

STEWARDS CORNER

Monthly Newsletter for Union Stewards

Using the Recognition Clause to the Union's Advantage

On June 25, 1892, steel boss Henry Clay Frick announced that Carnegie Steel would no longer recognize the Union representing workers at its Homestead mill and henceforth only deal with workers on an individual basis. This decision, and the subsequent defeat of steelworkers at Homestead, had devastating consequences for workers.

It took years of struggle but, in 1937, the Steelworkers Organizing Committee (SWOC) reached a first agreement with U.S. Steel that consisted of a recognition clause and commitment to bargain. This one-page CBA enabled the USW to expand its foothold across industries and negotiate landmark agreements.

Now, as then, the recognition clause is one of the key parts of a collective bargaining agreement (CBA) and plays a crucial role in protecting the rights and interests of the Union and its members. This article covers the background and practical implications of the recognition clause for Stewards and Grievors.

What Is A Recognition Clause?

In a recognition cause, the Employer “recognizes” the Union as the sole and exclusive bargaining representative for all bargaining unit members, and grants the Union the power to negotiate wages, hours, and all other terms and conditions of employment. In most CBAs, the clause is one of the first articles or sections and contains language like the following (the language in your CBA may vary from this example):

*The Company agrees to meet with and bargain with the accredited representatives of the Union on all matters pertaining to rates of pay, wages, hours of employment, and **all other working conditions**.*

This language gives us our “seat at the table” in bargaining with the employer, enforcing the CBA, and representing members. The subordinate clause “**all other working conditions**” is broad and encompasses all situations related to the workplace. It covers issues explicitly described in the CBA, and extends to those covered in general terms and those not mentioned at all.

Why Does The Recognition Clause Matter?

The expansive coverage ensures that the Union has the authority to address any workplace matter, regardless of its specificity, within the CBA. It is a “catch-all” tool that allows the Union to protect members’ rights and create a fair and equitable working environment. For example, in a workplace where the CBA does not have specific language covering health and safety the Union could cite the recognition clause to address ergonomic

problems or demand personal protective equipment (PPE) for women who are pregnant or nursing.

A good place to start is to familiarize yourself with the CBA and any precedents to determine if an issue has been addressed or if the CBA is silent on the matter. Still, keep in mind that you don’t want to bog down the grievance procedure with issues that are unwinnable or compromise your credibility. Like any other tool, using the recognition clause requires careful application in how you use it.

Practical Considerations For Using The Recognition Clause

The recognition clause can be helpful for resolving issues that fall under the “just plain unfair” category or issues that have emerged since the CBA was negotiated. It provides the contractual right for the Union to pursue any issue that affects the bargaining unit, even if it is not explicitly addressed in the CBA. This broad scope lends itself to group grievances, which can strengthen the Union’s position in addressing problems and advocating for our members’ rights.

There are limitations to using the recognition clause. Employers may resist or dispute its application and cite the management rights clause that they believe covers anything not explicitly addressed in the CBA. [Another point to stay aware of is whether an issue is a mandatory or permissive subject of bargaining.](#)

Forcing management to meet and bargain over an issue doesn’t guarantee victory, so it may be necessary to [mobilize the membership and pressure management to work toward a settlement](#), especially if the matter is deeply-felt and widely-felt among the membership.

In conclusion, the recognition clause is a vital component of a CBA that grants the Union the power to negotiate on behalf of its members and protect their rights and interests. The clause holds broad coverage, encompassing all situations related to the workplace, and provides the Union with the ability to address management control and grievances.

If you have any questions about how you can use the recognition clause in your CBA to address issues in your workplace, reach out to your Local Union leadership or USW Staff Representative.



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Your Solution For Building Activism With New And Young Members

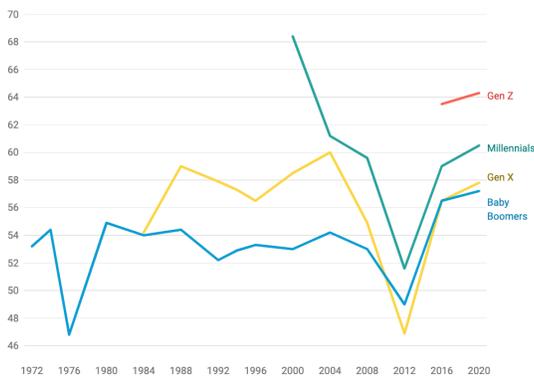
Is your workplace hiring a majority of young workers? Maybe your new members have never been in a union before? Don't worry, it's not just you...

New data shows that Millennials (born between 1981 and 1996) are the largest generation in the workforce in the U.S. and Canada, and as more baby boomers retire, Gen Z'ers (born between 1997-2012) are taking their place.

While unions are popular amongst these generations, many of them have never been in a Union before, they didn't learn about unions in school, or they don't come from union families. Bottom line: they don't know much about unions or the broader labor movement, but they generally like us.

Generation Z supports unions today more than older generations ever have

Mean union approval rating, by generation, 1972–2020



Hover or click to see values.

Source: American National Election Studies, "Time Series Cumulative Data File: 1948–2020," available at <https://electionstudies.org/data-center/anes-time-series-cumulative-data-file/> (last accessed June 2022).

Chart: Center for American Progress

What does this mean for us? We must change how we educate and engage with our members to make the USW inclusive to all generations.

This is where Next Generation comes in!

The History Of The Program

Next Generation (Next Gen) is the USW's activist program that educates, engages, and mobilizes new and young members. This program helps them figure out what they love about our union, the ways they want to be involved and contribute and helps them find their path to a lifetime of activism.

In 2010, former USW International President Leo W. Gerard established Next Gen by bringing together an advisory group of young members from across our countries to discuss the issues facing young workers.

In 2018, Next Gen activists came together once again to propose an official structure for the program to the International Executive Board. Their proposal guides the program today – each district should have one rank-and-file Lead Next Gen Coordinator who gets support from a Staff Mentor. You can find out who your

district's coordinator is at www.usw.org/districts.

While the structure has shifted over the years, the mission has stayed the same:

1. Engage with fellow new and young workers at our workplaces and get them interested and involved in our union.
2. Connect with our communities, showing them the good things about our union and the labor movement.
3. Tap into our more seasoned leaders' experience, passion, and wisdom.

Ultimately, we want to build the next generation of leaders, which takes mentoring, education in organizing, grievance handling, and collective bargaining, and the opportunity to engage in the day-to-day work of the union.



Next-Gen Now

Every local Next Gen group is different. Locals choose what works for them based on the issues they care about and their interests. Some dedicate their work to community service, some to member education, others to legislative action, and more.

The union also often taps Next Gen activists to lend a hand when something important is happening. Whether it's to help organize a new workplace, work on a political cycle, or help Strategic Campaigns during major bargaining campaigns, Next Gen'ers are often front and center.

In 2019, we held the first-ever International Next Generation conference in Pittsburgh, bringing together nearly 800 members. This month, we're doing it again! We expect more than 1,000 members to come together for over 100 workshops, six general sessions, and a full day of action in the community. Stay tuned to the USW's social media (@steelworkers) to see how the week goes.

If you're interested in starting a Next Gen group at your local, contact your district's Next Gen Coordinator. You can also text NEXTGEN to 47486 to get regular updates.

