UNITED STEELWORKERS

Local Union Civil and Human Rights Committees





t is our Union's vision to build a stronger and more inclusive organization where women and men of all races, cultures, religions, ages, nationalities, disabilities, sexual orientation and identity are welcomed and respected. Our work in the area of civil and human rights is an important element in realizing that vision.

Local unions are at the frontline to protect the rights of our members and help to provide them with a workplace free of discrimination and discriminatory harassment. That is where we can make the greatest difference in the lives of our members and their families. This booklet is intended to provide USW leaders and members with a basic understanding of our civil and human rights efforts and the implementation of our program at all levels of the Union. In addition to basic procedures, this manual provides tips and suggestions for local union representatives and committee members that can be used to develop an effective civil and human rights committee and a working program that builds a stronger Union and Labor Movement.

The Civil and Human Rights Department is committed to providing and channeling information, technical assistance, research and training on various civil and human issues to help assure, protect and expand the rights of our members.

We welcome our local unions and members to use this booklet as a basic guide and utilize any of the information provided to help move our civil and human rights program forward because it is you who are the source of our Union's strength.

Fred Redmond
International Vice President (Human Affairs)

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<u>USW International Constitution</u> <u>Article VII Local Unions, Section 12.</u>

A Civil Rights Committee (which may also be known as a Human Rights Committee), under the direction of the International Union or its designated representative, shall be established in each Local Union to implement our Union's commitment to the protection and extension of civil and human rights and liberties. With respect to an Amalgamated Local Union, the Local Union President shall for each Unit either appoint a Unit Representative to the Committee or cooperate with the Unit Chair to establish a Unit-based Committee.

ESTABLISHING A LOCAL UNION CIVIL AND HUMAN RIGHTS COMMITTEE

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.

Ideally, every local union should have an active civil and human rights committee. Establishing a civil and human rights committee should be a goal of every local union. Local committees are the baseline of our civil and human rights program. That program includes district civil and human rights coordinators and staff representatives, the International Civil and Human Rights Department, hundreds of local union civil and human rights committees and thousands of workplace civil and human rights activists. The local civil and human rights committee provides an invaluable service to and on behalf of the membership. It is part of the foundation on which we build solidarity, leadership and activism to support and protect the rights of workers in our Union and in the community.

Mission

The local union committee is a vehicle that turns our civil and human rights commitment into action. The committee should develop and carry out its mission consistent with the civil and human rights principles, policies and program of the Union. In general, the mission is to:

WORK within the local union to help eliminate and prevent discrimination in the workplace

EDUCATE and inform all members of internal civil and human rights processes and current civil and human rights issues.

BUILD awareness and enthusiasm for diversity and inclusion in the local union and the community.

STRENGTHEN the Union and the labor movement through civil and human rights local union and community activism

Appointing the Committee Members

When appointing members to serve on the civil and human rights committee look for responsible, sincere, outgoing or committed members who are willing to learn how to best protect the civil and human rights interests of their fellow workers. They should have a genuine interest in fulfilling the mission and responsibilities of the committee and its work. Committee members must be willing to give their time to develop projects and promote the Union's civil and human rights programs.

How many members should be on the committee?

- ◆ The size of the committee should be determined by the size and needs of the membership it will serve. A small committee can be just as effective as a large committee.
- ◆ The average size of a committee is three to five members in addition to the local union or unit president as an ex officio member and the grievance committee chair or designee. A committee may have more members if that would best fit a larger local union or unit. In a very small unit with few members, one or two representatives may be sufficient to carry out the committee's work. In any event, the committee should be effective and manageable.
- ◆ The members of the committee should basically represent the diversity of the local union or unit inclusive of racial and ethnic groups or ages, both women and men, for example. If the membership is predominantly one gender or race, that does not mean that the local union should not or does not need a committee. Every local union should have a committee to support our Union's civil and human rights program.
- ◆ The local union or unit president should appoint a committee chair lead the committee in all aspects of its work.

Commitment and Responsibilities

It takes dedication by the committee members to carry out the committee's mission through meaningful local union activities in support the Union's civil and human rights programs that will:

- Promote understanding, communication and respect among diverse groups to help create a culture of inclusion and unity among workers
- Help eliminate and prevent discrimination and discriminatory harassment in the workplace
- Address and help educate the membership on human rights and social economic justice issues, such as intolerance, injustice and bigotry and its effects on workers and their families
- Promote committee and union events that recognize special multicultural days or months and encourage member participation in the events
- Provide education and help urge support of legislative issues that the Union supports to maintain or expand the employment or political civil and human rights of workers
- Mentor and help develop activists within the local union who may be future leaders in the labor movement and their community through education and involvement in civil and human rights issues
- Work within the structure and processes of the Union to protect the rights of the members and advance the rights of all workers.
- Become part of the Union's community activism initiative by working and collaborating with community organizations to help improve the lives of working people and promote the principles of the labor movement

Basic Duties of the Committee

- Develop a mission that sets out the purpose and goals of the committee relying on the commitment and general mission previously outlined
- ♦ Present the mission to the local union executive board and then to the membership as part of the committee's report
- ◆ Introduce and/or list the members of the committee along with contact information in a newsletter, on a bulletin board, website, or other communication means within the local union. Explain what the committee is about and the work that it does and the plans it has for future and exciting projects and events.
- ♦ Become familiar with federal and state civil and human rights laws
- Become familiar with the Union's International Constitution, the local union collective bargaining agreement, in particular, the non-discrimination provision.
- Handle civil and human rights complaints consistent with the Union's processes and procedures
- Meet on a regular basis and keep accurate minutes of the meetings
- Submit regular reports and activities to the local union executive board and the membership
- Keep the local union or unit president informed on important discrimination issues or civil and human rights projects the committee is planning
- Seek membership support and involvement in events the committee sponsors on behalf of the local union or unit

USW CIVIL AND HUMAN RIGHTS PROGRAM STRUCTURE AND RESPONSIBILITIES

International Vice President for Human Affairs

Works with the Civil and Human Rights Department and its director in the development and implementation of our Union's programs in the field of civil and human rights.

National Director for Canada

Works with the Canadian Office of Global Affairs and Workplace Issues Department and its director to promote the Union's human rights programs within Canada.

International Civil and Human Rights Department

The department is comprised of the director or department head, technical staff and an administrative assistant. The department:

- Assists the district directors, staff representatives and civil rights coordinators relative to their duties in the implementation of our programs and activities in the area of civil and human rights
- Provides assistance and guidance to district and local union representatives relative to our civil and human rights process and procedures
- Assists in the development of local union civil rights committees and maintains a database of committees by district
- Monitors the investigation and process of local union civil and human rights complaints up to final disposition or resolution
- Maintains an active civil rights complaint data base and tracking system
- Works with the International Vice President for Human Affairs on civil and human rights projects or events with which our Union is involved, including global human rights

- Through its director and the International Vice President for Human Affairs keeps the international executive board informed about civil and human rights issues that affect our members and communities and where necessary, recommends a course of action
- Develops and provides training and education classes for our districts and local unions, on relevant topics such basic civil and human rights training, diversity and respect in the workplace, discrimination and discriminatory harassment with review and understanding of anti-discrimination in employment laws, and various other civil and human rights issues.
- ♦ The Department develops and presents negotiated or requested joint employer-union harassment awareness and prevention training for employees at various facility locations
- Utilizes the most effective means of communication to disseminate information and update members on important and current civil and human rights issues and activities
- Represents the international union and participates in organizations with which the Union participates
- Works and cooperates with other international departments where appropriate to further the goals of the Union in the area of civil and human rights

The Canadian Office of Global Affairs and Workplace Issues Department

The department is comprised of the director or department head, technical staff and an administrative assistant. The department

- Works with district, area and local human rights committee to fight discrimination, harassment and inequality through the development of programs and activities
- Develops union education that promotes mutual respect, understanding and tolerance
- Works with the Steelworkers Humanity Fund to provide assistance to partner organizations in countries around the world that are advancing equality, fairness and justice

District Directors

The directors are elected members of the International Executive Board (IEB) and implement the Union's civil and human rights programs in their respective districts.

District Civil and Human Rights Coordinators

Each district has at least one coordinator appointed by the district director. The coordinators:

- Assist the directors in the implementation of the Union's civil and human rights policies, programs and activities
- Work with the directors and staff representatives in the establishment and development of local union civil and human rights committees
- Assist the directors and local unions in handling civil and human rights complaints and problems within their districts
- Serve as liaisons between the Civil and Human Rights department or the Global Affairs and Workplace Issues Department, respectively, and local unions.
- Investigate discrimination complaints forwarded by the Civil and Human Rights Department director and must submit timely reports to the department regarding their progress up to final resolution or disposition of the complaint.

District Staff representatives

Staff representatives are assigned by their district directors to service specific local unions within their jurisdiction and assist the directors in the establishment of civil and human rights committees in the locals they service. Staff representatives:

 Assist the district director, civil rights coordinators and the Civil and Human Rights Department or Canadian Global Affairs and Workplace Issues Department, if requested, in the investigation of complaints or situations within the local unions they service.

CIVIL AND HUMAN RIGHTS COMPLAINT PROCEDURE

One of the major responsibilities of the local union committee s is to protect and ensure the civil and human rights of the members. Members who feel their civil and human rights have been violated may file a complaint with the committee or any of its members.

Complaints of discrimination come to the Union's attention in various ways: through the civil rights committee or other union representative; district director, coordinator, servicing staff representative; or, directly to the International or Civil and Human Rights Department. In any case, each complaint is investigated through the appropriate channels of the Union.

There may be some issues or situations that can be quickly resolved without having a formal written complaint filed. In those circumstances, the local union and/or committee should keep a written record of the matter and the resolution. Following is a basic procedure regarding the filing, investigation and resolution or final disposition of the complaint.

Civil and Human Rights Complaint Form

This form is for internal use within the Union and is available for local union members to complete and submit to their civil and human rights committee. A complaint form is included in this booklet and can be utilized for copies. The form is also available on the Civil and Human Rights resource page on the USW website (www.usw.org).

Completing the form

It is important that the form contain all or as much of the required information as possible including:

- Complainant's name and contact information, date filed, whether a grievance has been filed and its status
- Nature of the complaint (use flip side of the form if necessary)
- Relief requested

Who should get copies of the complaint?

- Copies of the complaint as noted at the bottom of the form must be mailed, faxed, or emailed to the local union recording secretary; district director and coordinator; and the Civil and Human Rights Department that will enter the complaint in its data base and file
- The Civil and Human Rights Director upon receipt of a complaint will send a letter to the complainant to advise the member that the matter will be investigated in accordance with the Union's civil and human rights procedures. A copy will be forwarded to the district director, coordinator and technical staff assigned to assist, if needed

Investigation of a Complaint

There is no time element for the initial filing of a civil and human rights complaint or form as there is for filing a grievance that alleges a contract violation. However, the committee should expedite the investigative process immediately upon receipt of a complaint or issue of discrimination. and should immediately consult with the grievance committee or representative.

- After consultation with the grievance committee if it is determined that there is an alleged violation of the collective bargaining agreement, the grievance committee will process the complaint.
- Where collective bargaining agreements provide for a negotiated Joint Civil and Human Rights Committee that 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.

It is the responsibility of the committee to investigate and process complaints and issues of discrimination that come to its attention whether or not it is a verbal or written complaint. The complaint must be considered based on its merit, not the complainant. The committee should only concern itself with allegations of employment discrimination or discriminatory harassment.

Basic Steps for Investigation

- Gather all facts from the complainant and relative sources to determine the merit or validity of the complaint
- Be honest, tactful and respectful at all times when dealing with the complainant
- Contact any witnesses referred by the complainant 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
- ♦ After investigation, if the committee finds that the complaint has no merit or basis of employment discrimination, it must notify the complainant in writing. Though the complaint may be other than an employment discrimination issue, the complainant may pursue their issue through the appropriate local union committee or representative
- ◆ If the committee is not certain whether a complaint falls into the bases of employment discrimination, it may contact the district civil and human rights coordinator, the local union servicing staff representative, or the Civil and Human Rights Department

- If the facts show that employment discrimination has occurred, the committee should meet with the appropriate parties or representatives to correct the situation or problem and resolve the complaint
- The committee should inform the district civil and human rights coordinator of the resolution or disposition of the complaint that must be forwarded to the Civil and Human Rights Department. The committee should be prepared to provide any information, records or documents regarding the complaint to the district or the Department.

Appealing a Complaint

- After investigation and consideration by the committee, if a complainant feels that the complaint was not satisfactorily resolved, the complainant may appeal to the district director. The district director or designated district representative, after consultation with the committee, may take additional steps in a further effort to resolve the matter.
- ◆ In the event the complaint is not satisfactorily resolved under the foregoing procedures, the complainant may submit the matter to the International Civil and Human Rights Department for review. The Department will provide a report of its review to the complainant and other interested parties that will include a summary of the complaint, previous action taken and recommendations, if necessary, regarding any proposals for resolution or further action

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

COMMUNITY ACTIVISM

"Unions were created to make living conditions just a little better than they were before they were created, and the union that does not manifest that kind of interest in human beings cannot endure."

Philip Murray (1886-1952)
First President of United Steelworkers of America -- 1942-1952

From its inception our Union has been committed to social and economic justice and improvement not only for its members at work, but in the communities where they live. We strive to build bridges between the labor movement and community allies to build power for workers. Local union civil and human rights committees are an important part of our outreach efforts to extend union principles into the community through civil and human rights grass roots activism.

AFL-CIO Constituency Organizations

Our Union supports and works with all of the national constituency organizations of the AFL-CIO. These groups promote full participation and diversity in the labor movement. Local union members and civil and human rights committee members are encouraged to affiliate and become involved with these organizations. Steelworker members hold leadership positions at every level within these organizations. They have local chapters throughout the United States, Puerto Rico and the Virgin Islands. Bringing workers of various unions together to strengthen labor movement through diversity inclusion, the constituency groups are fighters for civil and human rights, women's rights and the rights of all workers.

For more information about any of the constituency groups and the work that they do, or to become a member, the national organizations are listed in Appendix B.

A Stronger Community—A Stronger Union

Civil and human rights committees in the United States and Canada are an integral part of our Community Service Initiative and incorporate community service into their work and activities. Members should understand the importance of humanitarian service to the Union and the community. They should be doers - active and dedicated trade unionists willing to attend meetings, mobilize workers, and work with community coalitions.

At the Union's International Civil and Human Rights Conference, International Vice President for Human Affairs Fred Redmond charged all civil and human rights committees with the task of empowering and mobilizing our members through community activism. Our community involvement enhances the Union's image in the community and creates strategic relationships that can help improve the overall conditions of working people.ed.

Ways for Committees to Become Involved

- Help union members and others in the community with problems.
- Affiliate and become participants in the AFL-CIO constituency organizations, in particular the local chapters in various cities throughout the United States, Puerto Rico and the Virgin Islands.
- Build coalitions with community groups such as Jobs with Justice, Interfaith Workers Justice and the NAACP.
- Work with the United Way liaisons of central labor councils on community projects
- Help build community support for and coordinate assistance for strikers, locked out workers and unemployed workers.
- Help build community support for organizing drives

Organizations and Allies

Our Union forms alliances and cooperates with a wide spectrum of organizations that share its goals and principles. Many of these organizations join us in support of legislative action that extends the civil and human rights of all people. Local union civil and human rights committees are urged to cooperate and reach out to organizations such as:

- ♦ AFL-CIO central labor councils and state federations
- ♦ Canadian Labour Congress Councils
- Alliances and coalitions for equal pay and employment equity
- ♦ Inter-faith organizations
- Civil rights, human rights and women's organizations
- Elected officials and leaders
- ♦ Other unions
- ♦ Immigration rights groups
- Student and youth groups
- Neighborhood and homeowners' associations

Organizations with which the local union civil and human rights committee may want to form an alliance in their area are:

AARP

Alliance for Retired Americans
American Civil Liberties Union
Anti-Defamation League
Children's Defense Fund
Disability Rights Education and Defense Fund
Human Rights Campaign
Jewish Labor Council
Lawyer's Committee for Civil Rights
Leadership Council on Civil Rights
League of Women Voters

NAACP
National Caucus of Black State Legislators
National Council of La Raza
National Council of Negro Women
National Council on Senior Citizens
National Immigration Law Center
National Organization for Women
National Urban League
People for the American Way
Rainbow Push Coalition
United Way

In Canada, local union committees work through the Steelworker Humanity Fund to provide assistance to partner organizations in countries around the world that are advancing the goals of equality, fairness and justice. Joint campaigns of women's and human rights committees have helped raise awareness of the United Nations Declaration on Human Rights, the World March of Women and the International Day for the Elimination of Racism.

For more information about the civil and human rights communities initiative and other community activities, contact the International civil and Human Rights Department or the National Canadian Office of Global Affairs and Workplace Issues. Contact information is listed on back page.

APPENDIX A

U.S. FEDERAL LAWS PROHIBITING DISCRIMINATION

TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 prohibits discrimination on the basis of race, color, religion, sex and national origin. It applies to employers with fifteen or more employees. *Equal Employment Opportunity Commission (EEOC).

PREGNANCY DISCRIMINATION ACT OF 1978 is an amendment to Title VII of the Civil Rights Act. It prohibits discrimination on the basis of pregnancy, childbirth, or related medical conditions and applies to all terms and conditions of employment, including hiring, firing, promotion, leave, and benefits. *EEOC.

THE AMERICANS WITH DISABILITIES ACT OF 1990 (TITLE I) (Revised and Expanded by the ADA AMENDMENTS ACT OF 2008) prohibits employment discrimination against qualified individuals with disabilities. It applies to employers with fifteen or more employees. *EEOC.

THE AGE DISCRIMINATION IN EMPLOYMEN ACT OF 1967 prohibits age discrimination against individuals who are forty years of age or older. It applies to employers with twenty or more employees. *EEOC.

THE EQUAL PAY ACT OF 1963 prohibits wage discrimination between men and women in substantially equal jobs within the same establishment. *EEOC.

LILLY LEDBETTER FAIR PAY ACT OF 2009 states that discriminatory compensation is a wrong actionable under the federal EEOC statutes (Title VII of CRA of 1964, ADEA and ADA), regardless of *when* the discrimination began. *EEOC

THE FAMILY AND MEDICAL LEAVE ACT (1993) *Revised Rules & Regulations Effective 1/16/09 requires employers to provide up to 12 weeks of unpaid leave to eligible employees for the birth or adoption of a child or for the serious illness of the employee or a family member. It applies to employers with fifty or more employees. *U.S. Department of Labor (DOL).

THE IMMIGRATION REFORM AND CONTROL ACT (1986) prohibits employers from discriminating in employment on the basis of citizenship or national origin. It also requires employers to verify the identity and employment authorization of all employees. The law applies to employers with as few as four employees. *Immigration and Naturalization Service (INS).

EXECUTIVE ORDER 11246 (1965) requires affirmative action plans of government contractors or subcontractors. *DOL Office of Federal Contract Compliance Programs (OFCCP).

SECTION 503 OF THE REHABILITATION ACT OF 1973 bars federal contractors or subcontractors from discrimination on the basis of disability. *OFCCP.

THE GENETIC INFORMATION NONDISCRIMINATION ACT (2008) TITLES I and II prohibits discrimination on the basis of genetic information with respect to health insurance and employment. Title II amends Title VII of Civil Rights Act. *EEOC

CIVIL RIGHTS ACT OF 1991 adds provisions to CRA Title VII protections, including right to jury trial. *EEOC.

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT ACT OF 1994 prohibits discrimination against persons because of service in the Armed Forces Reserve, the National Guard, or other uniformed services. It provides job protection and rights of reinstatement. *Veterans Employment and Training Services (VETS) or DOL depending on whether employer is a federal agency, state agency or private company.

CANADIAN FEDERAL LAWS PROHIBITING DISCRIMINATION

CANADIAN HUMAN RIGHTS ACT OF 1977

Prohibits discrimination on grounds of race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability and conviction for which a pardon has been granted. *Canadian Human Rights Commission.

EMPLOYMENT EQUITY ACT OF 1986

Requires employers to identify and eliminate employment barriers for women; people with disabilities, Aboriginal peoples and visible minorities. *Human Resources and Development Canada.

CANADIAN MULTICULTURALISM ACT OF 1988

Acknowledges the right of ethnic groups in Canada to preserve and share their unique cultural heritage and guarantees equal opportunity for Canadians of all origins. *Department of Justice.

^{*}Enforcement Agency

APPENDIX B

*AFL-CIO CONSTITUENCY ORGANIZATIONS

Philip Randolph Institute (APRI)*

815 16th St., N.W., Fifth Floor

Washington, D.C. 20006

Phone: 202-508-3710

Fax: 202-508-3711

Asian Pacific American Labor Alliance (APALA)*

815 16th St., N.W.

Washington, D.C. 20006

Phone: 202-974-8051

Fax: 202-974-8056

Coalition of Black Trade Unionists (CBTU)*

P.O. Box 66268

Washington, D.C. 20035

Phone: 202-429-1203

Fax: 202-429-1102

Coalition of Labor Union Women (CLUW)*

815 16th St., N.W., Second Floor

Washington, D.C. 20006

Phone: 202-508-6969

Fax: 202-508-6968

Labor Council for Latin American Advancement (LCLAA)*

815 16th St., N.W.

Washington, D.C. 20006

Phone: 202-347-4223

Fax: 202-347-5095

Pride at Work (PAW)*

815 16th St., N.W.

Washington, D.C. 20006

Phone: 202-637-5085

Fax: 202-508-6923