
5 Grounds for a Grievance

1.) Violation of the contract.

Because the contract specifically covers what goes on in the workplace, this is the first place to look. Violations of the contract also make the strongest case for a grievance.

2.) Violation of state or federal law.

Violations of Federal and State law may be processed through the grievance procedure. Some important laws that cover the workplace are:

- The Occupational Safety and Health Act (OSHA)
- The Fair Labor Standards Act (FLSA) - *minimum wage, overtime*
- Title VII, 1964 Civil Rights Act - *discrimination by race, sex, national origin, etc.*
- The Family & Medical Leave Act (FMLA)
- Workers Compensation

3.) Violation of Company rules or policy.

Even if the union was not involved in negotiating them, rules set forth by your employer govern what goes on in the workplace. If management violates them arbitrarily, you may file a grievance.

4.) Violation of fair treatment.

The Company cannot arbitrarily treat one worker by different standards or rules from those it uses for other workers.

5.) Violation of past practice.

The basic philosophy behind this grievance is that workers have the right to expect the continuation of certain practices they have received over time, even if they are not specifically granted in the contract. Past practice grievances are generally hard to prove, unless you have a specific past practice clause in your contract.

What if none of these conditions are met and you can't file a grievance?

You get creative and organize! Collective action is one of the most effect tools in our union stewards' toolbox.

Not only can organizing around a grievance ensure our success at winning formal grievances, but organizing is a path forward to solving problems that don't meet grievance standards.



**For more CNG steward resources or for questions, contact
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