

# UE STEWARD

## FIRST LINE OF DEFENSE

UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA • APRIL 2020

### A UE Steward's Guide to Fighting COVID-19: Guiding our members through an unprecedented health and economic crisis.

UE Stewards are our first line of defense on a new front. Stewards have a special role to play right now to assist our members as they face a life-threatening situation. Some of our workplaces must stay open to provide life-sustaining services, and stewards will need to advocate for special workplace protections. Other workplaces must close or drastically reduce the number of workers present to prevent this disease from spreading more rapidly, and stewards will need to help workers navigate layoffs and maintain connections with members outside of work. This special edition of the UE Steward will help you make your way through this moment.

#### **You Have Rights, Even in a Pandemic**

All the basic rights of union stewards and union leaders remain intact. We have the right to bargain over changes in our workplaces that affect our health and safety, pay, benefits, and other working conditions.

This means we have the right to demand standards that will keep members safe during this viral outbreak, including advocating for closing nonessential businesses or advocating for additional safety measures in workplaces that must remain open. Please see our "Demands on Employers" at [ueunion.org/covid19](http://ueunion.org/covid19) for some ideas, and contact your UE staff person, who will have additional resources.

Never take the bosses' word that they don't have to bargain over an issue. Check with your UE staff person first. Because even if the contract has "waived" the right to bargain or grieve an issue, the company may be obligated to bargain over the effect of the change. We must always try to make management bargain over any proposed change, no matter what the Management Rights clause says.

#### **Bargaining Procedures**

The employer must give notice to the union of the proposed change BEFORE any new policies are announced.

- If the union wants to negotiate, it must submit a request to bargain promptly.
- The employer is prohibited from implementing the change while bargaining is taking place.
- The employer must provide relevant information requested by the union and must conduct bargaining in good faith, with the intention of reaching an agreement.
- Bargaining must continue until agreement is reached or the parties come to impasse (a deadlock after bargaining is exhausted). If the parties come to impasse, the employer can implement the proposed change without union consent. The employer cannot declare impasse if it has failed to supply the union with relevant requested information.

should file a grievance. Consider making it a group grievance supported by many members.

For other workers, federal guidelines are more general, and UE locals will need to consider which provisions best meet the needs of the workplace. This OSHA pamphlet contains a number of ideas, including engineering controls and use of personal protective equipment. If a worker has tested positive for the virus, demand that the boss follow these CDC disinfecting guidelines. These guidelines recommend waiting at least 24 hours before disinfecting, so consider demanding a one-day shut down of the workplace prior to disinfection.

During this pandemic, we cannot rely on OSHA to enforce workplace safety regulations. The union must demand the boss comply.

The union has the right to demand to know if employees have tested positive for the virus, including those outside our bargaining unit. The union needs to be able to judge independently which workers and sections of the workplace may have been impacted. Do not allow the boss to claim that the name of a sick employee is protected health information. Very few of our employers are "covered entities" under the federal Health Insurance Portability and Accountability Act (HIPAA). Whether or not the employer is covered by HIPAA, the law allows the disclosure of information that is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. Sharing this information with the union is necessary for the union to represent our members' needs, and it allows us to assist in preventing the spread of this disease and protecting our members. Demand that the boss report to the union known positive cases of the virus immediately and on an on-going basis.



#### **Demanding Protections for Worker Health and Safety**

For workers in healthcare settings and those in sanitation and waste management, both the Centers for Disease Control and Prevention and Occupational Safety and Health Administration have comprehensive guidelines that apply to keeping workers safe (*for these and other resources, see "Online Resources" box on the next page*). These include guidelines for returning to work after infection. If the boss is not following these requirements, union leaders should bring that to the attention of supervisors immediately. If the union's demands go unheard, the union

## Help Members Navigate New Resources that are Available

The federal government has passed a number of bills to address this pandemic, and there will be more in the future. Be sure to check UE's webpage on COVID-19 resources for up-to-date information: [ueunion.org/covid19](https://ueunion.org/covid19)

Benefits available to many workers now include paid sick leave, paid family leave, expanded unemployment benefits, one-time cash payments, and more. Workers can find regularly updated information on these provisions on the UE website and from a UE staff member.

### Union Actions under "Social Distancing"

Current CDC guidelines recommend limiting gatherings to 10 people or less, and that, especially in areas with community spread of the virus, people keep at least six feet away from one another. These recommendations make it challenging to continue our normal union practices.

For regular union meetings, consider meeting remotely by using conference call or video conference technology. UE has made Zoom meeting technology available to all locals. Contact your staff person for more information. For union elections, consider conducting the election with online voting technology. Generally, this technology requires participants to have an email address, so this may or may not be realistic for every UE local depending on workers' use of email.

There are many ways to show a united front to the boss without violating these guidelines. In addition to group grievances mentioned above, members can still wear stickers, buttons, or union t-shirts to show our solidarity on an issue. Tactics that will catch the boss's ear, such as blowing a whistle when a supervisor walks into the work area, can still be done from six feet apart. Workers can put signs for management to see inside their car windshields, or even hold

Another online action to pressure management is to take pictures of different workers holding up key messages, and share them on social media. As long as multiple workers participate, this is a protected activity. This was a key tactic used by UE Local 203 to win hazard pay through public support from their community. See [facebook.com/ue203](https://facebook.com/ue203) for examples.

### Finding online resources mentioned in this UE Steward

Start here for UE's resources on new laws, demands on employers, and more: [ueunion.org/covid19](https://ueunion.org/covid19)

This UE Steward is available at: [ueunion.org/stwd\\_covid19.html](https://ueunion.org/stwd_covid19.html)

UE Steward on HIPAA: [ueunion.org/stwd\\_hipaa.html](https://ueunion.org/stwd_hipaa.html)

CDC Guide for Healthcare Facilities: [go.ueunion.org/cdc-healthcare](https://go.ueunion.org/cdc-healthcare)

OSHA on Control and Prevention: [go.ueunion.org/osha-control](https://go.ueunion.org/osha-control)

OSHA pdf Guide for Workplaces: [go.ueunion.org/osha-workplace](https://go.ueunion.org/osha-workplace)

CDC Disinfection Guidelines: [go.ueunion.org/cdc-disinfection](https://go.ueunion.org/cdc-disinfection)

CDC Guide for Community Organizations: [go.ueunion.org/cdc-organizations](https://go.ueunion.org/cdc-organizations)

WHO COVID-19 information: [go.ueunion.org/who-covid](https://go.ueunion.org/who-covid)

an informational picket as long as workers keep their distance from each other.

Workers can make online petitions, either just among workers or for the public to support as well. Hundreds of Hallcon workers across multiple UE locals in several states signed an online petition demanding that the company improve safety standards. UE Local 150 sponsored an online petition that hundreds of workers and students in the University of North Carolina system signed, demanding that UNC take measures to protect its workers' health. Check with your assigned UE staff representative; they have been provided with resources for setting up online petitions.

### Be the Best Steward Possible

Now is the time for stewards to make sure they are embracing their roles as union communicators and educators.

- Make sure to communicate with members in your department or area regularly. Hearing from the union on a more regular basis in a time of uncertainty will give members more confidence in union leaders.
- Now is an important time to make sure you have good contact information for your fellow UE members. Do you know how to reach them in the event that the workplace shuts down? Would you know how to reach a fellow worker who had called out sick, just to check in on them?
- Make time to listen to your coworkers' concerns so that you can communicate these effectively to other union leaders and to

management. Are workers worried about childcare because of school closures? Are they afraid to come to work because of underlying health conditions that make them more susceptible to complications of COVID-19?

- UE Stewards are educators, so be sure to share only the best information with your coworkers, such as resources from the Centers for Disease Control and Prevention or the World Health Organization. Refrain from sharing rumors or home remedies.
- UE Stewards are union organizers. If you know of other workers in your community who are struggling with a bad boss, reach out to them. In the face of this public health emergency, many workers are waking up to their need for union representation. Check UE's website for additional resources about organizing during this crisis.

### The Union as a Mutual Aid Network

When workers are out of work due to a strike, the union pulls together to make sure workers and their families have food and other resources. Now is no different. In the event that workers are out sick with this virus or the workplace shuts down, consider using the steward network to support each other in new ways. This should include identifying healthy workers to do things like running errands and delivering meals or groceries for those that must stay at home. Create opportunities for workers to interact with each other while they are apart, such as conference calls or video meetings. Solidarity doesn't end when we go home.