

FIGHTING HARASSMENT FOR INSIDE WORKERS

Is management handing out excessive discipline for misloads or missorts? Here are some steps you can take to protect yourself and your fellow Teamsters.

UPS has the right to expect employees, in this case preloaders and loaders, to work accurately. This is just common sense. But management frequently goes overboard from common sense to nonsense.

In this article, we'll review how members can defend themselves in the office and through the grievance procedure. Of course, the most powerful union response is a group response. So we'll talk about that too.

Accepting Discipline?

Before accepting discipline for misloads or missorts, stewards have to consider several factors including:

- Was the preloader or loader the only person covering the assignment or did a supervisor continue loading when the employee used the bathroom or went on a break?
- Did the preloader or loader come late to work or leave early, leaving someone else working the assignment?

- Did the loader load the truck or sort the packages in question by themselves or did any other person, i.e. a driver, supervisor, or co-worker, do any of the work?
- What was the frequency of missorts or misloads and the overall accuracy percentage? Use a percentage when considering the amount of mistakes to total packages handled. For example: ten misloads out of 1,000 is still 99 percent accurate and does not warrant discipline.

Arguing Frequency

Be careful when arguing frequency—and be wary of management data.

Management will try to use records to show that a member has a longstanding problem with accuracy. But those numbers, while reliable for tracking packages, are not reliable for tracking an individual employee's performance for purposes of discipline.

Remember, management's records on misloads do not go on



a rolling nine months and they do not exclude the days when the employee's assignment was partially worked by someone else.

Filing a Grievance

If management won't back down from unreasonable discipline, a grievance should be filed always and without exception.

If a grievance is not filed in a timely manner the discipline stands and any future protest will probably not be allowed.

Article 37 of the national contract should be cited: dignity and respect, harassment and intimidation, over-supervision, and a fair day's pay for a day's work.

Remember, there is no accuracy standard in the contract except the general "fair days' work for a fair days pay." The company has the right to expect accuracy, but not a specific number and not different

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continued on reverse

levels of accuracy from one employee to the other.

As a final defense, if it is clear the member has a problem with missorts or misloads, it may be appropriate for a steward to suggest training or, in the worst case, reassignment to a different job.

Taking Action Together

Management often makes contradictory demands. They demand maximum production with high numbers of packages loaded per hour in multiple cars—and at the same time they want no missorts or misloads, or near perfect accuracy.

Most people cannot satisfy both of these demands at the same time. If the preloader tries to load too fast, accuracy will suffer. If the preloader goes for 100 percent accuracy at all times then production will drop. What is a worker to do?

The most effective response is a group response. If management is giving out discipline for every misload, they are sending a clear message that accuracy is their top priority.

In such a case, each preloader is well advised to work at a pace where they can achieve zero or near zero misloads. Of course, the supervisors will scream that they want the preloaders to work faster.

Members should calmly point out that they are going as fast as they can to ensure accuracy because they do not want to be disciplined for errors.

Let the supervisor try to discipline workers for low production

NEW TECHNOLOGY FOR HARASSMENT

UPS management has a new toy to harass preloaders and write them up for misloads.

In some buildings, preload supervisors have started wearing scanners, entering package cars, and scanning every package in the load.

The scanner flags packages that are not in the truck's EDD. The management tries to blame the loader for the misload.

Part-time supervisors are being told to have a 1,000 scans by the end of each shift.

This technology may catch misloads, but more write-ups and harassment won't prevent them.

Misloads don't happen because of under-supervision or a shortage of discipline.

Misloads happen because Teamsters are loading too many trucks and handling too much volume.

UPS needs to deal with the root cause of the problem instead of blaming workers.

The new contract is supposed to protect members from harassment.

Article 6, Section 4 gives the International Union the right to negotiate over the use of new technology. It's time to invoke that clause.

under these circumstances where they have already issued a pile of warning letters for missorts or misloads. Those very warning letters provide the perfect defense.

As a bonus, members should file a pile of harassment letters if the supervisor(s) cross the line and demand more production in the face of all the disciplinary warnings.

Going on Offense

The best defense is a good offense. Supervisors work, they harass, they violate seniority and the list goes on and on. Center management that churns out

warning letters and discipline is sending the message that they like paperwork, so give them some more—in the form of grievances.

Wallpaper their offices with every violation possible: supervisors working, safety violations, harassment, seniority violations, over-70 violations, the list goes on and on. The supervisor might not get the message but the center manager will.



