

FAKO AGRICULTURAL WORKERS UNION

TRAINING HANDBOOK FOR STAFF REPRESENTATIVES



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1. Introduction

The handbook has been developed as a result of consultation with representatives in education seminars held during 2014. This education programme is part of the 'Securing Decent Work in tropical fruit export production' project being delivered by FAWU with support from Banana Link.

FAWU and Banana Link hope that you find this a useful guide to being a FAWU Staff Representative. The handbook includes ideas of how you and other Representatives can use role plays to improve your skills in pursuing a grievance or in negotiating.

“

This handbook has been written to help develop membership awareness and basic leadership skills. It is aimed at Staff Representatives who wish to find out about how their Union works and how they can play an active part in order to strengthen their Union and in the final analysis how Union leadership is developed from grass roots in order to realise self awareness.

The topics selected and treated in this handbook are not an exhaustive list of topics for a workers education program but a practical guide which can form the basis for further topics to be conceived following workers' needs

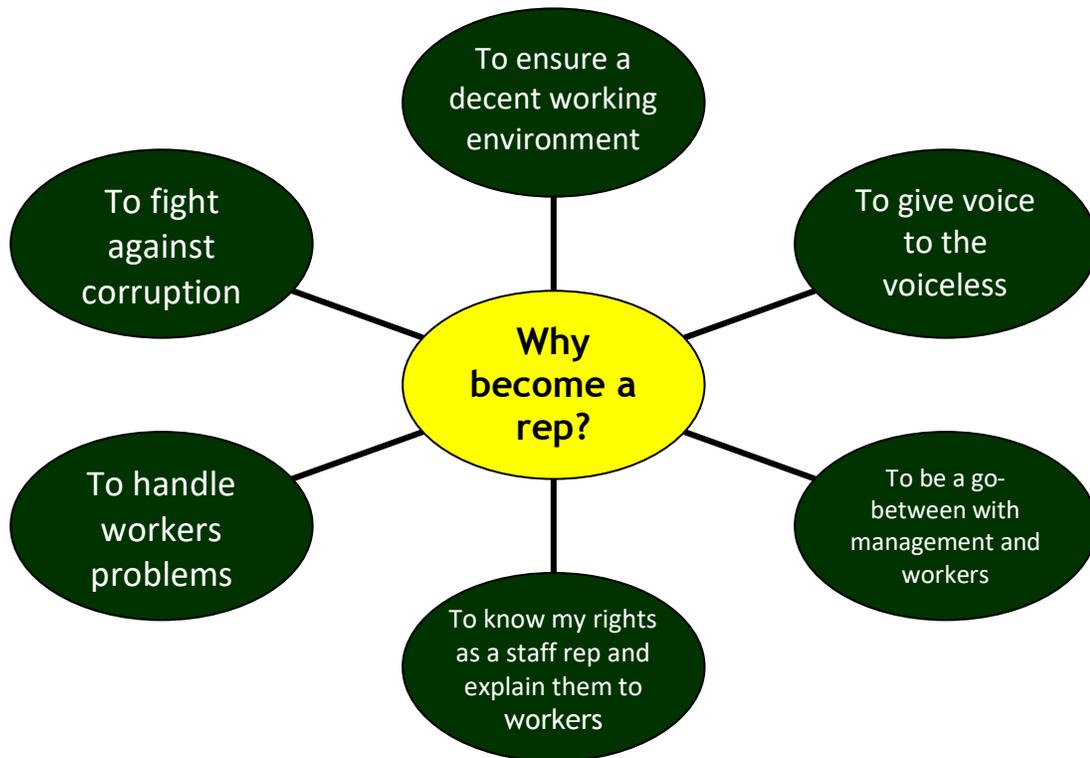
We hope that this handbook will be a useful tool for Staff Representatives in solving workers problems and also broaden their horizon in the execution of their challenging task.

As FAWU Staff Representatives, you will surely meet up with the arduous task ahead of you.

”

Charles Mbide Kude
General Secretary
FAWU

2. The role of the Representative



Main roles and activities:

- To educate workers about the union and solidarity
- To mediate with management
- To recruit new members
- To get justice and fairness
- To be courageous and bold
- To defend workers when the law is violated
- To achieve skills in negotiation
- To go out and find out how workers are treated
- To interact with workers, because workers ARE the union
- To encourage and improve production

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What do you need to fulfil the role?

- ✓ Regular meetings with other Reps and with workers
- ✓ Regular training
- ✓ Office space and somewhere to store documents
- ✓ To know the collective agreements, Labour code and staff handbook
- ✓ Time to perform duties (16 hours per month)
- ✓ Support from the union

Record any activity in the attached chart, on a ***monthly*** basis.

You can use the chart to keep a note of how you get on with problems in the future.

3. Recruitment

A key part of your role is to recruit new members. Below are some ideas for you to use when encouraging workers to join FAWU!

Some reasons to join a union:

- To be assertive
- Educates members on rights
- Protects members
- A group of people bound together to move together with principles
- Helps with law
- Negotiation of wages by the union with employer
- Facilitate communication between workers and management
- It makes us stronger

A worker may ask why they should choose FAWU rather than another local union so these are some reasons to join FAWU:

- Local to Fako
- Nationally and internationally recognised
- Independent
- Educates members
- Solidarity and longevity
- Always there in section
- Staff Reps will represent workers
- Help with PPE
- To represent workers and management
- Good education for Reps
- Well structured admin to handle workers' grievances promptly
- More members in FAWU, making bargaining strong
- Works together with management through negotiation

Remember:

The more members who are in FAWU, the stronger you are. So inform the workers of your activities, communicate **every success** and try to recruit everyone where you work to FAWU. You are the ambassador for the union and the work that you do will build loyalty and be the strongest argument for joining the union.

4. Dealing with problems: The Systematic Approach

Use the PIP approach - PROBLEM INFORMATION PLAN

This is a way to approach your work as a representative.

Problem

What is the problem?

- Is it an individual problem?
- Is it a collective problem?
- Is there an underlying problem?

Information

What information do you need to pursue the problem?

- Labour Code, Collective Bargaining Agreement, Company handbook
- Who? When? Where? Why? How? What happened?
- Witness statements including from the aggrieved worker(s)
- Has this happened before? If so, what was the result?
- Evidence: do research into the problem - how many times has it happened? What other similar problems have there been?
- Advice from FAWU office
- Advice from other Reps
- Where else might you get information? - Internet? Other unions? Banana Link? International links?

Plan

How are you going to pursue the problem?

- Which manager will you take the problem to?
- What will their attitude and arguments be?
- What are your strong points? Lead with these and try not to let management divert you onto the weak points

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- What do you ideally want to get (top line)
- What is the least you will accept (bottom line)
- What will you do if you don't get the result you want from management?

5. Practice pursuing a grievance

Below is an activity that you can undertake with other reps to practice how to handle a grievance.

Activity

Break into two groups to form a management team and a reps' team and prepare your cases using **PIP**. Then you can hold a grievance hearing.

Problem

- What sort of a problem is it? Individual? Collective?
- Do you know all the relevant facts?
- Are other workers affected?

Remember:

- Always report back to members so that they know what is happening
- Work as a team, with one person speaking at a time
- Have one person take the notes and read them back at the end to check that everyone is in agreement about what has been decided
- Listen to what management is saying (it's easy to miss an offer if you're not listening carefully or if you're concentrating on putting your case)
- Always be polite and calm
- Be disciplined
- If you need to discuss things with your member or with each other, ask for an adjournment and take a short break to have your discussion
- You can pass a note to the person putting the case if you want to remind them of something, but don't interrupt them
- Stick to your points - don't let management distract or divert you with irrelevant points

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Example Cases (to practice)

1.) Sexual harassment (Reps' case)

A woman member comes to you and tells you that her supervisor has been trying to persuade her to sleep with him. He catches her when no-one is around and touches and tries to cuddle her. He says that if she grants him sexual favours he will make sure that she gets an easy job and will get bonus and overtime pay. He also says that if she does not, he will make her work very long hours and will dock her pay at every opportunity. She is frightened of him, but can't afford to lose the job.

Interview the member

Plan your case, using the PIP approach

Who will you speak to?

Who will you take the grievance to?

What do you (and she) want the outcome to be? (top line and bottom line)

Sexual harassment (Management case)

One of the reps has come to you and complained that a member has been sexually harassed by her supervisor and that he wants you to hold a grievance hearing to resolve the issue. The supervisor says that this is rubbish and that the woman has been coming on to him and suggesting that he might like to give her an easier job in exchange for sexual favours.

Prepare yourselves for the grievance hearing

Plan the management case using the PIP approach

What are you prepared to allow as an outcome? (top line and bottom line)

2.) PPE (Reps' case)

In your section everyone is having a lot of difficulty getting PPE. Boots are the wrong size, poor quality and break easily. Women, some of them pregnant, are being made to mix chemical fertiliser without gloves or masks. Everyone is fed up with the situation and wants you to sort it out.

How will you handle the grievance?

Will it be one collective grievance? Or many individual ones?

Who will you take the grievance to?

Plan your case using the PIP approach

What evidence will you need?

What are your top and bottom lines?

What will your arguments be?

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PPE (Management case)

You are very short of PPE supplies at the moment and the company is trying to cut costs. The reps are complaining about the lack of PPE and have asked for a grievance meeting to sort it out. You know that you have to provide adequate PPE, but you need to save some money.

Prepare to meet them using the PIP approach

What do you hope to get away with? What is the least you can offer them?

What are you prepared to settle for if you have to?

3.) Transport for nursing mothers (Reps' case)

One of your colleagues has just come back to work after having a baby. As you know, she should get transport to take her home to feed her baby in the middle of the day. She comes to you to complain because the transport hasn't arrived on several occasions and she has been stranded far away from her baby.

How will you handle her grievance?

Use the PIP approach to plan your case

Who will you take your case to?

What evidence will you need?

What do you want to achieve? (top and bottom lines)

Transport for nursing mothers (Management case)

One of the reps has raised a grievance on behalf of a member who has just had a baby. She says she has been stranded and not given transport to get back and feed her baby in the middle of the day. You have been told to cut costs and you know that many of the vehicles are in a poor state of repair. It seems a great expense to go to just for one woman.

Use the PIP approach to prepare your case.

How can this be resolved cheaply?

What will you say to the rep and member?

Negotiating skills & issues

Aims

- To decide what issues you can negotiate or support FAWU officers on
- To analyse the skills, knowledge and facilities needed to negotiate

Activity

Most issues for negotiation are dealt with nationally. For instance, pay is negotiated as part of the National Agreement on Agricultural Wages. Wage levels and many of your terms and conditions will then be negotiated by FAWU officers with company executives. However, there are lots of workplace issues that you can address with

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management, by the use of collective grievances. You could also support your national and senior negotiators by gathering evidence and information at the workplace for them to put forward in the national negotiations.

You could create the following:

- A list of issues that you could take up with your management as collective grievances
- A list of issues that you could gather information about to support your national negotiators
- What sort of information could you gather? And how?

Issues you could negotiate:

- Hours of work
- Payments (bonus, overtime and pro-rata)
- Working and living conditions
- Hygiene, safety and welfare
- Transport
- Poor medical care
- PPE
- Abusive words by managers

How you could help your national negotiators:

- Consultations with workers and other reps
- Doing research to get evidence
- Keeping good records of grievances and incidents
- Doing surveys about workplace conditions

Qualities, skills and knowledge needed for negotiating

| Qualities | Skills | Knowledge |
|--|--|---|
| <ul style="list-style-type: none">- Interest in what you are negotiating- Time-conscious- Self-disciplined- Bold and courageous- Outspoken- Lots of personality and charisma- Self confident- Polite, tactful & patience- Respectful | <ul style="list-style-type: none">- Convincing- Straightforward- Have a sense of understanding- Clear presentation- Good speaker- Good listener- Master laws | <ul style="list-style-type: none">- Know your rights and agreements- Know the attitude of your management- Know the Labour Code, CBA and handbook- Keep up to date on new laws- Provide proofs and evidence |

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Negotiating Practice

Aims

- To practise preparation and planning
- To practise the skills and techniques of negotiating
- To build the team of negotiators

Activity

Form two groups. One will be the management and the other will be reps. Both groups need to prepare for the negotiating meeting, using the PIP approach.

The subjects for negotiation:

- Setting up a Health and Safety Committee and process to agree the agenda
- Negotiating an office with lock-up storage and tables and chairs for the reps to use
- Stopping the long hours of work

Negotiating checklist

- Have you had a pre-meeting to decide your tactics?
- Who will present your case?
- Who will take notes?
- Who will listen for offers and call for adjournments?
- What are your strong points? What are your back-up points?
- What is your ideal solution to the problem (top line)?
- What is the minimum acceptable offer (bottom line)?
- Have you predicted what the management's attitude will be?
- Have you prepared all your evidence to present in a logical way?
- Have you got your agreements (Labour Code, CBA, and handbook) to show to management if necessary?
- Have you thought about the next step if you fail to reach an agreement?

Notes

- Do not disagree in front of management, or interrupt each other: if you need to discuss anything ask for an adjournment and go outside to make your decision
- Think of all the implications of your negotiations. For example: if you are negotiating a Health and Safety Committee, think about the balance between management and reps (do you need more reps); how the agenda will be decided; make sure you still have the right to raise health and Safety issues directly, outside the committee meetings
- Do not let management distract or divert you with irrelevant arguments or information
- Remember to prepare yourself for management's usual arguments:
 - There is no money to pay for anything
 - If the workers worked harder there wouldn't be any problem

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- If the staff reps were doing their job properly there wouldn't be a problem.

- If management make a statement (e.g "there is no money") ask to see their evidence (financial statements)
- Keep focused and put your case clearly, calmly and politely.

Remember:

- Preparation for every case
- Research all angles
- Consult FAWU and other reps
- Get all the evidence
- Keep a record
- Tell members what happened

6. Future Plans

Below are some ideas of what representatives felt were their priorities for ongoing work when asked in education sessions.

Educate and inform members

Prioritise grievances and negotiations, including health and safety

Recruit workers to FAWU

Use the 16 hours release time

Meet regularly with other reps and with workers

Be pro-active. Don't wait for managers or members to come to you

Research evidence about problems (Long working hours, PPE etc)

Negotiate a furnished office for reps

Take part in and influence the Health and Safety Committees

You are now able to represent your members and negotiate local agreement with managers. Be bold, use your union time and remember that the union is strong when the members are united.

7. Contacts

Fako Agricultural Workers Union (FAWU)

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233 332 312

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General Secretary
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Arrey Samuel Akem

Field Secretary
677 456 672

Akwanga Francis

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677 353 319

Viyoff Scholastica / Lukong Veolette Banboye

In charge of Gender Work
670 039 977 / 678 454 011

8. Forms for recording activities

At the back of this handbook are some forms that you can fill in to record your activities. Extra copies are available from the Field Officer or FAWU office.

- **Grievance form**
- **Hazard report**
- **Representative recording chart**

GRIEVANCE FORM

Grievance to (name of manager):

.....

From (name of person raising grievance)

.....

Nature of
grievance.....

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Date, time and place that incident
happened.....

.....
.....

Who was
involved?.....

.....
.....

Desired
outcome.....

.....
.....

Signed (Member)

.....

Signed (Representative)

.....

Date

.....

Representative Recording Chart

How to use: Every month you can record how many of your 16 hours you have used, what they were for and what issues you addressed.

| Amount of... | Release time used | Meetings with members /other reps | Disciplines | Grievances | Health and Safety | PPE | Sexual harassment | Long hours at work | Transport |
|-----------------------|-------------------|-----------------------------------|-------------|------------|-------------------|-----|-------------------|--------------------|-----------|
| How many? | /16 | | | | | | | | |
| Success/ Failures | | | | | | | | | |
| Management attitude | | | | | | | | | |
| Barriers/ Problems | | | | | | | | | |

