



USW GUIDELINES

HOW TO FORM AND DEVELOP A LOCAL UNION CIVIL AND HUMAN RIGHTS COMMITTEE AND UTILIZE COMPLAINT PROCESS

Civil and Human Rights Committees provide an opportunity for members to get involved, share talents, build our union and work for justice and equality for all.

Mission

The mission of the constitutional local union civil and human rights committee should be consistent with the goals and principles of the Union to increase participation among the diverse membership of the local union. The committee is a tool through which the civil and human rights policies and programs become action. The general goals of the committee are to:

WORK *with the local union executive board, other committees and activists to eliminate and prevent discrimination in the workplace and the community*

BUILD *an effective committee that communicates and provides invaluable service to and on behalf of the membership*

EDUCATE *members on current civil and human rights and workers' rights issue, protections and laws*

STRENGTHEN *the union and the labor movement through diversity by working with organizations and coalitions within the community that share our goals*

Members

Members who serve on the committee should have a genuine interest in fulfilling the mission and responsibilities of the committee and its work.

- The number of members should be determined in order to have an active and effective committee.
- Ideally, the committee should be diverse and inclusive of all the groups represented in the local union. Members should include both women and men, and represent the racial and ethnic groups that comprise the local union.
- A small committee can be as effective as a larger committee as long as its members are committed to our civil and human rights principles and goals

- A committee chair should be appointed by the local union president/unit chair
- The local union president as ex officio or active member, and the chairperson of the grievance committee or a designee, should be members
- Even if the membership is predominantly one gender or race, it is just as important that the local union have a committee to educate co-workers and promote human rights at work – the message will be carried on to the members, families and unorganized workers in the community.

Commitment

It takes dedication by the members to carry out the work of the committee. The committee must be committed to supporting the Union's civil and human rights policies and programs through meaningful local union activities that:

- Address social and economic justice issues that further the rights of workers
- Promote understanding and respect among diverse groups in the workplace
- Create a culture of inclusion to unite and improve the lives of working women and men
- Improve communication among workers and diverse groups
- Address issues of intolerance, injustice and bigotry
- Develop leaders and community activists within the local union, the labor movement and the community through mentoring, education and involvement
- Involve collaboration with community organizations to address issues that improve the lives of working people and the community
- Help eliminate and prevent discrimination in the workplace
- Encourage participation in union events that recognize special multi-cultural days or months

Responsibilities

- Develop its mission and set goals relevant to the local union and community
- Be familiar with the collective bargaining agreement, work rules and promotional policies
- Maintain continuous communication with the grievance committee
- Handle complaints of discrimination
- Meet on a regular basis
- Keep accurate minutes of committee meetings on file
- Submit regular reports of its activities to the local union executive board and the membership
- Maintain communication with the local union president or unit chair concerning committee actions
- Post the names of current members on the local union bulletin board, in local union news papers or letters, on the local union website or any other communication means to inform members of the committee and of the service it provides.

CIVIL AND HUMAN RIGHTS COMPLAINT PROCEDURE

One of the major responsibilities of the committee is to ensure the rights of the members and promote fair employment practices. It is important that the committee inform members of the steps and procedures for filing of complaints whenever members believe they have been or are subjected to discrimination. Complaints may come to the union's attention in various ways such as through a local union representative or civil and human rights committee, the district director, civil and human rights coordinator and servicing staff representative or directly to the international civil and human rights department. Complaints received in any form are investigated through the appropriate channels or levels of the union.

1. Civil and Human Rights Complaint Form

This internal USW form is available for local union members for completion and submission to the civil and human rights committee chair or committee member. This Manual contains a copy of the form from which additional copies may be made. The form is also on the Civil and Human Rights Resource page on the USW website for download. It is important that the form be completed with the necessary applicable information:

- Complainant's name and contact information
- Date filed
- Grievance filed and status
- Nature of the complaint
- Relief requested
- Bases of discrimination
- What it is in regard to

The local union, committee or member must forward (email, fax or mail) a copy of the complaint as noted on the bottom of the form to:

- Original: Civil and Human Rights Committee Chair
- Local Union Recording Secretary
- District Director and District Civil and Human Rights Coordinator
- International Civil and Human Rights Department (contact information on form)

*The International Civil and Human Rights Department upon receipt of a complaint will send a letter to the complainant to advise that the matter will be investigated. The district civil and human rights coordinator will follow up with the investigation of the complaint with the assistance of a department representative, if needed.

There is no time limit for the initial filing of the civil and human rights complaint form as there is for filing and processing a grievance that alleges a contractual

violation. However, in order to expedite the complaint process, the committee should begin its investigation immediately upon receipt of the complaint.

If it is determined after consultation with the grievance committee that there is an alleged violation of the collective bargaining agreement, the grievance committee will process the complaint.

Where collective bargaining agreements provide that the Joint Civil and Human Rights Committee shall review, investigate “and attempt to resolve” matters involving civil and human rights, the procedure outlined in that provision will be followed. The Joint Civil and Human Rights Committee does not displace the normal operation of the grievance committee or any other right or remedy and does not have the jurisdiction over initiating, filing or processing grievances.

2. Investigating and Processing a Complaint of Discrimination

It is the responsibility of the civil and human rights committee to investigate and process a complaint, based on the merits of the complaint, not the complainant. The committee should concern itself with allegations of employment discrimination or discriminatory harassment.

To conduct a fair and proper investigation of a complaint, the committee chair and members may follow these guidelines:

- Start a prompt and timely investigation of all relative facts to determine the merit or validity of the complaint
- Be honest and tactful when dealing with the complainant (s)
- Contact any witnesses referred by the complainant or who may have knowledge of the alleged discrimination or discriminatory harassment
- Keep the complainant informed of the status of the complaint during the investigative process
- Keep accurate written records of all meetings, witness statements or additional information or data relative to the complaint
- If the committee finds that the complaint has no merit or basis of discrimination, it must notify the complainant in writing.
- If the facts show that discrimination has occurred, the committee should meet with the appropriate parties or representatives to correct the discriminatory situation and resolve the complaint.
- The committee should inform the district civil and human rights coordinator of the final determination or resolution of a complaint and be prepared to provide information to the district or international representatives upon request.

If, after investigation and consideration by the local union civil and human rights committee a member feels that his/her complaint is not satisfactorily resolved, the committee may upon request of the member forward the matter to the district director.

The district director or his designated representative, after consultation with the committee, will take additional steps as necessary in a further effort to resolve the matter.

In the event the complaint is not satisfactorily resolved under the foregoing procedures, it may be appealed to the International Civil and Human Rights Department for review. After completion of the review, the Department will submit a report to the complainant and other interested parties that will include a summary of the complaint and the previous action taken, recommendations regarding any proposals for resolution or for further action.

The local union president or civil rights committee chair or designee may contact the district director, civil and human rights coordinator or servicing staff representative for assistance in any part of the investigative process or for assistance in the resolution of the complaint.