

# IAMAW Human Rights Manual

Spring  
2021

This manual serves to outline the IAM's stance on Human Rights. It serves as a guide for all Local and District Lodges in establishing Human Rights Committees.





# IAMAW Human Rights Manual

## Contents

Introduction .....	3
Section 1: What Do We Mean By Civil Rights? .....	6
Section 2: Human Rights vs. Civil Rights .....	7
Section 3: Human Rights in Trade Unionism.....	8
Section 4: District and Local Lodge Human Rights Committees .....	10
Section 5: The ROLE of Human Rights Committees - A Committee Action Plan.....	12
Section 6: Workplace Human Rights Issues.....	16
Section 7: Handling Discrimination Complaints.....	22
Section 8: Human Rights Committee Checklist .....	24
APPENDIX A: IAM Official Circulars.....	25
APPENDIX B: The IAM Grand Lodge Employment Manual .....	31
APPENDIX C: Frequently Asked Questions About Harassment .....	36
APPENDIX D: Glossary .....	40
APPENDIX E: Calendar/Dates to Know .....	45
APPENDIX F: Procedure for Handling Requests for Dues Exemption for Religious Reasons .....	50
APPENDIX G: Contacts and Websites .....	53
APPENDIX H: Surveys .....	58
APPENDIX I: Acknowledgement Agreement.....	66



# Introduction

## **About This Manual.**

***The North American*** workforce is diverse and complex, reflecting differences in age, gender, race, ethnicity, religion, and sexual orientation, among others. The IAM embraces diversity at all levels of the Union. As a union, such diversity binds us together and makes us stronger. We must mirror society at large in order to remain a viable and growing Union, and be better able to represent our members. The IAM is committed to equality for all our members, and this manual is a tool to achieve our goals.

Human rights in the IAM means that every member has the right to be treated fairly and equitably on the job and within the Union. Until relatively recent times, individuals were routinely denied jobs, training, promotions, equal pay and even union membership for reasons that had nothing to do with character, ability or performance. Over time unions, including the IAM, helped change that reality by advocating for anti-discrimination laws and changes in public opinion. Now, human rights in the workplace—the right of every member to be treated fairly and equitably on the job—is a vital, energizing force for real solidarity within the IAM.

Over many generations, women, native people, people of colo[u]r, those with disabilities and other groups have all felt the sting of rejection, the frustration of being segregated into stereotyped low-paying jobs, and the bitterness of being barred from training opportunities. Discrimination on account of race, colo[u]r, creed, sex, national origin, age, disability, gender identity or any of the other prohibited grounds has left a legacy of poverty and alienation. Though the United States and Canada have seen great improvements in equality in the last 10 years, much still needs to be done to ensure fair treatment for all in the workplace. The Machinists Union's Human Rights Department works to overcome these legacies of discrimination by creating awareness through annual training programs.

In 1976, Grand Lodge Convention delegates mandated the creation of a department at the Grand Lodge to “coordinate, foster and develop” Union-wide action against discrimination. This included a directive that standing committees be maintained “in local and district lodges to review union and employer practices on a regular basis.” The bedrock principle behind the labo[u]r movement is to ensure the fair and equal treatment of the working people who are the backbone of our countries. To grow our Union and make it stronger, we must continuously work to ensure that every working person, regardless of any physical attribute, is treated with the same dignity and respect. That is the true meaning of solidarity.

The IAM has worked to combat the prejudices and inequities of the past; however, much remains to be done. Systemic prejudices and patterns of thought cannot be changed without sustained effort. The poisons of discrimination will not dissipate with acknowledgement alone, but by policy activism and conscious action.

That is why the IAM has prepared this manual. It is designed to help Local and District Lodges ensure equality and justice for all members both on the job and within the Union. It includes:

- a discussion of human rights and trade unionism;
- the vision and mission of the IAM's Human Rights Department;
- the "how" and "why" of District and Local Lodge Human Rights Committees;
- an Action Plan for Human Rights Committees;
- an explanation of some of the tough issues Human Rights Committees will confront, such as harassment, affirmative action, and accommodations;
- guidelines for handling complaints;
- checklists to ensure our committees are fulfilling their goals; and
- other helpful reference materials, such as appendices covering the IAM's historical response to human rights issues; a summary of relevant laws; sample policies and procedures; frequently asked questions; a glossary; important dates; and a resource guide.

This manual has been produced for you to ensure that real solidarity embraces every member of this Union.

### **About the IAMAW's Women's and Human Rights Department.**

The IAM Human Rights Department is committed to ensuring a workplace and a world in which people of any color, gender, race, ethnicity, religion, disability, gender identity, sexual preference, age, or any other prohibited grounds are free from all forms of discrimination.

We work to accomplish this goal through a variety of programs and activities. We continue to work for the passage of appropriate anti-discrimination laws on the federal, state, provincial and local levels, and we will make every effort to protect the laws currently on the books from a hostile judiciary. We coordinate with organizations and constituency groups, such as the A. Philip Randolph Institute, the Coalition of Black Trade Unionists, Coalition of Labor Union Women, Asian Pacific American Labor Alliance, Pride at Work, the Labor Council of Latin American Advancement in the U.S., and the National Child Care Coalition in Canada, which join in the fight for dignity, justice, and equality. We seek the development of non-discriminatory health care, housing and education programs. We fight

workplace discrimination specifically in the areas of job training, promotions, access to skilled jobs, and pay equity. And we will continue to ensure education, training, and equal opportunity for the full integration of women and minorities into every level of the life and leadership of our Union.

The IAM, however, cannot accomplish these goals without the active participation and involvement of local and district lodge Human Rights Committees. These committees play a critical role in the success of the Human Rights Department. We depend on local and district committees to carry our message and to perform the four critical functions of our human rights “action plan” for achieving human rights, diversity, and dignity in the workplace and in our communities. The four elements of this Action Plan and, thus, the task of our committees, is to - Represent - Organize - Legislate, and - Educate (ROLE) our members and potential members in order to achieve our goals.



## Section 1: What Do We Mean By Civil Rights?

Understanding civil rights is a necessary first step for any Human Rights Committee. Civil rights laws are usually designed with the intention of correcting historical and systemic support and promotion of often violent and discriminatory policies primarily aimed against African American or Black communities, Native Americans, women, and also Latinx and other immigrant communities. These policies robbed minorities and women of dignity and respect—something all humans deserve based on the content of their character.

Civil rights are protected by federal statutes and state/provincial civil codes. They are enforceable rights and privileges that can result in an administrative or legal action for injury should they be interfered with or infringed upon by another party. Civil rights are not universal and only apply to the respective country's laws and codes.

Discrimination occurs when an individual's civil rights are denied or interfered with due to the individual belonging to a protected class, such as their race, national origin, or gender.



## Section 2: Human Rights vs. Civil Rights

Human rights expand upon civil rights by including fundamental rights for all. This includes rights that are put in place to protect individuals from malicious policies. Examples include certain protections found in labor laws. Although protected class discrimination is specifically covered by the aforementioned civil rights laws, a worker's right to a healthful and safe workplace is covered by other laws. Violation of these laws results in an action for injury. The OSH Act in the United States, for example, contains provisions in § 1977.3, Section 11(c) prohibiting employers from discriminating against an employee for reporting a work-related fatality, injury, or illness. These types of laws put in place to protect the dignity and humanity of citizens and workers can be viewed as human rights laws.

Both civil rights and human rights have the potential to create a world free from wanton discrimination, harassment and ill treatment. All human beings deserve the right to life, liberty and security of person. Laws and protections for civil rights and human rights are key to ensuring that all men and women are treated fairly under the law no matter their race, color, creed, sex, national origin, age, disability, gender identity or any other attribute protected by civil rights and human rights laws.

The Women's and Human Rights Department and IAMAW headquarters believe that this fight is also crucial for the greater good of humanity. It is what fuels the IAMAW's drive to ensure dignity and respect on the job. It is a fundamental right to be treated as a valuable human being, paid a livable wage, be provided acceptable health and welfare insurance, be provided schedules with legally required breaks and sleep hours between shifts, and be provided a safe and healthful work environment.



## Section 3: Human Rights in Trade Unionism

***Solidarity is our strength.*** One employee alone cannot make a difference, but when employees join together and act collectively, they can improve their working conditions. Thus, real solidarity transcends gender, colo[u]r, ethnic background, gender identity, age, religious and other beliefs. The struggle for basic justice and equality, both within and outside our ranks, must be our collective struggle. That's real solidarity.

There have been many changes in North American society and workplaces over the last few decades. The complexion, gender, and ethnicity of workers are more diverse than ever. Despite the growing diversity in our workplaces, many societal issues and attitudes have not changed. Women and people of colo[u]r often earn considerably less than their male counterparts for the same work, and are largely confined to low-paying jobs. Too often they also face harassment in the workplace. Complaints of harassment and discrimination pit union brothers and sisters against one another. Many employers prefer to exploit differences and fears among workers rather than seeking to achieve basic fairness and equity for all. This is why we, as trade unionists, must serve as a progressive force for change.

Living by these values grows our organization. As we demonstrate inclusion and support of people of all backgrounds, we make the IAM a better union. When all employees understand the union is there to protect them regardless of their personal attributes, we will gain respect and commitment from those employees. This places us in a stronger position when organizing new members as well as when demand that employers also respect every employee regardless of their race, religion, creed, gender, gender identity or other characteristic.

We must also recognize that discrimination is not always the result of overt and conscious prejudices on the part of individuals or employers. Sometimes an employer's policies and practices simply fail to take into account individual needs. Inflexibility in scheduling, for example, can betray a lack of respect and awareness for other religions or cultures. A failure to recognize the special needs of disabled or older workers may reflect ageism and basic misconceptions about the abilities of disabled individuals. That is why we seek good language in our collective agreements to protect our members from discrimination and harassment. Additionally, we seek active strategies within our union that promote understanding.

The IAM stands for equality, justice and dignity in the workplace and in our communities. Our stand is both principled and pragmatic. Unquestionably, it is the right thing to do. It creates the real solidarity needed in the ongoing adverse political and economic climate that

workers face. We also have a legal obligation to ensure that our own house—our Union—is free from discrimination and harassment. Stopping all forms of harassment and discrimination is not just our job; it is what we, as a union, are about.

In 2014, our Executive Council became the most diverse leadership body among International Unions. In addition, we have many programs at the William W. Winpisinger Training and Education Center devoted to training members to recognize human rights issues. These classes are designed to help Locals and Districts lodges establish and maintain a Human Rights Committee.

Not only is it important for locals and districts to have a Human Rights Committee, but it is also important that leadership ensure that inappropriate conduct at lodge meetings and other union events is prohibited at all times. This means ensuring that racism, sexism, and other forms of discrimination are eradicated from any order of business in respect of our union brothers and sisters. The IAM believes that we must stand for the human rights and dignity of every worker in order to bring about the kind of real solidarity that will allow us to be an effective voice in the workplace for all workers.



## Section 4: District and Local Lodge Human Rights Committees

### **Why Human Rights Committees?**

The IAM works for equality and justice for all because, as trade unionists, that is our core value. Every lodge has been directed, by convention mandate and order of the International President, to establish Human Rights Committees because they serve a vital function in our Union.

IAM policy, as developed by Grand Lodge Conventions over many years, clearly prohibits any discrimination based on race, creed, colo[u]r, sex, national origin, age, or any other prohibited grounds. This is not only the right thing to do, but is also legally required. Labo[u]r laws in both the United States and Canada require unions with bargaining rights to represent all employees in a bargaining unit fairly, equally, and without discrimination. Unions have been held liable for their own discriminatory practices or jointly liable with employers for sanctioning discriminatory practices. One role of the Human Rights Committee is to ensure compliance with the law.

The Human Rights Committees in your locals or districts are responsible for:

- Monitoring collective bargaining contract clauses governing hiring, promotions, seniority, parental leave, childcare, sexual harassment and other kinds of possible discrimination.
- Alerting lodge officers of overt and subtle evidence of any form of discrimination in the workplace and in the Union.
- Educating members on human rights policies and procedure within the lodge and the workplace to eliminate discrimination.
- Even in lodges with fewer women, minority, disabled, older or ethnically diverse members, the committee still can perform important training, educational and liaison functions.

### **How Should Members of Human Rights Committees Be Selected?**

1. Initially, members of lodge Human Rights Committees may be appointed rather than elected. Once the Committee is established the Local or District may opt to elect committee members.
2. Where possible, the president of the lodge should select members to sit on the Human Rights Committee reflecting the diversity within the lodge membership.

3. Human Rights Committees should be comprised of at least three members.
4. Amalgamated local lodges—that is, lodges that consist of bargaining units at more than one company or location—must include at least one committee member on its Human Rights Committee from each of the companies or locations involved. Additionally, in amalgamated Locals, Local Lodge By-Laws or the Local Lodge Executive Board may stipulate that a Human Rights Committee be established at the various companies or locations. These auxiliary Human Rights Committees would then report to the Local Lodge Human Rights Committee.
5. At the first Human Rights Committee meeting, after the committee has been established, the members should elect a committee member to serve as chair and another to serve as recording secretary.
6. The chair shall be authorized to call meetings and generally direct committee activities. The recording secretary will keep records and help carry out the committee's mission.

### **What are the General Duties of Human Rights Committee Members?**

For your IAMAW Human Rights committee to be truly effective, the following points must be true:

- Members must clearly understand the purpose and importance of their mission to the overall success of our Union;
- Members must be committed to human rights, dignity, and diversity both on the job and in the union;
- Members must be willing to attend regular monthly meetings as well as additional meetings when needed to address specific problems;
- Members must be willing to work with stewards, grievance committees and servicing representatives in order to investigate, address, and resolve any issues relating to discrimination and harassment in the lodge and in the workplace;
- Members must be willing to work with negotiating committees and servicing representatives regarding contract issues relating to harassment and discrimination;
- Members must be willing to work with lodge educators, communicators, stewards and others to provide training and education.

## Section 5: The ROLE of Human Rights Committees - A Committee Action Plan

The goal of the IAM's Human Rights Department is to ensure that our workplaces, unions, and communities are places in which people of any color, race, gender, gender identity, ethnicity, religion, disability, sexual preference, or age are free from all forms of discrimination. We seek dignity, justice, and respect for all people. District and local lodge Human Rights Committees play the key role in our efforts to achieve this goal. They must carry our message and perform four critical functions relating to our human rights "action plan." The four elements of this Action Plan and, thus, the task of our committees, is to Represent - Organize - Legislate - Educate (ROLE) our members and potential members in order to achieve our goals.

In fulfilling this role, district and local Human Rights Committees will engage in various activities, such as fact finding, conducting investigations, and providing education and assistance to the membership, as well as lodge officers and other committees. Specifically, the Human Rights Committee should engage in the activities described below.

### **Fact Finding**

- Survey the membership (see sample survey in Appendix K)
- Review existing employment practices and current agreements covering members (see sample CBA language and harassment policies in Appendix D)
- Review all insurance coverage, pension plans and joint apprenticeship programs
- Review and track legislation and legal developments
- Network with outside organizations, such as the AFL-CIO, Canadian Labor Congress, Constituency Groups and other likeminded organizations.

### **Advice and Assistance**

There are many district and local lodge committees that can benefit from the advice, assistance, and recommendations of the Human Rights Committee. Here are some of the ways your committee can help the members and various other lodge entities.

#### **For The Members:**

- Assist members who seek the help of the Human Rights Committee;
- Support and assist members with human rights complaints or concerns;
- Assist in the informal resolution of complaints;

- Assist in the formal processing of complaints through the Grievance Procedure or government administrative agencies;
- Document and follow up on all human rights complaints and concerns;
- Maintain practical and appropriate levels of confidentiality;
- Educate members about issues of diversity, harassment and discrimination by teaming with the lodge Educator, the IAM Human Rights Department, and/or through a variety of materials such as posters, articles, videos, reports, etc.;
- Act as a liaison between the members and other committees;
- Direct members to appropriate resources;
- Encourage members to participate in all committees and offices of the IAM.

**With The Executive Board:**

- Conduct and/or arrange for programs that will promote greater unity and understanding of human rights issues in the Lodge;
- Report on Human Rights Committee activities at Lodge meetings;
- Insert articles and information into newsletters, web pages, and social media;
- Distribute information to stewards, negotiators, health and safety committee, legislative committee and organizing committees;
- Foster an understanding of human rights issues in all Lodge activities.

**With Stewards (Grievance Committee Chair/Chief Shop Steward):**

- Advise the stewards of all human rights complaints and related issues the Committee learns about;
- Help to investigate and mediate the complaint, if possible;
- At all times, work closely with the Grievance Committee and/or servicing representative.

**With Negotiators:**

- Update negotiators on human rights laws and proposed legislation, case developments, trends, issues that can be resolved by contract language, IAM Grand Lodge Convention resolutions and amendments to the Constitution.

**With the Health and Safety Committee:**

- Update the Health and Safety Committee on any health and safety issues, laws, or regulations that may impact certain groups of workers. Examples include:
  - accommodations for persons with disabilities;
  - family and medical leave laws;

- workplace safety issues that have an impact on a protected class of workers; and
  - workplace bullying.
- Recommend appropriate actions to assist all workers.

**With the Legislative Committee:**

- Provide updates and recommendations on pending legislation relating to human rights;
- Recommend strategies for implementing human rights legislation;
- Monitor developing case law and possible legislative remedies;
- Provide human rights training for Legislative Committee members; and
- Assist with lobbying activities.

**With the Organizing Committee:**

- Help identify workplaces where diversity and human rights issues are not being addressed for potential organizing;
- Assist in identifying the demographics, racial, ethnic, religious, and gender breakdown of these employees;
- Identify the specific needs of prospective female and minority members;
- Identify and educate organizers about the religious and cultural traditions of the prospective members;
- Actively participate in the organizing campaign.

**With the Community Services Committee:**

- Identify issues of concern for members from all protected classes;
- Assist Community Services Committees in raising awareness of human rights and discrimination in the community;
- Encourage membership involvement in community-wide human rights activities.

**With the Lodge Educator:**

- Recommend existing programs and/or assist the Educator in developing programs and materials designed to foster awareness of issues of human rights and discrimination;
- Facilitate human rights classes and discussions.

**With the Lodge Communicator:**

- Recommend materials (print, video, web-based) to foster awareness of issues of human rights and discrimination;

- Produce reports and write articles for newsletters and web pages;
- Assist in the distribution of human rights materials.

**NOTE:** When carrying out the Human Rights Committee's mandate, Lodge Human Rights Committees must not undermine or infringe on the jurisdiction of grievance committees or business representatives. If a complaint or dispute cannot be resolved informally, the grievance procedure should be utilized. The proper function of the Human Rights Committee in a grievance is to serve as a fact finder and mediator.



## Section 6: Workplace Human Rights Issues

Workplace incidents involving harassment, accommodation of disabilities and religious observances, equal pay and affirmative action disputes are among the greatest challenges a trade union can face. Here are some things you need to know.

### Human Rights and Harassment

Every worker has the right to a work place free from discrimination and harassment. No worker should have to face jokes, taunts or bullying because of their gender, race, disability, ethnicity, religion or sexual preference. No worker should have to accept or endure behavior, words or actions that undermine their sense of worth and dignity.

### What is harassment?

Harassment is any action that threatens a worker's job or well-being. Discrimination and harassment occur based on protected classifications including gender, race, ethnic background, gender identity, religion, disability, age, or sexual orientation. Harassment can run the gamut from thoughtless teasing, to outright intimidation, to job sabotage. This conduct can range from subtle to blatant—from suggestive remarks or “jokes” to serious physical assault. Harassment includes, but is not limited to:

- Physical contact, including touching or patting
- Displaying pornographic or other offensive material
- Leering at a person's body
- Unwelcome comments about appearance
- Demands for sexual favors
- Off-color or “dirty” jokes
- Sexually offensive, insulting, derogatory or degrading remarks
- Compromising invitations
- Isolation or exclusion
- Sexual or racial slurs or graffiti
- Disrespect based on protected status
- Denial for job training, promotion, placement, or transfer
- Refusing to work with someone due to their protected status

At its root, harassment means being treated as an object, rather than a co-worker or Sister or Brother. It means being judged on terms other than skills and qualifications when seeking a job, a promotion, a raise, or training.

## **What is the impact of harassment?**

Harassment is not harmless. It can affect a victim's personal and working life in serious ways. Harassment can impact a worker in the following ways:

- *Health*—Victims suffer tension, anger, fear and depression, which may result in headaches, ulcers, etc. The negative effects can carry over into the victim's home life.
- *Job Performance*—A victim's work can suffer due to low morale, health problems, and sense of isolation.
- *Employment Security*—If the victim refuses harassment or reports the incident, particularly in cases between a supervisor and an employee, the harasser may have the power to affect the employee's working conditions, promotions and job security. If the incident occurs between employees, and the victim reports the incident, retaliation, isolation, job transfers and possibly the loss of a job (to either or both the harasser and the victim) may occur.

## **What should IAM members and union officers do?**

Discrimination and harassment, including sexual harassment, undermine the Union. They undermine our sense of real solidarity and they undermine our ability to take collective action. While changes in the law and society have required changes in how we respond to inappropriate behavior[u]r, these changes have not eliminated attitudes and actions that are inconsistent with trade union solidarity and the dignity and worth of every person. As a trade union, we must strive for a higher standard of behavior, both within our workplaces and within our Union. What can we do?

- *Confront harassment when it happens.* Harassment will not go away if we ignore it. By not speaking or acting against harassment when we see it, feel it or hear it; we encourage the perpetrator to believe that his or her actions are acceptable. We leave the victim, who is usually in a vulnerable position, without support.
- *See events through the eyes of the victim.* Even minor actions can inflict serious psychological wounds and carry the seeds of more blatantly aggressive acts.
- *Make sure that the employer fulfils his/her responsibility to:*
  - Provide a workplace free from discrimination and harassment;
  - Have a policy and complaint procedure;
  - Publicize the policy and complaint procedure;
  - Arrange effective training for all employees regularly about the impact of harassment and the ramifications of violations of the company's policy.
- *Note* that supervisors are not the only ones who discriminate and harass. The offenders can be union members and co-workers.

- *Make sure that the lodge fulfils its responsibility to:*
  - Ensure that all union functions and events are free from discrimination and harassment;
  - Educate and train members about the real harm harassment and discrimination have on victims and trade union solidarity;
  - Assist members with complaints of discrimination and harassment by following the complaint procedure outlined within Section 7 of this Manual.

## **Human Rights and Accommodating Disabilities**

The laws in both the US and Canada prohibit workplace discrimination based on physical or mental disabilities. Generally, an individual with a disability must show that he/she can perform the “essential functions of a job with or without a reasonable accommodation.” There is considerable debate over the definition of “disability” and what qualifies as a “reasonable accommodation.”

The reasonable accommodation process required by law can create problems in our workplaces if, as sometimes happens, the employer opts for accommodations that violate contractual seniority rights rather than taking the time and effort to find an appropriate accommodation that respects the rights of both the disabled employee and his or her co-workers. But it doesn't have to be that way. We must work with employers to ensure that seniority rights are protected to the maximum extent possible, while at the same time assuring our disabled Brothers and Sisters of a reasonable and appropriate accommodation.

### **What is a disability?**

A disability is a mental or physical condition that substantially limits one or more major life activities. A disability may have developed over time, be the result of an accident, or have been present since birth. The determination of whether a disability exists under law is made on a case-by-case basis.

### **What is an accommodation?**

Employers and others have a duty to consider the needs of persons with disabilities. If an individual can perform the essential functions of a job, but needs some assistance or alteration to do so—this assistance is an accommodation. If existing physical structures, systems, or attitudes create barriers, they must be removed unless it is impossible to remove barriers without undue hardship. However, a reasonable accommodation does not have to

be the least restrictive or the one preferred by the employee. Accommodations will vary according to a person's unique needs and according to the federal, state, or provincial law.

## **Human Rights and Accommodating Religious Beliefs**

Employment discrimination on the basis of religion is prohibited under Title VII of the Civil Rights Act of 1964, and under Canadian Human Rights legislation. An employer is required to reasonably accommodate an employee's sincerely held religious beliefs or practices, unless such an accommodation would create an undue hardship on its business. However, a reasonable accommodation does not have to be the least restrictive or the one preferred by the employee. In addition, an accommodation that requires an employer to bear more than a minimal cost or to violate a valid seniority system or collective bargaining agreement is generally deemed to be an undue hardship.

Members of the Human Rights Committee should be sensitive to the existence and practice of varying religious beliefs among the local lodge membership. The Human Rights Committee can play an important role in ensuring that our members' individual religious beliefs and practices are properly accommodated in the workplace to the greatest extent practicable while at the same time protecting the rights of all members under the collective bargaining agreement.

Title VII also places an accommodation obligation on unions with regard to religious objections to union membership in workplaces subject to union security clauses. While the Union is only obligated to accommodate bona fide religious beliefs and is entitled to evaluate the sincerity of professed religious objections to dues payments and union membership, it is critical that the Union take immediate action in response to an employee's request for a religious accommodation with regard to union membership and dues. If an employee subject to a union security clause notifies the union that he or she objects to the payment of union dues for religious reasons, the Union must take appropriate action in response. Appendix I contains a recommended procedure for handling such requests.

## **Human Rights and Equal Pay for Work of Equal Value**

Women have historically earned less than men. The dramatic increase in female participation in the paid labor force has not changed that fact. In the United States, for every dollar that a white man earns, white women make approximately \$0.79, while Black women make \$0.62, Hispanic or Latina women make \$0.54, and American Indian and Alaska Native women make \$0.54. Redressing this injustice through collective bargaining and human rights laws is a high priority for the IAM. Men and women doing the same, or similar work, should receive the same wages and benefits.

In the United States equal pay for men and women doing similar or comparable work is not required by federal law (but may be required in some states and jurisdictions). Comparable work is required in some Canadian provincial jurisdictions. Where equal pay for work of equal value is required, different jobs can be compared using factors like required skills, effort and responsibility, and employers can be required to redress imbalances if women are underpaid. Equal pay through collective bargaining or local union based program evaluations can be even more effective.

In negotiating for pay equity, remember that wage inequities may come in a variety of forms, including lower entry and/or lower topping out rates for classifications employing mostly women or a longer progression period to the top rate in such classifications. Two-tier wage schemes which discriminate against new hires also contribute to inequities, and may undermine affirmative action, employment equity and integration programs.



## **Human Rights and Affirmative Action**

Affirmative action or employment equity program[s] allow 'disadvantaged groups' to catch up from the results of past discrimination by abolishing discrimination, instituting remedial action, and setting up support systems. Sometimes remedial measures like affirmative action create divisions and hostility in our workplaces because they are perceived as "quota" systems that replace qualified white males with unqualified ethnic or racial minorities or women. This is a gross misperception. All participants must be capable and qualified for the training and work required. What affirmative action really requires is that employers set goals and take meaningful steps to reach out and give opportunities to qualified individuals in the targeted disadvantaged groups.

We can expect continued opposition to affirmative action programs in the US and Canada by those who seek to exploit hostility and resentment among employees. It is the job of the

Human Rights Committee to provide accurate information about these programs and to be at the forefront of efforts to eliminate the effects of past discrimination in our workplaces.



## Section 7: Handling Discrimination Complaints

When a member experiences discrimination or harassment, they will likely feel a great sense of mental anguish. It is often difficult for victims of discrimination to report their experience(s) due to shame, embarrassment or fear of social backlash. Therefore, all officers and local lodge leaders must handle any discrimination or harassment case with the utmost care and confidentiality. It is also important to remember that victims have the right to file:

1. A grievance through the collective bargaining agreement;
2. A complaint under the Company harassment policy;
3. A complaint with an outside agency such as the Equal Employment Opportunity Commission (EEOC) or Human Rights Commission; and/or,
4. A complaint with the state or local police department if the complaint is or could be considered a criminal offense.

### Where Do Complaints Come From?

A member may complain to a shop steward, another union official, or a member of the Human Rights Committee that he/she is a victim of harassment or discrimination. The person taking the initial complaint must notify the appropriate lodge official or committee, as well as the Business Representative (BR), General Chairperson (GC), or Grand Lodge Representative (GLR) to put them on notice and obtain feedback and assistance.

The steward, Human Rights Committee member, or whoever normally handles harassment complaints should immediately begin an investigation into the complaint, just as one would proceed with investigating a grievance. If the steward or representative finds—after conducting a thorough investigation—that no grievance exists, the union should try to informally resolve the issue.

The union representative (Human Rights Committee member, BR, GC, or GLR) can handle some member-to-member complaints informally. The member should never be told that they have no right to file a complaint with the company or with EEOC or the Human Rights Commission.

### The Investigation Process

After confirming the veracity of the member's complaint, the offending party(ies) must be put on notice that their behavior is unacceptable. The investigator should report back to the complainant, and advise them of the discussion they had with the alleged offender(s). If the harassment or discrimination stops at that point, all documented evidence should be stored

as a completed fact sheet at the local or district lodge or with the chairperson of the grievance committee; however:

- 1) If the accused member(s) deny the allegations and/or deflect responsibility, the investigator should inform the harasser of the consequences of their action if found guilty.
- 2) If the first attempt to stop the harassment or discrimination is not successful and a hostile work environment continues, the investigator should inform the steward.
- 3) The steward must then initiate a policy grievance or the victim can initiate a personal grievance with the victim's supervisor. (The steward should always assist the grievant when filing a personal harassment grievance.)

It is important to note, at no time should the steward file a grievance for a member against another member. The grievance should be filed against the company for allowing a hostile and/or a discriminatory work environment to exist.

In investigating an allegation of harassment, the union must maintain confidentiality. Should a member be improperly disciplined and want union representation, the union will investigate and represent the member appropriately. To avoid any compromising of the facts during the investigation, separate stewards or representatives must be assigned to the members; one to the alleged harasser and one to the alleged victim.

Throughout the process it is important to keep all concerned parties informed.



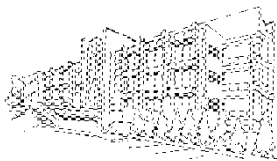
## Section 8: Human Rights Committee Checklist

Setting up a Human Rights Committee is just the first step. Getting to know your lodge from the standpoint of human rights is crucial to serving members and/or making necessary suggestions for improvements. Sometimes knowing the right questions to ask can help the committee identify areas to address.

The Human Rights Department has put together a list of questions to help committees get started.

1. Have you developed a human rights profile of your local or district?
2. Have you analyzed your collective agreement(s) and benefit plans for clauses that discriminate against women or minority groups?
3. Does your employer discriminate in hiring against women or minorities?
4. Does your seniority system discriminate against certain groups of employees? Have changes been considered to make them equitable?
5. Does your agreement(s) have a clause forbidding all forms of harassment and discrimination?
6. Do your Lodge By-laws address harassment and discrimination?
7. Does your agreement(s) have a clause providing for equal pay for work of equal value? If not, is pay equitable?
8. Does your collective agreement(s) have a human rights clause?
9. Has the Committee conducted a survey to evaluate harassment and discrimination in the union and at the companies where represented employees work?
10. Have human rights cases in your local gone to the Human Rights Commission or EEOC without having gone through your grievance procedure?
11. Are you doing educational work on human rights in your local and community?
12. Are you maintaining contacts with other local, state labor councils, provincial federations and other groups working for human rights in your community?
13. Have you encouraged Union participation by women and minority groups in your Lodge and shop committees?
14. Have you looked for organizing opportunities among women and minority groups both internally and externally in the community?

## APPENDIX A: IAM Official Circulars



Official IAM Circulars sent to all IAM Districts and Local Lodges augment the actions adopted on the floor of the IAM Grand Lodge Conventions. They confirm the responsibility of all Union Officers to abide by the mandates established by the delegates to the various Conventions and to adhere to the policies promulgated by the IAM's Executive Council:



### **INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS**

#### **Official Circular No. 888**

#### **Discrimination and Human Rights Programs and Policies**

**Issues January 1, 2023**

#### **TO THE MEMBERSHIP EVERYWHERE, GREETINGS:**

**PURPOSE** To update Official Circular 817, to clarify the IAM's continuing commitment to civil and human rights for all IAM members throughout the United States and Canada, and to emphasize the need for all lodges to be in compliance with the IAM's Constitution, policies, and the laws governing discrimination and harassment.

**INFORMATION/INSTRUCTIONS** The delegates assembled at Grand Lodge Conventions repeatedly affirm the IAM's commitment to ensuring civil and human rights not only for all IAM members, but also for all workers throughout our nations and the world regardless of gender, race, religion, age, disability, gender identity, sexual orientation or ethnicity. Each year we make progress toward achieving our goals. The delegates to the 40<sup>th</sup> Grand Lodge Convention were no different.

The IAM Constitution now mandates that each Local Lodge shall have a committee of members to be known as the Human Rights Committee. This committee shall assist in education, organizing, representation and community outreach on issues that will enhance the representation of the lodge in diversity, equity, and inclusion matters. Each committee will continue its work to ensure, among other things:

- A. That all of our members—including women, racial, religious and ethnic minorities, members of the LGBTQ+ community, and people of color enjoy effective and non-discriminatory national, state, provincial and local laws, and programs relating to employment, job training, health care, housing, and education.
- B. That the IAM continue fighting workplace discrimination specifically in the areas of job training, promotions, access to skilled jobs, and pay.
- C. That the IAM continue its support of organizations, such as the A. Philip Randolph Institute, the Labor Council for Latin American Advancement, the Coalition of Labor Union Women, the Asian Pacific Alliance, Pride at Work, the Coalition of Black Trade Unionists, the National Action Committee and National Child Care Coalition in Canada, and other similar organizations in both the United States and Canada, which join in the fight for dignity, equality, and equal opportunity.
- D. That the IAM continue to ensure education, training, and equal opportunity for the full integration of women, minorities and a diverse membership into every level of the life and leadership of our Union.

By this Official Circular, the IAM reaffirms its commitment to providing an environment free of harassment at all International Union workplaces and activities and reiterates previous instructions to all districts, locals, councils, and conferences to do the same. The IAM constitution now mandates that a code of conduct be read affirming union values and prohibiting discriminatory and harassing conduct at all meetings and events of state and provincial councils and conferences. A sample code of conduct is attached to this Official Circular.

We must all take our commitment to diversity, equity and inclusion seriously. As trade unionists, mutual respect must be the basis of all our interactions. Any form of harassment — racial, sexual, or other — flies in the face of the fairness and dignity that we seek for all workers.

IAM policies at the International level have long sought to prohibit any discrimination based on race, religion, sex, sexual orientation, gender identity, pregnancy, military status, national origin, disability or age, and we have issued policies and conducted regular training on this subject. These policies apply to the Grand Lodge's employees. If,

however, an IAM member has a complaint about discrimination or harassment by a Grand Lodge employee, that member may request an investigation under the Grand Lodge's policy by contacting the IAM's Human Resources Department. In addition, all lodges have received information from the Grand Lodge concerning their need to educate, train, and adopt policies in order to be in compliance with federal, state and provincial laws. Harassment and discrimination will not be tolerated in our interactions with employees or prospective employees of our lodges or in our interactions with our members. Lodges that fail to take appropriate steps do so at their peril.

Accordingly, IAM lodges, councils, and conferences are directed to bring themselves into compliance with all laws and to ensure that no behavior is tolerated that is likely to undermine the dignity or self-esteem of an individual, or create an intimidating, hostile, or offensive environment.

In Solidarity,



Dora Cervantes  
GENERAL SECRETARY-TREASURER



Robert Martinez, Jr.  
INTERNATIONAL  
PRESIDENT

## **SAMPLE CODE OF CONDUCT**

The IAM is committed to providing an environment free from discrimination and harassment, regardless of an individual's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, military status, or any other characteristic protected by law. As such, the IAM will not tolerate unacceptable behavior at any of our meetings or events. As trade unionists, mutual respect must be the basis of all our interactions. Unacceptable behavior includes, but is not limited to, discriminatory or harassing speech or actions; harmful or demeaning verbal or written comments; real or implied threat of physical harm; harassing photography or recording; uninvited sexual attention or contact, physical assault including uninvited touching or groping.

The IAM is a democratic union that values open and vigorous discussion of the issues facing working people and the labor movement. This code of conduct is not intended to restrict free and open debate, but rather is concerned with protecting dignity and fairness for all members.

The designated contact for anyone who thinks they have experienced or witnessed discriminatory, harassing or otherwise unacceptable behavior is \_\_\_\_\_[name] at \_\_\_\_\_[phone number].



## **INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS**

**Official Circular No. 887**

**Women's Committees**

**Issued: January 1, 2023**

**TO THE MEMBERSHIP EVERYWHERE, GREETINGS:**

**SUBJECT** Women's Committees in the IAM

**PURPOSE** To update and replace Official Circular 793 and to carry out the action of the 40<sup>th</sup> Grand Lodge Convention. The IAM has taken steps to ensure the equality, economic security, leadership and advancement of women in the workplace within the IAM, in the United States and in Canada. Women now constitute a large and growing percentage of the workforce. The percentage of women in the IAM's membership has steadily increased, and our female members confront many unique obstacles on the job and to leadership positions. For these reasons, the Executive Council has adopted the Leadership Excellence Assembly of Dedicated Sisters ("LEADS") program. Our district and local lodges similarly need to take action as we strive to be the union that is most inclusive to all segments of our society.

### **INFORMATION/INSTRUCTIONS**

While the IAM has had an official circular instructing all Lodges to have a Women's Committee for decades, at the 40<sup>th</sup> Grand Lodge Convention in Las Vegas, Nevada, in October of 2022, the delegates voted and unanimously passed the following addition to the IAM Constitution:

Each L.L. shall have a committee of members to be known as the women's committee. This committee shall assist in education, organizing, representation and community outreach on issues which will enhance the representation of women and encourage participation from our sisters in the Lodge.

Accordingly, our Constitution now mandates that every Local Lodge have a Women's Committee. Each Lodge can structure the committee as best serves the lodge. However,

D.L. and L.L. Executive Boards, Business Representatives and General Chairs will offer support and encourage our members' participation in the Women's Committee in order to create a working environment that promotes equitable opportunities for women to advance within their Local and District Lodges therefore building a stronger, more diverse union.

The Committees will help to create a working environment that promotes equal opportunities for women to advance to higher-skilled, higher wage jobs. They will encourage sisters to become more active members in their locals through education to provide sisters with the tools necessary to advance into leadership positions.

The Committees will help sisters develop a network of organizers, which are vital to the union's future growth as more and more workplaces are hiring women in greater numbers. The Committees will also involve our sisters in political and legislative action on the local level to promote issues that impact workers and working families. They further should train our sisters to assist with voter registration and get out the vote activities.

Finally, the Committees should coordinate their activities with other groups that share similar values such as the Coalition of Labor Union Women, the Canadian Labour Congress, the International Metalworkers' Federation, the International Transport Workers Federation and more.

Each committee shall contact the Grand Lodge Women's Department for information and guidance to assist in the development and sustaining of effective committees.

Additionally, this will ensure when there are events or materials to be distributed, the Women's Department will have the contact information to be able to disseminate information to the Lodges.

Fraternally yours,



Dora Cervantes  
GENERAL SECRETARY-TREASURER



Robert Martinez, Jr.  
INTERNATIONAL  
PRESIDENT

## APPENDIX B: The IAM Grand Lodge Employment Manual

### **POLICY NO. IV.1**

#### **Equal Employment and Anti-Harassment**

**ISSUED: February 1, 2018**

#### **Equal Employment Opportunity**

The IAM fights every day for dignity and respect in the workplace. The struggle to eliminate all forms of discrimination is a major part of this effort. Just as we fight for our members against discrimination, we must be vigilant in our fight against discrimination regarding our own employees. The IAM is committed to fairness, justice and equality in every aspect of our union.

Discrimination in employment on the basis of any classification protected under federal, state, provincial or local law is a violation of our policy and is illegal. Equal employment opportunity is provided to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, covered-veteran status, marital status, genetic information, sexual orientation, gender identity, pregnancy status or any other protected characteristic. This policy applies to all terms and conditions of employment, including, but not limited to, recruitment and hiring, placement, promotion, termination, reductions in force, recall, transfer, leaves of absence, compensation, and training.

Overall responsibility for the direction of the IAM's Equal Employment Opportunity Policy rests with the Human Resources Director. Any questions regarding the policy or its implementation should be directed to him or her.

#### **Reasonable Accommodations**

As part of our obligations under the Americans with Disabilities Act ("ADA") or the Canadian Charter of Rights and Freedoms or Canadian Human Rights Act, the IAM is committed to providing equal employment opportunities and reasonable accommodations to those individuals qualified for protection under the Act, provided it does not cause an undue hardship. Any individual who needs a reasonable accommodation to apply for employment or to perform the essential functions of his/her job should contact the Human Resources Department. While the IAM cannot guarantee

a specific accommodation for an employee, the IAM will work with the individual (and his/her shop steward if requested) to develop an appropriate reasonable accommodation to allow the employee to continue to perform the essential duties of his/her job, within the protections provided under the ADA or Canadian laws.

Similarly, as part of our obligations under the Pregnancy Discrimination Act (“PDA”) or Canadian Human Rights Act, any pregnant employee who needs a reasonable accommodation to perform the essential functions of her job should also contact the Human Resources Department. While the IAM cannot guarantee a specific accommodation for an employee, the IAM will work with the individual (and his/her shop steward if requested) to develop an appropriate reasonable accommodation to allow the employee to continue to perform the essential duties of his/her job while pregnant or on the account of pregnancy.

### **Reasonable Accommodations**

All employment decisions in the IAM will be made without regard to race, color, religion, sex, national origin, age, disability, covered-veteran status, marital status, genetic information, sexual orientation, gender identity, or any other protected characteristic. Examples of discrimination include:

- threatening to take or taking employment actions, such as discharge, demotion, or reassignment, based on hostility to a person’s protected characteristic or status;
- favorable or preferential treatment of certain people due to discriminatory bias;
- presumptions about an employee’s capabilities to perform his/her duties or potential duties based on his/her protected characteristic or status;
- inclusion or exclusion of employees from IAM sponsored events based on their protected characteristic or status.

The above list of examples is not intended to be all-inclusive.

### **Anti-Harassment**

**Statement of Philosophy.** The IAM has a longstanding commitment to a work environment that is respectful of the dignity and worth of each individual. Inappropriate workplace behavior, bullying and unlawful harassment create conditions that are wholly inconsistent with this commitment. The purpose of the policy set forth below is not to regulate the personal morality of employees, but rather to foster a work environment that is free from all forms of harassment, whether that harassment is because of race, color, gender, age, religion, national origin, disability, veteran status, marital status, genetic

information, sexual orientation, gender identity, pregnancy status, or any other characteristic protected by law.

**Discriminatory Harassment Prohibited.** Discriminatory harassment, including sexual harassment, will not be tolerated by the IAM. This policy applies to all harassment occurring in the work environment, whether on premises or in any IAM related setting, and applies regardless of the gender of the individuals involved. This policy covers all employees of the IAM, including applicants for employment, and also includes third parties over whom the IAM has control.

**Sexual Harassment Defined.** For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment, such as demands for sexual favors in exchange for favorable or preferential treatment or
- submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual such as threatening to take or taking employment actions, such as discharge, demotion or reassignment, if sexual favors are not granted or
- such conduct is severe or pervasive enough that it unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Some **examples** of what constitutes sexual harassment if sufficiently severe and pervasive are:

- unwelcome and repeated flirtations, propositions or advances;
- unwelcome physical contact;
- whistling;
- leering;
- improper gestures;
- horseplay;
- use of stereotypes;
- sexually offensive, insulting, derogatory or degrading remarks;
- unwelcome comments about appearance;
- sexual jokes or use of sexually explicit or offensive language;
- gender- or sex-based pranks; and
- the display in the workplace of sexually suggestive objects or pictures.

The above list of examples is not intended to be all-inclusive.

**Other Harassment Defined.** For purposes of this policy, other harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, gender, age, religion, national origin, sexual orientation, gender identity, disability, veteran status, marital status, genetic information status, pregnancy status or any other characteristic or status protected by law, and that is severe or pervasive enough that it:

1. creates an intimidating, hostile or offensive work environment; or
2. unreasonably interferes with an individual's work performance.

Examples of such harassment include:

- using epithets;
- using slurs;
- mocking, ridiculing or mimicking another's culture, accent, appearance or customs;
- threatening, intimidating or engaging in hostile or offensive acts that focus on an individual's protected characteristic or status;
- jokes or pranks based on an individual's protected characteristic or status;
- the displaying on walls, bulletin boards or elsewhere on the IAM premises, or circulating in the workplace, written or graphic material that denigrates or shows hostility or aversion toward a person or group because of a protected characteristic or status.

The above list of examples is not intended to be all-inclusive.

### **Step 1: Reporting Discrimination or Discriminatory Harassment.**

In order to ensure that our workplace remains free of improper discrimination and illegal harassment, the IAM must rely on its employees to report any improper conduct in the workplace. Therefore, it is the policy of the IAM that any employee who believes that he/she is being harassed or discriminated against or who has observed or overheard unlawful discrimination or harassment of another employee promptly report the improper behavior. The IAM cannot correct inappropriate behavior if we are not notified of the behavior. Don't suffer in silence – Report it!

The first step is to promptly notify your immediate supervisor, the Human Resources Director, or **any other** supervisory level official with whom you feel comfortable talking. If at any time you believe it would be unreasonable to use this procedure to report harassment, the IAM encourages you to discuss your concerns with any member of the Executive Council.

**Step 2: Investigation.**

When an employee reports discrimination or harassment as specified above, the IAM will undertake a prompt investigation appropriate to the circumstances. The steps to be taken during the investigation cannot be fixed in advance, but will vary depending upon the nature of the allegations. Confidentiality will be maintained throughout the investigative process to the extent practicable and consistent with the IAM's need to undertake a full investigation. The IAM expects all employees to cooperate in any such investigation so that any unlawful discrimination or harassment can be stopped.

**Step 3: Resolving the Matter.**

Upon completion of the investigation, appropriate remedial action will be taken, if necessary and supported by the facts. Remedial action may include oral or written counseling, referral to formal counseling, disciplinary suspension, probation, or discharge from the IAM. The complaining employee will be advised when the investigation is completed.

**Nonretaliation.** An individual, who reports incidents that the employee, in good faith, believes to be violations of this policy, or who is involved in the investigation of discrimination or harassment (such as a witness), will not be subject to reprisal or retaliation. Retaliation is prohibited even if it is found there is no merit to the original complaint. Retaliation is a serious violation of this policy and should be reported immediately. The report and investigation of allegations of retaliation will follow the procedures set forth in this policy. Any person found to have retaliated against an individual for reporting discriminatory harassment or participating in an investigation of allegations of such conduct will be subject to appropriate disciplinary action.

**Training.** To assure that employees understand this policy and their obligations under it, the IAM periodically will conduct training relating to the policy and its implementation.

**Communication.** This policy is part of the IAM's overall commitment to open communication. The IAM encourages any employee with workplace concerns of any nature (including, but not limited to, any alleged discrimination) to bring those concerns to the attention of their Supervisor and/or the Human Resources Director.

## APPENDIX C: Frequently Asked Questions About Harassment

### ***Is harassment just a matter of opinion?***

No. Because of differences in life experiences, different people may have different perceptions of what harassment is. However, we can still develop some common understanding. (i.e. any unwelcome behavior[u]r that demeans, humiliates, or offends a person, or puts sexual conditions on a person's job, is harassment).

### ***What if everyone else in the workplace is comfortable with the behavior[u]r?***

People react to behavior[u]r in different ways. A person may think his or her conduct is welcome when in fact the recipient dislikes it, but is going along with it to avoid a confrontation. This can happen especially where there is a difference in age, racial or cultural background, seniority, level of authority or personal power between those concerned. Sometimes people feel they have to join in to avoid being ostracized, victimized or teased by their peers.

### ***How does a person know what behavior[u]r is unwelcome?***

Sometimes a person can say directly that something is offending or humiliating. Other times we have to be aware of nonverbal clues. If someone looks embarrassed or hurt, turns away, leaves the room or avoids another, chances are they do not welcome certain behavior[u]r. "Reasonable person" standard applies.

### ***What if I did not mean to harm or offend anyone?***

The best intended comment or action might be harassing, if it is unwelcome or offensive to another person. Harassment is not about a person's intent. It is about how the behavior[u]r has impacted the victim. You may only have intended to be funny, but if someone else is humiliated by what you did or said, you may have harassed him or her without meaning to.

### ***What if someone at work tries to retaliate against a complainant?***

Employers are legally required to protect employees from retaliation. Retaliation against anyone involved in a complaint will not be tolerated, and will have serious consequences. Generally, the penalties for retaliation are the same as for the original harassment, and may be even more severe.

***What if my Employer/Union doesn't deal properly with a problem of harassment?***

An employee who feels his or her concerns have not been properly addressed has the right to contact the appropriate Human Rights Commission or other organization. If an outside agency determines that harassment has taken place, an order may determine financial consequences, or compensate the complainant for lost wages and injury to self-respect, or demand an apology or require human rights training. The exact remedy will depend on the complaint.

***What if my employer doesn't know harassment is taking place?***

Only employers can really prevent harassment in the workplace. So the ultimate responsibility rests with them. The law says that even an employer who did not actually know about the harassment is still responsible, if he or she should have known it was occurring. If the employer can show that they took all reasonable steps to prevent and deal with harassment, the legal and financial consequences may well be less severe.

***What if I am sexually or physically assaulted at work?***

If the harassment involves physical or sexual assault, you should contact the police. These are criminal offences.

***Does workplace sexual harassment only occur when supervisors make sexual demands on subordinates?***

No. Sexual power plays by supervisors constitute the most widely publicized and easily understood form of sexual harassment, but harassment also occurs when supervisors, co-workers, or even nonemployees create a hostile environment through unwelcome sexual advances, demeaning gender based conduct, or even sexual conduct that is not directed at particular individuals.

***Can sexual harassment occur in the absence of physical touching or where there has been no threat to the employees' job?***

Yes. The nature of sexual harassment may be purely verbal or visual (pornographic photos or graffiti on workplace walls, for example), and it does not have to involve any job loss. Gender based conduct that results in psychological impact alone may amount to sexual harassment.

***If men have a right to free speech, then why can't they express their view that women belong in the kitchen, not the shop?***

The First Amendment protects some forms of expression, even in the workplace, but the verbal threats involved in sexual harassment are not protected as free speech any more than coercive verbal threats are. Your rights stop where a co-worker's begins. If a man or a group of men express their views with the purpose of degrading, discriminating against and/or intimidating women, then they are no longer protected by free speech. Speech, pictures, or conduct designed to offend, discriminate against and/or intimidate other employees on the basis of a protect class is against the law.

***Is sexual harassment of men, either by a woman or by another male, unlawful?***

Yes. Although sexual harassment generally is perpetrated by men against women, any form of unwelcome sexual advance against employees of either gender may be the basis for a case of unlawful sexual harassment. That is why the law is gender neutral.

***I plan to sue, should I still file a complaint under my employer's sexual harassment policy?***

Yes. This way, the company and union have a chance to solve any problems before going to court.

Making a prompt internal complaint is also something that you owe to yourself, even if your sole concern is a lawsuit against your employer. If you fail to use internal complaint procedures, the company's defense team will be sure to use that fact against you. Failing to use the policy at the time the alleged harassment occurred may create the appearance that the conduct complained of never occurred or that it was welcomed. Failure to make a complaint also undermines any argument that the company was responsible for the harassment.

Failing to make a complaint can be particularly harmful to your legal interests if you are claiming that the harassment forced you to quit. It might be hard to blame the company for forcing you off the job if it could have corrected the conduct but was never given the opportunity to do so.

***Can individuals be legally liable for harassment, or is it just employers?***

An individual's liability is the typical result, not the exception, in court. Individual supervisors may be liable not only for perpetrating harassment, but also for failing to prevent it and for failing to correct the hostile/poisonous environment. For a responsible

supervisor or manager, it is not simply a matter of “keeping one’s hands to one-self,” but also a matter of “not sitting on one’s hands.” While employers often may decide to provide a legal defense for supervisors in a lawsuit, either jointly or through a separate lawyer, an employer may be entitled, after a court decision against them, to recover damages and legal expenses from a supervisor whose conduct created the problem.

## APPENDIX D: Glossary

**Aboriginal:** Indigenous people Inhabiting or existing in a land from the earliest times or from before the arrival of colonists such as Native Americans in both Canada and the United States.

**Abusive Work Environment/Hostile Work Environment:** A work environment pervaded by harassing or demeaning comments or actions by any person. Such a work environment negatively impacts the person or persons subject to harassment.

**Accommodation/Reasonable Accommodation:** Adjustments and/or changes an employer makes in the work schedule, job duties or work environment to meet the needs of employees with disabilities or bona fide religious beliefs.

**Affirmative Action:** Specific actions such as recruitment, hiring or upgrading taken to eliminate the present effects of past discrimination. Any measure beyond the simple termination of a discriminatory practice which permits the consideration of race, sex, national origin or disability along with other criteria and which is adopted to provide opportunities to a class of qualified individuals who have either historically or actually been denied those opportunities.

**African American/Black:** A person having origins in any of the Black racial groups of Africa.

**Anti-Semitic:** Hatred and/or dislike of that which is Semitic. Although technically a Semite is a member of a group of people of the Near East and North Africa, including Jews and Arabs, the term anti-Semitic is presently associated with and generally understood as displaying prejudice against Jews.

**Apartheid:** Division of race and culture based on racism. The official policy of strict racial segregation and discrimination against non-whites practiced in South African from about 1950–1991.

**Asian or Pacific Islander:** A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.

**Assimilation:** The process whereby a group gradually adopts the characteristics of another culture.

**Bias:** An inclination or preference either for or against an individual or group, especially one that interferes with impartial judgment.

**Bigot:** A person who is strongly partial to one's own group, religion, race, or other characteristic and is intolerant of those who differ.

**Bisexual:** A person who has no sexual preference for one gender over the other.

**Bona Fide Occupational Qualification:** A characteristic such as physical ability, race, sex, age, religion or national origin which is necessary and essential to the performance of a job. A "BFOQ" is a narrow exception to the general rule that employers may not take such characteristics into consideration in making employment decisions.

**Bullying/Workplace Bullying:** Bullying occurs when a person or group of people use words, gestures, positions of authority or leadership, policies or physical assault to belittle, demean, oppress, intimidate or discriminate against another person or group of people whom they perceive as inferior to them.

**Culture:** The totality of socially learned, shared and transmitted human behavior[u]r patterns, that includes thoughts, communications, actions, customs, beliefs, values and institutions of a race, ethnic, religious or social group.

**Desegregation:** The breaking down of imposed racial separation.

**Designated Group/Protected Class:** A categorized group protected by equal employment opportunity laws or statutes such race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability and genetic information (including family medical history).

**Disability:** A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment or being regarded as having such an impairment.

**Discrimination:** The act of making distinctions or differences in the treatment of others for a variety of reasons or justifications. To treat someone worse than others because of that person's beliefs or because of that persons' race, sex, national origin or some other characteristic.

**Disparate Impact:** Under equal employment opportunity laws, less favo[u]rable effect for one group than for another. Disparate impact applies when rules applied to all employees have a different and more inhibiting effect on women and/or minority groups than on the majority.

**Disparate Treatment:** Inconsistent application of rules and policies to one group of people over another.

**Diversity:** Differences among people or peoples reflected in a variety of forms, such as race, culture, perspective, talent, interest, age, religion, gender, sexual orientation, etc.

**Employment Equity:** In Canada, legislation which targets members of recognized designated groups to advance their ability to enter into the workplace and ensure equality of treatment.

**Epithet:** An abusive, contemptuous and/or derogatory term used to refer to a person; slur.

**Equal Pay:** The principle that wage rates should be based on comparable work, rather than upon the sex, race, or other characteristic of the worker which is unrelated to his or her ability to perform the work.

**Ethnicity:** A common and distinctive racial, national, religious, or cultural heritage distinguished by customs, characteristics, language, history or origin.

**Ethnocentrism:** A belief in the superiority of one's own ethnicity.

**Gay:** A common and acceptable word for male homosexuals, but used for both genders.

**Harassment:** Engaging in any unwelcome conduct that is known or ought reasonably to be known to demean, humiliate or offend a person.

**Hate Crime:** A crime committed solely because of the victim's race, religious beliefs, disability, sex, nationality, or sexual orientation.

**Homophobia:** The irrational fear or hatred of homosexuality and homosexual persons.

**Homosexual:** A person who is emotionally, physically, and/or sexually attracted or committed to members of the same sex.

**Implicit Bias:** Refers to our attitudes towards people or associated stereotypes with them without our conscious knowledge. These attitudes or stereotypes affect our understanding, actions, and decisions.

**Latino/Hispanic:** A person whose origins are in Spain, Latin America, or the Spanish speaking Caribbean.

**Lesbian:** A common and acceptable word for female homosexuals.

**LGBTQ:** Is an acronym used to describe a persons or persons who identify as lesbian, gay, bisexual, transgender and queer or questioning. These terms are used to describe a person's sexual orientation or gender identity.

**Minority:** A group of people differing from others in race, ethnic background, gender or religion from the majority of the people in a nation.

**Multicultural:** The coexistence of many distinct cultures within a given context, such as a workplace, a community or a nation.

**Nationality/National Origin:** The status of belonging to a particular nation by origin, birth or naturalization.

**Pay Equity:** A remedy for addressing pay discrimination that depresses wages paid to jobs traditionally held by women and/or people of color. Pay equity requires employers to provide equal pay for work of equal value, as measured by the skill, effort, responsibility and working conditions needed to perform the jobs.

**Persons of Color:** People of non-European ancestry. All persons self-identifying by the general categories of Black or African American; Hispanic, Latino or Chicano, Asian or Pacific Islander; Native American or First Nation.

**Pluralism:** A condition in which members of diverse ethnic, racial, religious, or social groups maintain their traditional cultures or identities within a common (shared) culture.

**Poisonous/Toxic Workplace:** Any job environment where the work, the atmosphere, the people, or any combination of those things causes serious disruptions in the workplace. The environment is often hostile, and causes workers to feel tremendous stress, anxiety and anguish on and off the clock.

**Prejudice:** Preconceived judgment or opinion. Prejudice is frequently based on stereotypes and negative attitudes towards others unlike oneself.

**Prohibited Grounds:** Bases for discrimination that are in violation of the law.

**Queer:** Queer is a lesser used term within the LGBTQ community and more so accepted by younger people. It means an individual whose sexual orientation is not exclusively heterosexual, but also who feels that lesbian, gay and bisexual don't fully describe their sexual orientation.

**Questioning:** Is also associated with the "Q" within the LGBTQ community. This adjective describes a person who is questioning their sexual orientation or gender identity.

**Race:** A social construction applied to a population group set apart from other human beings on the basis of commonly visible criteria such as skin color.

**Racism:** An attitude, action or institutional structure, which subordinates a person or group because of their race.

**Segregation:** The imposition of separation or isolation on a race or class from the rest of the population. Segregation is sometimes legally mandated as in the southern United States in the first half of the 20th century or in apartheid South Africa. De facto segregation is enforced by cultural and economic patterns rather than by law.

**Sexism:** A system of beliefs or attitudes that relegates women to limited roles and/or options because of their sex.

**Sexual Orientation:** The direction of one's sexual preference. Heterosexuality, homosexuality or bisexuality.

**Stereotype:** An over simplified generalization about a person or a group of people without regard for individual differences.

**Transgender:** Individuals of either physical gender that have been raised as that gender in opposition to their psychological make up.

## APPENDIX E: Calendar/Dates to Know

Before scheduling any event, whether it is a Local Lodge picnic, District convention, or negotiations, make sure to check a calendar to determine if the planned dates interfere with an important international, national or religious holiday. If we are truly interested and want to encourage inclusivity, we ought to become familiar with important historical dates and various customs. As well, we need to become familiar with the day and time our members and potential members worship.

The following is a broad-based calendar to alert you to special days.

### CALENDAR

#### ***Yearly Floating Holidays***

Arbor Day – (International)

Ramadan – (Muslim)

EidulFitr – (Muslim)

EidulAdjia – (Muslim)

Muharram – (Muslim)

Eid MiladunNabi – (Muslim)

### JANUARY

#### ***Nonfixed Holidays***

New Years, January or February (China)

Martin Luther King Jr., 3rd Monday (USA)

#### ***Fixed Holidays***

1 – New Year's Day (USA and Canada)

1 – Emancipation Day (USA)

6 – Epiphany (Three Kings Day in many countries)

### FEBRUARY – BLACK HISTORY MONTH

#### ***Nonfixed Holidays***

President's Day, Monday of the week of George Washington's Birthday, (USA)

Brotherhood Week, February or March, (USA)

Citizenship Week, 2nd Week (Canada)

Heritage Day, 3rd Monday in February (Canada)

Purim, February or March (Jewish)

Ash Wednesday, First Day of Lent in February or March (Christian)  
Magha Puja,/New Year,  
February or March (Buddhist)

***Fixed Holidays***

8 – Nirvana  
15 – Flag Day (Canada)  
18 – Alberta Family Day (Canada)

**MARCH – WOMEN’S HISTORY MONTH (USA)**

***Nonfixed Holidays***

Holi, Late March or Early April (Hindu)  
Palm Sunday, March or April (Christian)  
Good Friday, March or April (Christian)  
Easter, March or April (Christian)

***Fixed Holidays***

5 – Islamic New Year (Hijra)  
8 – International Women’s Day (International)  
21 – International Day for the Elimination of Racial Discrimination (International)  
28 – Naw Ruz (Baha’i)  
21-22 – Hifn-E (Buddhist)

**APRIL**

***Nonfixed Holidays***

Passover, One Week Celebration (Jewish)

***Fixed Holidays***

2 – Hindu New Year (Ugadi)  
8 – Hanamatsun (Buddhist)  
12 – Baisakhi (Hindu/Sikh)  
13 – Baisakhi (Hindu/Sikh)  
17 – Equality Day (Canada)  
21 – May 2, Ridvan (Baha’i)  
27 – Pascha (Julian)  
28 – Arbor Day (International); Day of Mourning (Canada)  
29 – Holocaust Remembrance Day (USA)

**MAY – ASIAN-PACIFIC MONTH (USA); ASIAN HERITAGE MONTH (CANADA)**

***Nonfixed Holidays***

Victoria Day, Monday before May 24 (CANADA)  
Mother's Day, 2nd Sunday Memorial Day, Last Monday (USA)  
Shavuot, Seven Weeks after Passover (Jewish)  
Pentecost, Seventh Sunday after Easter (Christian)  
Trinity Sunday, First Sunday after Pentecost (Christian)

***Fixed Holidays***

1 – May Day (International Labour Day)  
4 – Yom Hasho'ah – (Jewish)  
5 – Cinco de Mayo (Mexican)  
5 – National Association of Machinists (1888)  
14 – Mohammad's Birthday (Moslem)  
15 – Wesak (Buddhism)  
25 – Mawlid alNabi (Moslem)  
29 – Ascension of Baha'allah (Baha'i)

**JUNE**

***Nonfixed Holidays***

Father's Day – 3rd Sunday  
Visakha Puja Day, (Buddhist)  
Sun Dance Ceremony, June or July, 8 to 15 days (Native American)

***Fixed Holidays***

6 – Shavath (Judaism)  
9 – Senior Citizen's Day (USA)  
14 – Flag Day (USA)  
19 – Juneteeth (African American)  
21 – First Nations Day (Canada)  
National Aboriginal Day Canada)  
24 – St. Jean Baptiste Day (International) Quebec National Day (Canada)  
29 – Pride Day

**JULY**

***Nonfixed Holidays***

Asalaha Puja Day/Day of the Triple Gem (Buddhist)

***Fixed Holidays***

- 1 – Canada Day/Dominion Day (Canada)
- 4 – Independence Day (USA)
- 13-25 – Bon Festival (Buddhist)
- 14 – Bastille Day (France)
- 23 – Haile Selassie I Birthday (Rastafarian)

**AUGUST**

***Nonfixed Holidays***

Green Corn Celebration, August or September (Native American)

***Fixed Holidays***

- 4 – Civic Holiday (Canada)
- 5 – New Brunswick Day (Canada)
- Saskatchewan Day (Canada)
- 15 – The Assumption (Christian)
- 31 – Ganesh Chatunthi (Hindu)

**SEPTEMBER**

***Nonfixed Holidays***

Labo[u]r Day, First Monday (USA, Canada)

Confucius's Birthday, First Monday (Confucianism)

Kathin Ceremony (Buddhist)

Rosh Hashanah, 10 Days of Repentance, a.k.a. Jewish New Year

Yom Kippur, a.k.a. Day of Atonement (Jewish)

Native American Day, Fourth Friday (USA)

***Fixed Holidays***

- 22-23 – Higan-E (Buddhist)

**OCTOBER, WOMEN'S HISTORY MONTH (CANADA)**

***Nonfixed Holidays***

Thanksgiving, Second Monday (Canada)

Diwali/Festival of Lights, October or November (Hindu)

Bhau-Beez (Brother and Sister Day), October or November (Hindu)

Sukkoth (Harvest), October or November (Jewish)

Simhath Torah, October or November (Jewish)

***Fixed Holidays***

- 2 – Mahatma Ganhi's Birthday (India)
- 5 – Dussehra (Hindu)

- 18 – Persons Day (Canada)
- 20 – Bab’s Birthday (Baha’I)
- 27 – Ramadan Begins (Islamic Holiday)

## **NOVEMBER**

### ***Nonfixed Holidays***

- Thanksgiving, 4th Thursday (USA)
- Umoja Karamu, 4th Sunday (African American)

### ***Fixed Holidays***

- 1 – All Saint’s Day (Christian)
- 1, 2 – El Dia de los Muertos/Day of the Dead (Mexico)
- 2 – All Souls Day (Christian)
- 11 – Remembrance Day (Canada)

### ***Veterans Day (USA)***

- 12 – Baha’ Allah’s Birthday (Baha’i)
- 18, 19 – Guru Nanak Birthdate (SiKh)
- 20 – National Child Day (Canada)
- 25 – International Day to End Violence Against Women (International)

## **DECEMBER**

### ***Nonfixed Holidays***

- Hanukkah/Festival of Lights, 25th Day of Kislev, near the Winter Solstice (Jewish)

### ***Fixed Holidays***

- 1 – International World Aids Day (International)
- 3 – International Day of Disabled Persons (International)
- 6 – National Day of Remembrance and Action on Violence Against Women (Canada)
- 10 – 16 Days of Action Against Gender Violence (Canada)
- 10 – International Human Rights Day (International)
- 24 – Christmas Eve (Christian) 25 – Christmas Day (Christian)
- 26 – Boxing Day (Canada)
- 26 – Kwanzaa, 1 week (African American)
- 31 – New Year’s Eve (International)

## APPENDIX F: Procedure for Handling Requests for Dues Exemption for Religious Reasons

Please find the procedures below for handling dues exemption requests on religious grounds:

- 1 Upon receiving a request or application from an individual seeking a religious exemption from paying dues, promptly send the individual a religious exemption application letter and questionnaire.
- 2 Within 30 days of receipt of the completed questionnaire from the applicant, review the information contained in the questionnaire and make a determination to approve, deny or reserve the religious exemption application for further inquiry.
- 3 If the initial determination is for further inquiry, promptly notify the applicant and ask him or her to provide further information and/or personally appear to discuss the application with an appropriate representative of the district or local lodge. After receiving and evaluating any additional information, a final determination on the application should be made and the applicant so notified within 30 days.
- 4 If the application is rejected, the applicant may appeal the decision to a neutral arbitrator according to the rules and procedures of the Federal Mediation and Conciliation Service.
- 5 If the application is approved, the applicant must be directed to send to the district or local lodge a check made out to an approved charity in the amount equal to the union dues owing. The district or local lodge will then forward the check to the charity.

**Sample Religious Exemption Applicant Letter:**

“Dear Sir or Madam:

The collective bargaining agreement between Local Lodge \_\_\_\_\_, International Association of Machinists and Aerospace Workers and your employer requires, as a condition of your employment, that you either join or pay regularly assessed dues to the union. You have requested an exemption on religious grounds from this obligation. In order to properly and carefully evaluate your request, we need you to provide the information requested on the attached form. You must return this form by hand delivery or First Class mail within 30 days of your receipt of this letter.

Upon receipt of your sworn responses to the questions contained on the attached form, the union will promptly evaluate your request. Within 30 days, the union will contact you with its decision that your religious-based dues exemption request has been (1) approved, (2) denied, or (3) reserved, pending further inquiry.

If your application for a dues exemption is approved, arrangements will be made for you to send the union a check equal to the amount of union dues owing made out to an approved non-religious charitable organization. The union will then forward your check to that charity.

If your application for a dues exemption is denied, you will be required to pay dues to the union in accordance with the collective bargaining agreement.

If the union reserves its decision that means that the union has concluded that more information is needed to evaluate your application. You will then be contacted to do one or more of the following: (1) submit additional written information, (2) submit additional supporting documents, such as affidavits and declarations from persons who know you attesting to your character, history, and beliefs, and/or (3) appear before a designated representative of the union to whom the decision whether to approve or deny your application may be delegated.

If your application is ultimately denied, you will be given the opportunity to appeal this decision to a neutral arbitrator according to the rules and procedures of the Federal Mediation and Conciliation Service. Be assured that no action will be taken regarding terminating your employment for non-payment of dues until the appeal process is completed. If you have any questions regarding the procedure set forth in this letter, and/or the information requested on the attached form, please contact \_\_\_\_\_.

Sincerely,”

**Sample Religious Exemption Applicant Questionnaire:**

“

1. What is the basis for your desire not to join or financially support the union? If necessary, you may attach additional pages to this form to elaborate.
2. How would you characterize the nature of this desire? (Check one) Primarily (a) political \_\_\_\_\_, (b) social \_\_\_\_\_, (c) religious \_\_\_\_\_, (d) economic \_\_\_\_\_, (e) ethical \_\_\_\_\_, or (f) other \_\_\_\_\_? If “other,” please identify or explain.
3. When and under what circumstances did you first acquire, develop or become aware that you held these opinions, desires or beliefs?
4. Upon what written or recorded books or documents, if any, do you base your opinions, desires or beliefs? Please identify with specificity.
5. What role, if any, do your opinions, desires or beliefs regarding membership in and financial support for unions play in your daily life?
6. Do you belong to any religious, social, ethical or political associations, organizations or churches that share your opposition to joining or financially supporting unions? If so, please identify: \_\_\_\_\_,
7. Do you belong to any religious, social ethical or political associations, organizations or churches that you believe do not share your opposition to joining or financially supporting unions? If so, please identify: \_\_\_\_\_,
8. Before or after requesting the dues exemption in this instance, have you ever publicly or in written form stated your opposition to joining or financially supporting unions. If so, please identify the time, place, manner and exact content of each of these statements. (If the statement or statements were in written form, please attach a copy of each to this statement.
9. Since acquiring, developing or becoming aware of your opinions, desires or beliefs regarding membership in and financial support of unions, have you joined or contributed financially to any union, worker’s association, professional association or similar fraternal organization? If so, please identify: \_\_\_\_\_,
10. If you have any additional comments or explanations regarding your request for an exemption from the obligation to pay union dues, please make them here (or attach additional pages, if necessary).

I swear under penalty of perjury under the law of this state that my answers to the foregoing questions are true and correct.

Name of Applicant \_\_\_\_\_ Date and Place \_\_\_\_\_”

## APPENDIX G: Contacts and Websites

### UNITED STATES

#### **U.S. Equal Employment Opportunity Commission (EEOC)**

*<https://www.eeoc.gov>*

The EEOC is the federal agency that enforces Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Pregnancy Discrimination Act, the Equal Pay Act, and the Americans with Disabilities Act.

#### **U.S. Commission on Civil Rights (CCR)**

*<https://www.usccr.gov>*

Among other duties, the CCR studies, makes reports and acts as a clearinghouse for information relating to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability or national origin.

#### **U.S. Office of Federal Contract Compliance Programs (OFCCP)**

*<https://www.dol.gov/ofccp/>*

The OFCCP is a branch of the U.S. Department of Labor that enforces Executive Order 1126, Section 503 of the Rehabilitation Act, and the affirmative action provisions of the Vietnam Era Veterans' Readjustment Act. These laws ban discrimination and require federal contractors and subcontractors to take affirmative action to ensure that all individuals have an equal opportunity for employment, without regard to race, color, religions, sex, national origin, disability or status as a Vietnam era or special disabled veteran.

#### **A Philip Randolph Institute (APRI)**

*<http://www.apri.org/>*

APRI is a constituency group of the AFL-CIO promoting a black labor alliance to fight for racial equality and economic justice.

#### **Asian Pacific American Labor[un]r Alliance (APALA)**

*<https://www.apalanet.org>*

APALA is a constituency group of the AFL-CIO that acts as a voice for Asian Pacific American workers in the labor movement, in the Asian Pacific American community, in the media, and in the national public policy arena.

**Coalition of Black Trade Unionists (CBTU)**

*<https://www.cbtu.org>*

CBTU is a constituency group of the AFL-CIO acting as a voice for black members within the labor movement and the community at large.

**Coalition of Labor Union Women (CLUW)**

*<http://www.cluw.org>*

CLUW is a constituency group of the AFL-CIO representing women union members, encouraging women's leadership in their unions and workplaces.

**Labor Council for Latin American Advancement (LCLAA)**

*<https://www.lclaa.org>*

LCLAA is a constituency group of the AFL-CIO advocating the rights of Latino workers and their families in the labor movement and political process.

**Pride at Work (PAW)**

*<https://www.prideatwork.org>*

PAW is a constituency group of the AFL-CIO working for equality for lesbian, gay, bisexual and transgendered workers and mobilizing mutual support between the lesbian, gay, bisexual and transgendered community and organized labor.

**Alliance for Retired Americans (ARA)**

*<https://retiredamericans.org/>*

ARA is a national organization founded by the AFL-CIO working as a voice for retirees and older Americans in policymaking at all levels.

**CANADA**

**Employment and Social Development Canada**

*<https://www.canada.ca/en/employment-social-development.html>*

Employment and Social Development Canada (ESDC) works to improve the standard of living and quality of life for all Canadians by promoting a labour force that is highly skilled, as well as promoting an efficient and inclusive labour market.

### **Indigenous Services Canada (ISC)**

<https://www.aadnc-aandc.gc.ca/>

ISC has primary, but not exclusive, responsibility for meeting the federal government's constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Northerners.

### **Status of Women Canada (SWC)**

<https://www.swc-cfc.gc.ca>

Status of Women Canada (SWC) is the federal government department which promotes gender equality, and the full participation of women in the economic, social, cultural and political life of the country. SWC focuses its work on three areas: improving women's economic autonomy and well-being, eliminating systemic violence against women and children, and advancing women's rights.

### **Canadian Human Rights Commission (CJIRC)**

<https://www.chrc-ccdp.ca>

The Commission's business is to make the Canadian Human Rights Act work for the benefit of all Canadians. There are three main aspects to its work:

- To provide effective and timely means for resolving individual complaints;
- To promote knowledge of human rights in Canada and to encourage people to follow principles of equality; and
- To help reduce barriers to equality in employment and access to services.

### **The Canadian Centre for Policy Alternatives (CCPA)**

<https://www.policyalternatives.ca>

The Canadian Centre for Policy Alternatives offers an alternative to the message that we have no choice about the policies that affect our lives. We undertake and promote research on issues of social and economic justice. We produce research reports, books, opinion pieces, fact sheets and other publications, including The Monitor, a monthly digest of progressive research and opinion.

### **Canadian Labour Congress (CLC)**

<https://canadianlabour.ca/>

Uniting 2.5 million Canadian workers pursuing social and economic justice for working people.

**Child Care Advocacy Association of Canada (CCAAC)**

*<http://www.childcareadvocacy.ca>*

The Child Care Advocacy Association of Canada (CCAAC) is dedicated to promoting quality, publicly funded childcare accessible to all. Our organization is a non-profit, membership-based and regionally representative.

**New Democratic Party of Canada (NDP)**

*<http://www.ndp.ca>*

Canada's Social Democratic political party.

**Canadian Civil Liberties Association (CCLA)**

*<http://www.ccla.org>*

A lobbying and law reform, non-profit, non-government organization dealing with issues of fundamental civil liberties and human rights that affect those who live all across Canada.

**Equal Pay Coalition**

*<http://equalpaycoalition.org/about-us/>*

The Equal Pay Coalition was formed in 1976 as a coalition of organizations to seek the implementation of equal pay for work of equal value both through legislation and collective bargaining.

**Turtle Island**

*<https://theturtleislandnews.com/>*

Turtle Island Native Network. An Independent Aboriginal Owned and Operated News and Information Web Site.

**Canada Mortgage and Housing Corporation (CMFLC)**

*<http://www.cmhc-schl.gc.ca>*

Created by the Federal Government in 1946 with the mandate to improve housing for all Canadians. Since then, the CMHC has continued this focus, with an emphasis on the housing needs of aboriginal peoples, the elderly and disabled persons.

**Canadian Race Relations Foundation (CRR)**

*<https://www.crrf-fcrr.ca/en/>*

The Foundation is committed to building a national framework for the fight against racism in Canadian society. The Foundation seeks to provide independent, outspoken national leadership and act as a resource in the pursuit of equity, fairness and social justice.

**Low Income Families Together (LIFT)**

<http://www.lift.to>

LIFT commits to strengthen the foundation of communities, enable members to develop, share and increase resources, embrace diversity and create people centred initiatives. LIFT's work includes community economic development, community education, literacy training, advocacy and human rights.

**Ontarians With Disabilities Act Committee (ODA)**

<http://www.odacommittee.net>

The ODA Committee is a voluntary coalition of individuals and community organizations who have united to secure passage in Ontario of a new law, which would achieve a barrier free society for persons with disabilities. Will also serve as a link to other Canadian based disability working groups.

**Ontario Native Women's Association**

<https://www.onwa.ca/>

Provides services and assistance to Aboriginal women and their families. Projects: Health, AIDS, Youth economic development, family violence and aboriginal business services.

**Feminist Majority Foundation (FMF)**

[www.feminist.org](http://www.feminist.org)

The FMF was created to develop bold new strategies and programs to advance women's equality, non-violence, economic development, and the empowerment of women and girls in all sectors of society.

**Public Health Agency of Canada**

<https://www.phac-aspc.gc.ca/>

The Public Health Agency of Canada empowers Canadians to improve their health. In partnership with others, its activities focus on preventing disease and injuries, promoting good physical and mental health, and providing information to support informed decision making.

**Government of Canada—Citizenship & Immigration**

<http://www.settlement.org>

Information and resources for immigrants to Ontario. Information on housing, jobs, health coverage, schools, etc.

## APPENDIX H: Surveys

### **Surveys**

Not only is it difficult to establish a Human Rights Committee, it is also difficult to solicit participation once a committee has been established. A Human Rights Committee at the Local or employee level can play a pivotal and responsive role changing these views, and thereby encouraging members to get involved in the Union regardless of time constraints. Human Rights Committees can demonstrate to members that their work, thoughts and ideas will directly impact their community.

One suggestion to help get things going is to set up a survey to collect facts about members. This will help the Local, and specifically the Human Rights Committee, set goals and priorities. Knowing the demographics of members is extremely important for Locals and Districts. We want to ensure that all of our members have a voice within the organization. Our members need a vehicle to participate within the organization.

The attached surveys can be modified or changed to suit your Local/Committee's needs. Keep in mind that you want to gather historical information as well as current opinion.

Note: All questionnaires should include a space for the member to write and express their comments or ideas that may have been omitted from the survey. We want every member to feel that they have the opportunity to raise important issues to them and not just issues identified by their Executive Board.

Remember to thank the participants for their time and let them know the results once the questionnaires have been received.

## Sample Survey I

The following demographic data is requested to ensure the best representation possible and to establish whether the union leadership accurately reflects the membership at the Local level.

### ***THIS SURVEY IS VOLUNTARY AND ANONYMOUS***

Gender:

Male \_\_\_\_ Female \_\_\_\_ Other/Describe \_\_\_\_\_ Prefer Not To Say \_\_\_\_

Age:

18-35 \_\_\_\_, 36-50 \_\_\_\_, 50-65 \_\_\_\_, Over 65 \_\_\_\_

Religion:

Protestant \_\_\_\_, Catholic \_\_\_\_, Jewish \_\_\_\_, Muslim \_\_\_\_, Buddhist \_\_\_\_, Other \_\_\_\_\_

Language (indicate 1st and 2nd language):

English \_\_\_\_, French \_\_\_\_, Spanish \_\_\_\_, Other \_\_\_\_\_

Origin of Ancestry (check off all that apply):

Africa \_\_\_\_, Americas (Native American, Aboriginal, Eskimo) \_\_\_\_, Asia \_\_\_\_,

Europe \_\_\_\_, Far East \_\_\_\_, Middle East \_\_\_\_, Other \_\_\_\_\_

Sexual Orientation:

Straight \_\_\_\_, Gay \_\_\_\_, Lesbian \_\_\_\_, Bisexual \_\_\_\_, Transgender \_\_\_\_, Prefer Not To Say \_\_\_\_\_

Job Classification: \_\_\_\_\_

Union affiliation and involvement (check off all that apply):

Member \_\_\_\_, Shop Steward \_\_\_\_, Executive Board \_\_\_\_, Committee Chair \_\_\_\_, Committee Member \_\_\_\_, Other \_\_\_\_\_

Are you aware of any of the following at your workplace?

Workplace/Union Anti-Harassment policies \_\_\_\_, Affirmative Action programs \_\_\_\_,  
Equal Pay Policy \_\_\_\_, Workplace Accommodation Policy \_\_\_\_, Classification  
Upgrade Procedure \_\_\_\_

Comments/Ideas:

---

---

---

## Sample Survey II

In order to obtain a clear understanding of your interest, opinions and priorities, please complete the following survey.

### ***THIS SURVEY IS VOLUNTARY AND ANONYMOUS***

On a scale of 1-10, (1) being the least and (10) being the highest, rate how important the following issues are for you personally.

#### ***Specific Health & Safety:***

Harassment:

Sexual \_\_\_\_\_, Racial \_\_\_\_\_, or Other harassment \_\_\_\_\_

Violence in the workplace or home \_\_\_\_\_

Stress \_\_\_\_\_

Repetitive strain injuries \_\_\_\_\_

Personal protective equipment \_\_\_\_\_

Health issues:

Cancer \_\_, Menopause \_\_, High Blood Pressure \_\_, Heart Disease \_\_, HIV/AIDS \_\_, Mental illness \_\_, Drug/Alcohol Addiction \_\_, Aging \_\_, Other ailments \_\_\_\_\_

Reproductive hazards \_\_\_\_\_

Safe entry/exit \_\_\_\_\_

Solitary work environment \_\_\_\_\_

Sanitation conditions/facilities \_\_\_\_\_

Other (please specify) \_\_\_\_\_

#### ***Workplace and Community Issues:***

Gay, Lesbian, Bisexual, Transgender rights \_\_\_\_\_

Women's shelters \_\_\_\_\_, Men's shelters \_\_\_\_\_

Safe House (for victims of Domestic Violence) \_\_\_\_\_

Availability of education and training \_\_\_\_\_

Work opportunities \_\_\_\_\_

Privacy issues \_\_\_\_\_

Equity Rights \_\_\_\_\_ (Civil, Visible Minority, Aboriginal/Native American, Disabled, etc.)

Political Action:

Local/Region \_\_\_\_\_, Provincial/State \_\_\_\_\_, Federal/National \_\_\_\_\_, International Affairs \_\_\_\_\_

Transportation \_\_\_\_\_

Other (please specify)

---

---

---

***Economic Issues:***

Pay equity \_\_\_\_\_

Affirmative action (USA)/Employment equity (CAN) \_\_\_\_\_

Child care \_\_\_\_\_

Elder care \_\_\_\_\_

Family leave \_\_\_\_\_

Health care \_\_\_\_\_

Retirement \_\_\_\_\_

Unemployment/layoffs \_\_\_\_\_

Technological change \_\_\_\_\_

Workers compensation benefits \_\_\_\_\_

Sub-Contracting/Outsourcing \_\_\_\_\_

Housing \_\_\_\_\_

Transportation \_\_\_\_\_

Education \_\_\_\_\_

Local/National/Global \_\_\_\_\_

Other (please specify)

---

---

***Union Education and Communication:***

Organizing \_\_\_\_\_

Media involvement \_\_\_\_\_

Newsletters/posters/etc. \_\_\_\_\_

Orderly meetings (Robert's Rules of Order) \_\_\_\_\_

Political Legislation \_\_\_\_\_

Preparing/presenting briefs and submissions \_\_\_\_\_

By-laws/Constitution \_\_\_\_\_

Submitting Resolutions \_\_\_\_\_

State/Provincial/Federal Union Organizations \_\_\_\_\_

Labour Councils \_\_\_\_\_, City Labor Councils \_\_\_\_\_

Representation \_\_\_\_\_

Collective bargaining \_\_\_\_\_

Arbitration \_\_\_\_\_

IAMAW Human Rights Manual

Local Union Committees \_\_\_\_\_

Strike Activity \_\_\_\_\_

Training programs \_\_\_\_\_

Specify:

---

---

Workplace/Union Policies \_\_\_\_\_

Union videos/films/books \_\_\_\_\_

Networking with other organizations such as the American Federation of Labor and Congress of Industrial Organizations

(AFL-CIO) and/or Canadian Labour Congress (CLC) \_\_\_\_\_,

Specify other organizations

---

---

---

Other (please specify)

---

---

---

Comments/Ideas:

---

---

---

(Note: For additional comments, continue on the reverse side or use an attachment.)

### Sample Survey III

The Union is conducting the following survey to assess our work environment and, if need be, take appropriate steps to ensure against a hostile and intimidating environment.

Please complete this survey and the attached perforated receipt. Detach the perforated receipt from the survey. Place your survey in the provided envelope and seal.

Drop your envelope into the 'survey box' and your receipt into the 'receipt box' in the Local Lodge Office prior to [DATE].

#### ***THIS SURVEY IS VOLUNTARY AND ANONYMOUS***

1. Do you know if an antiharassment policy **exists** at your company? Y \_\_\_\_ N \_\_\_\_
2. Do you know the **contents** of any antiharassment policy in your company? Y \_\_\_\_ N \_\_\_\_
3. Have you attended antiharassment training conducted by your company \_\_\_\_, your Local Lodge \_\_\_\_ District \_\_\_\_?
4. Is antiharassment training conducted by your company? Y \_\_\_\_ N \_\_\_\_
5. Do you think the antiharassment training given by your company is sufficient to eliminate harassment in the work-place? Y \_\_\_\_ N \_\_\_\_
6. Have you been the victim of harassment? Y \_\_\_\_ N \_\_\_\_

If yes, what form of harassment did you experience?

Sexual \_\_\_\_

Racial \_\_\_\_

Religious \_\_\_\_

Age \_\_\_\_

National Origin \_\_\_\_

Other:

- 
7. If a victim of harassment, did you report the harassment? Y \_\_\_\_ N \_\_\_\_
    - (a) If yes, did you report the harassment to the Company \_\_\_\_ or the Union \_\_\_\_?
    - (b) Were you satisfied with their actions to stop the harassment? Y \_\_\_\_ N \_\_\_\_
    - (c) Has the harassment stopped? Y \_\_\_\_ N \_\_\_\_

8. If you did not report the harassment to the company or the union, please chose one of the following reasons?

IAMAW Human Rights Manual

Retaliation by harasser \_\_\_\_

Alienation from coworkers \_\_\_\_

Loss of job \_\_\_\_

Labeled as a trouble maker \_\_\_\_

Marked as having no sense of humor \_\_\_\_

Held responsible for the harassment \_\_\_\_ Blame yourself for harassment \_\_\_\_ All the above \_\_\_\_

Other:

---

9. If you have been harassed, did you confront the harasser and ask them to stop harassing you? Y \_\_\_\_ N \_\_\_\_

10. If you confronted the harasser, has the harasser:

Honored your request to stop harassing? \_\_\_\_

Intensified the harassment? \_\_\_\_

Blamed you for harassing them? \_\_\_\_

Other:

---

11. Have you been accused of harassment? Y \_\_\_\_ N \_\_\_\_

If yes, what form of harassment have you been accused of?

Sexual \_\_\_\_

Racial \_\_\_\_

Religious \_\_\_\_

Age \_\_\_\_

National Origin \_\_\_\_

Other:

---

12. If accused, did the alleged victim report the harassment? Y \_\_\_\_ N \_\_\_\_

(a) If yes, did they report the harassment to the Company \_\_\_\_ or the Union \_\_\_\_?

(b) Do you think the alleged victim was unjust in their perception of your actions? Y \_\_\_\_ N \_\_\_\_

(c) Was the matter satisfactorily handled? Y \_\_\_\_ N \_\_\_\_

13. Instead of filing a formal charge against you, did the alleged victim confront you and ask you to stop harassing them? Y \_\_\_\_ N \_\_\_\_

(a) Did you stop harassing them? Y \_\_\_\_ N \_\_\_\_

(b) Did you ignore their request and not change your behavior? Y \_\_\_\_ N \_\_\_\_

(c) Were you offended by their accusation? Y \_\_\_\_ N \_\_\_\_

14. Have you been the victim of third party harassment? (Note: third party harassment occurs when you are not directly targeted for harassment but are a witness to harassment and /or inappropriate behavior.)

(a) Did you formally report the harassment to the company \_\_\_\_ to the union \_\_\_\_?

(b) Were you satisfied with the action taken by the company or the union to rectify the harassment? Y \_\_\_\_ N \_\_\_\_

(c) Did you confront the alleged harasser(s) to tell them to stop? Y \_\_\_\_ N \_\_\_\_

(d) Has the third party harassment stopped? Y \_\_\_\_ N \_\_\_\_

Comments/Ideas:

---

---

---

---

---

(Note: For additional comments, continue on the reverse side or use an attachment.)

## APPENDIX I: Acknowledgement Agreement

Guidance: All members of local and district lodge Human Rights Committees should sign this acknowledgement agreement. Human Rights Committee members are expected to adhere to the highest standard of human rights activism. This acknowledgement ensures that members have read this manual and agree with the IAM's stance on fundamental human rights for all workers.

### Human Rights Committee – Acknowledgment Agreement

Human Rights Committee members must read the IAM's Human Rights Manual. Adhering to and promoting fundamental human rights established by the United Nations and adopted by the International Labor Organization is part of your role on the Human Rights Committee. Signing this agreement means the following:

1. I acknowledge that I have received a copy of the most recent IAM Human Rights Manual. I understand that this Human Rights Manual replaces any and all prior verbal and written communications regarding the IAM's Human Rights Manual. This includes any prior procedures outlined in the manual that deal specifically with complaint and investigation procedures for alleged reports of discrimination, bullying and sexual harassment.
2. I understand that if I have questions or concerns at any time about the Human Rights Manual, I will consult with lodge leadership who will then contact the IAM's Human Rights Department for clarity.
3. I understand that the contents of this manual are for information purposes only, and that signing this agreement is not a contract or implied contract with any member. The contents of the Human Rights Manual may change at any time.
4. I understand that this manual should never be used in place of any federal or state laws, that the intent of this manual is to ensure strict compliance with all laws, and that all legal reference should be directed to the original laws passed by congress or state legislatures.

**Human Rights Committee Member Declaration:**

I have read and understand the contents of this manual along with the above acknowledgements, and will act in accord with the contents of this manual as a condition of being a Human Rights Committee member.

Member Name:

Member Signature:

Date: