

CHECK LIST

THIS SHOULD BE YOUR FIRST PAGE OF THE CASE FILE

Table of Contents	Table of Contents The grievance file should contain a table of contents listing the documents contained in the appeal. Each document should be identified. For example, if the table of contents lists the Joint Step A Grievance Form as exhibit "A," the letter "A" could be placed on the form.
Exhibit A	<p>8190 The completed 8190 and attachments must be included with the appeal and they should be easily found near the front of the file. It is very important that all relevant sections of the 8190 are complete. You need to make it clear right up front what the grievance is about. If your undisputed facts and both the union's and management's contentions are not written on the 8190, they are attachments and should be clearly identified.</p> <p>Note: If your entire argument and contentions can be written on form 8190 you probably have more work to do in order to win your case.</p>
Exhibit A2 <i>8190 attachments</i>	<ul style="list-style-type: none"> ○ Issue ○ Background ○ Undisputed Facts ○ Union Contentions ○ Contractual Language
Exhibit B DO NOT WRITE ON, MARK, OR ALTER ORIGINAL	<p>Triggering Documents (Letter of Warning, removal, etc.) This might be a letter of warning, a suspension, or a removal notice in a disciplinary case. It could be administrative action such as a letter placing an employee on restricted sick leave, a letter of demand or an improper Form 50. The triggering document could also be a policy notice, a denied leave slip or some other method of written communication in which the form or content is in dispute. This is the reason for the grievance.</p> <p>Of course, some cases will not have triggering documents, such as a grievance challenging a request for medical certification.</p>
Exhibit C DO NOT WRITE ON, MARK, OR ALTER ORIGINAL	<p>Documentary Evidence: In preparing the documentary evidence for an appeal, the steward should review each fact that needs to be established in the grievance and make every effort to ensure that there is some piece of written or printed evidence to prove it. Care should be taken to avoid writing on, marking, or in any way permanently altering or adding to an original piece of documentary evidence. If it is necessary to draw attention to something on a document, do so on a second copy which is attached to the original, or use post it type notes. Never deface, alter or mark an original document.</p>
Exhibit D DO NOT WRITE ON, MARK, OR ALTER ORIGINAL	<p>Investigatory Notes (supervisor notes, informal notes etc.) During the course of investigating a grievance, the shop steward or manager normally takes notes of conversations and interviews. These may be interviews held at the request of management, such as an investigatory interview, or interviews that the steward has initiated while investigating the grievance. Such notes are important as they record answers to pertinent questions relevant to the grievance while the events are still fresh in the witness' minds. Investigatory notes should be identified as to time, date, location, interviewee, others present and authorship. Remember, if the Step B Team, the advocate or an arbitrator cannot read your writing, your notes won't help your case. If this is the case your notes should be rewritten or typed. As with other evidence, original contemporaneous notes should remain unaltered. If re written, typed, clarified or summarized, the original notes should be attached and included in the file</p>
Exhibit E	<p>Contractual Cites and Previous Cases (Arbitration, Step Bs, etc.) Copies of contractual language or any handbook, manual, external law or other provisions cited as a basis for the action or the grievance should be included in the file. Prior arbitration or grievance decisions that are being cited for precedential or persuasive value should be included as well. As these are normally not considered as "evidence," they may be marked to highlight pertinent parts. There is no need to reprint the JCAM. If you need to highlight a particular provision, that's fine, but a reprint of article 8, for example, is not necessary.</p>
Exhibit F	<p>Miscellaneous Items (Request for information, meet, appeals etc.) This is kind of a catch-all category for those items generated by the processing of the grievance itself. This includes items such as information and steward time request forms, extension letters, and mailing receipts. These also should not be marked upon or altered. In certain cases, such as a grievance regarding denial of steward time, such items may not be miscellaneous items but be the triggering document.</p> <p>The Union should retain a copy of the entire file for their records. These files may be needed for future reference should the case be remanded by the Step B Team or impasse to arbitration.</p> <p>If you have done your research and followed the suggestions above you have a much better chance of being successful with your grievance. You will have given the union at the higher levels of the grievance procedure a greater opportunity to settle the grievance in the union's favor</p>