

The State Contract Series

For use in understanding the state employees' contract



ORC 4117 & Article 3 – Your Rights as a Steward -- Collective Bargaining Rights

Section 4117 of the Ohio Revised Code gives you the right to participate in union activities without coercion or interference from the employer. The employer cannot discriminate against you because of your participation.

§4117 also provides that the union represent all employees regardless of membership status. Grievances and/or potential problems brought to a steward must be thoroughly investigated. Decisions made and actions taken to resolve problems or file grievances must be based on facts with no regard to personality, chapter politics, race, religion or gender or any distinguishing aspect about the individual other than the merits of the facts brought forth. A good way to protect yourself is to keep records on each issue/grievance brought before you. As required by Board Policy, also take grievances to the chapter grievance committee for review.

Being a steward requires a delicate balancing act between your responsibilities as an employee and your rights and responsibilities as a union representative. As an employee, and in your role as a steward, it is good practice to be respectful of the employer. However, when functioning as a steward, you are an equal to the employer. This means that they too must treat you with respect and respond to your requests. Your firmness in demanding this respect will go a long way in ensuring fairness for the members you represent.

Provisions in the State Contract

The contract provides that the state will recognize a reasonable number of stewards. Your chapter president is required to notify each employer (agency representative, normally the labor relations person) of your status as a Steward. Also, if specific notices of discipline are to be sent to a steward, the chapter president must notify the

agency representative of that steward and his/her address. There are forms available for these purposes in the Grievance Guide.

You are allowed access to bargaining unit employees in the work site. You and your grievant and/or witnesses have a right to meet on state time. However, according to Article 25.07 a person must notify his/her supervisor and make arrangements to leave the work area and provide notice of location. Questions about the intent of the meeting or names of the people in the meeting are not appropriate. The employer should provide a space for meeting as well. The time should be a compatible time to the employees, the steward and their respective supervisors unless there is a significant operational need. Such problems should be rare.

Section 3.02 provides that stewards, who are housed in the same building or facility, have the right to cross agency lines.

Union stewards and leaders pursuant to Article 3.11 of the new collective bargaining agreement must now complete a log or form when they are on union business as described in Sections 3.02 and 3.10 of this Article. The union must verify the member's attendance for any meeting requested under Article 3.10 union leave.

Local Government or Independent State Agencies

Please check appropriate sections of your contract.

References

Article 3.02, 3.10, 3.11
ORC 4117

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