to disclose. Disclosing means sharing some specific information with certain people at the workplace about your condition that lets them know about the ways symptoms or medication side effects are getting in the way of performing your work. Without disclosure, you are not protected by the ADA and you will not be able to ask for formal changes in your job as a Aright.®

§ Leader note: If you have not previously discussed the ADA, the content of a disclosure, and how to develop a disclosure plan, let the group know when you will be getting to these topics.

§ Leader: You may have discussed disclosure at prior meetings. If yes, refer to prior discussion and review. If not, introduce disclosure using material below.

§ To whom do you, or your provider representing you, disclose at the Union?

§ Consider disclosing to your union representative. This gives you the ability to have the power of the Union on your side in any discussion about job changes you have with the employer.

§ You can disclose to the shop steward (who is on site at the job), the business representative (who works out of the local union office and has a lot of contact with the employer), or a Member Assistance Program or Union Assistance Program staff member if the Union has that resource.

§ Member Assistance Programs are a great resource that provide a variety of social services to union members. They can help the working consumer develop a successful approach to the employer when asking for changes on the job.

§ Step 3: Work with your provider to think about how your symptoms interfere with

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getting your job done. What task(s) causes you difficulty? What is the difficulty? What changes would help you? For example:

§ If you can't get to work on time because your medication makes you drowsy in the morning, could the Union help negotiate a flexible schedule?

§ If you are expected to substitute for the receptionist during her lunch hour and answering telephones is difficult because doing several things at once makes you very anxious, maybe you could change tasks with co-workers at lunch times so they could answer the telephones and you could substitute for the jobs they have to do.

§ It may help you feel less jumbled if your supervisor works with you daily to prioritize your work. Maybe a list of tasks in the order they should

be done would be useful.

§ Step 4: Determine what you will ask the Union to do.

This will vary based on several factors that may include:

- § the urgency of your need for help in keeping your job,
- § your comfort level with disclosure and asking for the support of the Union, and
- § the availability of services from the Union.

§ Step 5: Who should be involved? Who will make the contact to the Union? To whom will you disclose at the Union? At the workplace? Who else needs to be involved in the meeting? HR? Your supervisor?

§ Step 6: Determine when and how the contact will take place.

§ How will you approach the Union and the employer? Will you ask for a meeting? How will the meeting occur, i.e., what is your role, the role of your provider, do you want a coworker to be involved, etc.

The Role of Providers (5 minutes)

Providers can play an important role in building a bridge between you, the Union and the employer.

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§ Providers can help you to:

- § Identify the way your symptoms interfere with your work.
- § Consider changes to your work that allow you to better meet requirements.
- § Understand the employers point of view.
- § Connect with the union representative as part of negotiating changes.
- § Consider the job changes you are thinking about in relation to the contract between the Union and the employer.

§ **Leader: Wrap-up Session One (5 minutes)**

§ In the next session we will review any work history that you have had connected with Unions, and brainstorm about how past work history and your interests might lead to a union job, so it is important that you do your homework. Then, we are going to (*watch a video*)/(*talk about a situation*) to see how this might really play out at a workplace.

Session Two (60 Minutes if using videotape, 50 minutes without)

§ **Leader, Repeat introduction and welcome as appropriate. (15 minutes)**

Last week we talked about what a Union is, what kinds of jobs are union jobs and how a person can access help from a Union. Today we are going to review some of that information and apply it to a real life case example. This will help you have a better understanding of what Unions do and how they might be a support and employment opportunity for you in the future.

§ First, let us review your homework. **Ask:** *Who would like to start us off? Did anyone ever hold a union job?*

§ **Leader: Debrief the three questions on the handout.**

§ *How might your interests translate into jobs or training programs?*

§ Let's start by sharing the tasks, activities or skills that you like to do

best.

§ Let=s brainstorm possible occupations or job titles that use these skills or include these activities or tasks. **(List them on a dry erase board).**

§ *What past work experience do you have that might translate into a job in a union*

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setting or an apprenticeship program?

§ What jobs have you held in the past

§ What industries or trades were past jobs

§ *What steps would you take to find out about this possibility?*

§ Department of Labor Bureau of Apprenticeship Training

§ Talk to someone in a Union

§ Get a job in a unionized workplace

§ **Leader: Then determine who, based on their likes and dislikes, might be a candidate for an apprenticeship or might access a job likely to be covered by a Union contract. If you are not aware of which industries tend to be unionized in NYC, you can check the website,**

http://www.labor.state.ny.us/working_ny/apprenticeship_training/apprenticeship_training.html, to see a list of approved occupations for apprenticeships or you can go the website for the New York City Central Labor Council, www.nycclc.org, the local voice of the AFL-CIO and look at the Unions which make up their membership (go to Alocal unions@ on menu).

§ **Leader, if you have access to the video, APeople with Mental Health Conditions and Unions: A Supportive Relationship,@ utilize the video and Video Debrief Questions Handout. If you do not have access to the video, refer to Joe=s Situation and the questions that accompany it on Handout 5. You should choose one or the other.**

Getting Help on the Job (30 minutes if using video, 20 minutes without video)

§ **Leader, if available, show the video, APeople with Mental Health Conditions and Unions: A Supportive Relationship,@ to the group. It runs about 15 minutes. If the video is not available, go to Handout 5 and do Joe=s Situation and debrief.**

§ **After the video, debrief by first asking for general impressions or questions.**

§ **Then, ask the group:**

§ *When did Bill realize that he was having problems at work?*

§ His supervisor asked to speak with him. His supervisor told him that he should find another job because he was not performing well.

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§ *Did Bill see a change in his work?*

§ No, Bill had not noticed a change in his work. He did notice that his co-workers were avoiding him and giving him strange looks.

§ *How did the Union get involved?*

§ Advocacy

§ Jerome, Bill=s shop steward, knew Bill was a hard worker so he worked with Bill=s supervisor to buy some time.

§ Jerome called Deena and she met with the family. This was important because the family was relying on Bill=s paycheck and was slow to admit there was a problem and that Bill needed treatment.

§ Job protection

§ The Union negotiated a leave for Bill and an agreement to protect his right to return to work.

§ Treatment coordination

§ The Union arranged for Bill to have time off from work to get treatment.

§ It helped to set up appropriate treatment through his healthcare plan so he could be stable again.

§ Disclosure planning

§ First, Bill disclosed to his shop steward and Deena, the social worker responsible for helping workers with problems that interfere with job performance.

§ Then he disclosed to his supervisor and his co-workers. Jerome, the shop steward, with Bill=s consent, told his co-workers that Bill was taking medication to control his condition so that he would not act in the way that had frightened them previously and that Bill would be able to perform his job as he had done it in the past.

§ Negotiation of accommodation and ongoing support

§ Bill, his mental health provider, Jerome, Deena and Bill=s supervisor all

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met to figure out what would help Bill stay stable in the future. Since his job had very little supervision, they arranged for two daily check-ins. This served the dual purpose of staying in communication with Bill AND putting the supervisor at ease with Bill=s return to work.

§ Bill signed a release so his family and the social worker could be notified if there was a problem at work.

§ Leader: Ask group for their opinions and comments.

§ What do you think of this situation?

§ Could you see yourself in Bill=s shoes? Have you ever quit a job in that kind of situation because you saw no way out?

§ What might it be like to have a Union advocating for you?

§ Do you think that they came up with good strategies to help Bill?

§ Leader, ask participants to review Handout 4, Plan to Work with the Union.

§ Bill, his provider and his union rep went through all of these steps to get him the help that he needed to stay on the job.

Joe=s Situation

(Do this exercise if you do NOT have access to the video, it will take 15-20 minutes)

§ **Leader, Read Joe=s Situation (Handout 5) out loud.**

§ I am going to give you a copy of Joe=s Situation and some questions that accompany it. We are going to break into groups. Each group should have a scribe, a person to take notes. We are going to go through Step One of the process of getting help from the Union with Joe.

§ **Leader: Distribute Handout 5, Joe=s Situation.**

§ To get started, you will want to think about what Joe=s symptoms are. Write down Joe=s symptoms. Then think about some specific ways Joe could ask for help from the workplace. After 10 minutes, we will come back together and talk about the answers.

§ **Leader, break group into groups of 3 or 4. After 10 minutes lead a debrief. Use a flip chart to list Joe=s symptoms. Then ask the group to share the ideas they came up with regarding how his symptoms might interfere with**

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his job and what changes might help him. Make sure the following information is included:

§ Joe=s symptoms are that he has trouble concentrating in the morning and he gets confused (i.e., doesn=t know how to order tasks).

§ His symptoms interfere with his job because he has difficulty concentrating in the morning and the confusion that ensues makes it hard to prioritize work. He could get behind in his work, do things in the wrong order, etc. It is also causing problems with his co-workers because they are misinterpreting his behavior.

§ What changes might help Joe? Maybe he could change shifts. Perhaps his supervisor could give him a task list that lists IN ORDER the tasks he is supposed to do before noon so he can check them off. He could be partnered with another worker to check-in around tasks. He could disclose to his co-workers so they do not misunderstand him.

§ **Leader: Move to next section by introducing the idea that along with the provider, the union representative can be extremely helpful in advocating and negotiating at the workplace. Ask:**

§ *How do you think the Union can help?*

§ **After 5 minutes during which you should list responses on board, summarize.**

§ Involving the Union is a good idea because:

§ The Union wants to protect members and keep them on the job.

§ Union representatives:

§ Are experienced negotiators and have a good understanding of employer needs.

§ Know the supervisor and have a sense of how that supervisor might respond to the changes and suggestions you want to bring up.

§ Know other members of the workgroup and can help explain

what is going on so that co-workers are more willing and able to be helpful.

§ Are a source of information about how to approach the supervisor or human resources people at the employer with job change requests.

§ Most Unions do not have a formal policy on how to handle job change

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requests but work on a case by case basis with individuals, so you must ask for the services that you need.

§ **Leader: Ask group,** *Aso how might having the Union involved help Joe in the situation that we just read?* @ **Prompt group:**

§ The union rep knows the workgroup and may be able to help them understand Joe=s situation (if Joe wants to disclose).

§ Union rep knows the supervisor and can help Joe decide how to approach the supervisor.

§ **Leader: Ask group for their opinions and comments.**

§ *What do you think of this situation?*

§ *Could you see yourself in Joe=s shoes? Have you ever quit a job in that kind of situation because you saw no way out?*

§ *What might it be like to have a Union advocating for you?*

§ *Do you think that you came up with good strategies to help Joe?*

Other Issues (10 minutes)

1) The Kinds of Job Changes You Can Request

In a Union Shop there may be some limitations on the kinds of job changes that you can request, and it is important that you understand these limitations before approaching the employer.

§ The contract between the employer and the Union sets out some specific requirements that are difficult to change because they have been agreed to by both the employer and the Union. The job changes you request should not involve these specifics unless necessary. For example:

§ Move to a different job type. Moving to a different job if you do not have seniority is a difficult change for the Union to make. Seniority means the number of years on the job with that employer. Many jobs (promotions) are based on seniority rights. If you ask for a specific job, you need to have the seniority eligibility the job requires.

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§ Change in job requirements from full to part-time. In the contract it may be specified that maintenance jobs are full-time.

2) The Grievance Procedure

Unions have a system to work out disagreements and problems between the employer and a union member that is fair and saves union members their jobs whenever possible. This system is known as the grievance procedure.

§ A grievance begins after the Union, usually represented by the shop steward, and employer, usually represented by the employee=s supervisor, have tried to work out a problem but have failed.

§ A grievance allows for a disagreement to go before persons with greater authority, usually the business rep and HR. A third level may involve the local president and the director of HR. Ultimately unsolved grievances are referred to a neutral third party called an arbitrator, a judge type person, not working for either the Union or the employer, who listens to both sides of the story and then makes a decision that both the union and the employer must follow.

§ The grievance procedure is available to the Union if negotiations for a job change fail.

§ Non-union workers do not have a guarantee to a grievance procedure. If an employer treats a non-union worker unfairly, in most situations, workers have no protection.

3) Termination or Job Jeopardy, the Union=s Role in Job Protection

You may wonder what you should do if you have been terminated, but think that with some changes in the way your job is done you could sustain work.

§ It is usually too late to involve the Union once you have been terminated, so try to involve the Union as early as possible in your situation. Nonetheless, if you feel you have been terminated unfairly, the Union might agree to help and file a grievance and attempt to claim to the employer that you can do the job with some reasonable adjustment.

§ The consumer and provider can help the Union prepare this documentation to show specifically how a change in the job would allow the member to perform on the job.

§ You want to avoid this situation! If you are having problems on the job, speak to the Union long before you are terminated.

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§ You may wonder what you should do if you are in job jeopardy or have been warned about performance at work?

§ Talk to your union representative. Consider disclosing your mental health condition so that the Union can help negotiate with the employer to make changes in the job. If that negotiation is unsuccessful, then the Union can file a grievance and proceed as outlined above.

Conclusions (5 minutes)

§ Remember your strengths.

§ You are a qualified, motivated worker and Unions want qualified, motivated workers in jobs and to retain these jobs.

§ Appropriate support on your job, like the kind you can get from a Union, can help you be a long-term, productive worker.