



## Addressing employment-related issues:

As an Apprentice, you may occasionally experience issues related to your employment. How you address those issues is just as important as the issue itself. Your apprentice handbook includes rules that you're required to abide by. Additionally, there are in the collective bargaining agreement (CBA) that may apply.

The CBA establishes that "Each Apprentice shall be under the supervision of the JATC until his or her training is satisfactorily completed. The JATC shall act as an arbitration board to settle any complaint or dispute between an Employer and an Apprentice." With that in mind, ARPEC guides apprentices on how to handle employment issues.

Apprentice employment issues generally fall into one of two categories: **complaints** or **grievances**. It is important to distinguish between the two since there is a different process for addressing each.

### What distinguishes a complaint from a grievance?

- A complaint indicates an employment-related issue that an apprentice is dissatisfied with.
- A grievance takes a complaint a step further and indicates that an apprentice believes his employer is in violation of the work rules addressed in the Collective Bargaining Agreement (the "CBA").

Before taking any action, you should first meet with the Training Coordinator. He will help you determine if the issue is a complaint or a grievance. If an issue is a grievance, apprentices should follow the process in the CBA. If the issue is a complaint, apprentices should follow the process outlined further on in this document.

### WHAT IS A GRIEVANCE?

A grievance is a formal employee objection raised by an Employee against an Employer involving an alleged violation of the terms of the CBA. The CBA defines a grievance and arbitration process in Article X of the contract. This step-by-step process was agreed to by Local Union 725 and MCASF. The Union represents the union members and MCASF represents the employers.

Guidance on how to file a grievance is included further on in this document.

### Examples of grievance issues:

- An apprentice is not paid the appropriate rate for overtime work hours.
- An apprentice was asked to lend or lease his vehicle, welding, or power equipment to his employer.
- An apprentice was punished or terminated after refusing to operate an unsafe vehicle or equipment.

Other grievance issues may relate to discrimination or various forms of harassment, or other state or federal laws. Those matters are often regulated by federal or state statutes, as well as the CBA. In almost every case, there are time limits for acting on an issue, so remember that when thinking about an issue.

**If you believe you have a grievance, raise that with the Training Coordinator and follow his direction, which will typically involve presenting the issue to the Union leadership.**

### WHAT IS A COMPLAINT?

A complaint (separate from a grievance) is an expression of dissatisfaction with some aspect of employment. Unlike a grievance, "complaints" are not violations of the contract terms or policies under the CBA, nor are they violations of state or federal laws.

### Examples of complaints:

- Work hours: not enough, too much.
- Work experience: too remedial, too advanced.
- Premium compensation: demands for overscale wages or special benefits not in the CBA.

**If you experience one of these issues or another complaint related to your employment, discuss that with the Training Coordinator and follow his directions.**



## Apprentice Employment Issues: Guidance on complaint resolution

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### Process for apprentices with a grievance issue or complaint:

- **Complaints:** Included in this document is a step-by-step process you are expected to follow.
- **Grievance issues:** The process for filing a grievance is defined in the CBA. Some introductory information on that process is further on in this document.

If you have an employment-related issue, discuss your employment issue with the Training Coordinator and follow his directions. If your issue is a complaint, he will review the following process and form with you.

Your Training Coordinator will also ask you to provide information about the steps have you taken up until this point to address this issue with your supervisor. The ability to maintain good communication with your employer is essential for your success in your career. If you are unsure of how to approach your employer, we will provide you with some helpful guidelines you can follow.

When you have a work-related issue, it is important that you document the situation so you have an accurate recollection. Write down the issues while they are fresh in your memory, so all details and problems are accurately documented. You should note:

- If this relates to a specific incident, where and when did the incident occur?
- What happened and who was involved?
- What is your complaint?
- How do you think the issue should be resolved?



### Complaint resolution process:

- **Step 1: Notify the Training Coordinator**
  - When an employment-related issue arises, you should immediately notify the Training Coordinator.
  - The Training Coordinator will go over the Complaint Resolution Form with you and discuss what information you should provide on the form.
  - If the Training Coordinator determines that the issue involves an unsafe or hostile workplace environment, the Training Coordinator may remove you from employment.
  
- **Step 2: Complete the Complaint Resolution Form**
  - You'll be required to complete the Complaint Resolution Form within 7 days.
  - If you fail to complete the form within 7 days, the Training Coordinator will make a note in your file and may consider the issue resolved.
  - The Training Coordinator will review the information you provided on the Complaint Resolution Form and will determine if the issue is a complaint or a grievance issue. The following steps pertain to addressing a complaint. There is a separate process for a grievance noted further in this document.
  - If the issue is related to the amount of your work hours or work experience, the Training Coordinator will review data from your OTJ work hours reports and will discuss that with you.
  - The Training Coordinator will set up a meeting with you to discuss the issue and offer guidance.
  - It is important that you continue to handle yourself professionally on the job.
  - **Important: Keep the following in mind throughout the resolution process.**
    - **Do:** Continue to handle yourself professionally on the job.
    - **Do not:**
      - Resign without permission from the Training Coordinator.
      - Refuse to report to work.
      - Ask your employer to lay you off.
      - Stir up other issues on the job or berate your employer or supervisor.
      - Attempt to secure other employment. You may not solicit work. Other employers and their representatives (such as instructors) may not solicit you to work for them, either. All work will be arranged through a coordinated effort between ARPEC and Local 725.
  
- **Step 3: Guidance through complaint resolution**
  - The Training Coordinator will guide you through a conflict resolution process with your employer.
  - The Training Coordinator may direct you to have a conversation with your supervisor within a set number of days and report back. Follow his direction.
  - The Training Coordinator may also discuss the matter with your supervisor or other company representative to find a resolution. He will keep you apprised.
  
- **Step 4: Escalation**
  - If the issue still persists after three weeks have passed from the date that your Complaint Resolution form was received, the Training Coordinator will meet with the Business Agent of Local 725 and the EVP of MCASF to coordinate an online meeting with the Employer.

### Potential outcomes:

- You may be asked to appear before the JATC Board to provide additional information.
- In many instances, the issue with the employer will be resolved. This is ideal.
- Some apprentices may be removed from the employer and reassigned to another employer.
- Note that you will not get to choose the company you are reassigned to.



## Apprentice Employment Issues: Guidance on complaint resolution

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### Grievance process:

The grievance process is a way to address many issues related to your job that fall under the CBA. A grievance is a formal employee complaint relating to an employer's violation of the contract terms or policies under the CBA. The grievance may be a complaint about anything regarding an employer's non-compliance with policies, terms, or conditions mandated by the CBA that negatively affect you.

If you are concerned about an issue that occurs at your employer, having the issue resolved can be vital to your happiness on the job. Not all issues are due to actions by your employer, but when they are, they can be subject to the grievance procedures in the Collective Bargaining Agreement (the "CBA"). Other issues may relate to discrimination or harassment, or other state or federal laws. Those matters are often regulated by federal or state statutes, as well as the CBA. Yet other issues can be outside of the CBA, or not governed by a statute, yet can have a significant impact on you. In almost every case, there are time limits for acting on an issue, so remember that when thinking about an issue.

The grievance process begins when an employee's issue or grievance is presented to his immediate supervisor. If you have an issue, you should contact the Training Coordinator at the school to inform him of the issue, and raise the issue with Local 725 (the "Union"). Grievances are usually handled by the Union to assist you. The grievance must be filed with the Employer and the Association on a grievance form that has been jointly approved by the Association and Union. This form is posted on the Union's website for reference. The grievance form must be filed within 10 business days (Monday through Friday, excluding federal holidays) of when the employee(s) knew or should have known of the events causing the grievance. As a result, a grievance must be addressed in a limited amount of time. You should contact the Training Coordinator and the Union promptly to have their assistance and protect your rights.

When you have a work-related issue, it is important that you document the situation so you have an accurate recollection. Write down the issues while they are fresh in your memory, so all details and problems are accurately documented. You should note:

- If this relates to a specific incident, where and when did the incident occur?
- What happened and who was involved?
- Why is it an issue or grievance?
- How do you think the issue should be resolved?

Next, raise the issue verbally to your immediate supervisor (Journeyman or Foreman on the job.) This allows the opportunity for the issue or grievance to be resolved informally at the lowest possible level. Next, contact the Training Coordinator at the school, and explain the issue you are experiencing.

Follow the grievance process outlined in Article X of the CBA. The Training Coordinator and the Union Business Agent will guide you. Allow some time for the issue to be reviewed at the school in conjunction with the Union and for a solution to be presented to the parties involved.

**When in doubt, raise a concern about your employment with the Training Coordinator.**