

# STEWARDS CORNER

Monthly Newsletter for Union Stewards

## Contract Interpretation: “Understanding Words Through the Company They Keep.”

In a previous [Stewards Newsletter](#), we discussed the steps an arbitrator exhausts to understand the employer and union’s mutual intent when drafting and agreeing to contract language. When an arbitrator is unable to determine intent through various evidence presented to them, they will apply the rules of contract interpretation. In that article, we explored the rule that “*to express one thing is to exclude another.*” This article covers another rule: “*Noscitur a sociis.*”

*Noscitur a sociis* is a Latin term that means “*known by its associates.*” If a word, term, or category can be interpreted to mean more than one thing, the true meaning of the word, term, or category might be determined by other words or terms it is surrounded or accompanied by. A long-winded way of saying this is “*listing limits the general language to the category of listed items.*” So, what does this mean?

### Case Study: When Overtime Isn't Like Its Neighbors

Consider this example from an arbitration: a contract provision states, “*Seniority shall govern in all cases of layoff, promotion, transfer, and other adjustments of personnel.*” The union argued that overtime assignments should be governed by seniority as well. Though overtime was not specifically expressed in the language, it should be captured within the category of “*other adjustments of personnel.*” The arbitrator disagreed, having applied the *noscitur a sociis* maxim.

To understand what the category “*other adjustments of personnel*” might capture, you must refer to the words and terms that precede it. Those words give definition to the category. The arbitrator reasoned that overtime does not look like a layoff, promotion, or transfer, but seemed more like a benefit than it did a reassignment of work or change in job status as the preceding terms suggested.

### Case Study: The Hog Plant Hours Case

In another arbitration, the union argued the employer violated the collective bargaining agreement when it failed to pay a minimum of 36 hours to its full-time employees in a given work week as guaranteed by the contract. However, the contract provides an exception to this guarantee when “*...operations are restricted to causes beyond the reasonable control of the Employer such as Acts of God, stoppages of work by any union, fire, flood, or emergency causing damage to or breakdown of plant equipment, machinery, or other facilities.*”

The employer, a large hog packaging plant, denied the minimum 36 hours of pay, claiming an Act of God had intervened with the supply chain and reduced the number of hogs the plant was able to procure. Though floods had been a factor in reducing the number of hogs available for purchase, the arbitrator did not believe this was an Act of God as intended by the contract language. Fire, floods, and other emergencies that impaired internal production methods (not supply chain) were made distinct from an Act of God. Furthermore, the arbitrator cited the company’s ability to purchase enough hogs to produce at full capacity that week had it paid the higher price per hog that suppliers were demanding.

So, what are the takeaways here? When interpreting your contract language, think critically about what a word or term means in relation to the words or terms surrounding it. These words can be context clues in the absence of clear meaning or agreement by the parties as to how that word should be defined or understood.

## 14 Reasons to Love Our Union

Every February, store shelves are stocked with chocolates, and love fills the air. It’s natural for our thoughts to drift toward our spouse, partner, children, and those people in our lives we cherish. This year, let’s turn our attention to something else that plays a vital role in our lives: our union. The USW provides support, security and a sense of belonging for members. Here are 14 reasons to love our union:

### 1. Solidarity

In times of struggle, our union stands by our side. Whether advocating for workers’ rights or supporting those facing challenges, the sense of solidarity is reassuring. It’s like having a

partner who always has your back, no matter the circumstances.

### 2. A Collective Voice

There’s something powerful about standing together. In a world where individual voices can get lost, there’s strength in numbers and being united together. Our union represents a collective voice, bolstering our concerns and needs.

### 3. Better Working Conditions

If you have ever worked non-union, you understand “the union difference.” Union workplaces generally have less turnover, fewer safety-related incidents, better morale, equal treatment,

and increased pay and benefits.

#### 4. Fair and Equitable Wages

Our union works tirelessly to negotiate fair and equitable wages that reflect the hard work and dedication we put into our jobs. With a better paycheck, we can contribute more to the things we love.

#### 5. Just Cause

The peace of mind that comes with a just cause provision is a special kind of love language. Knowing that we are not “at will” employees and that our employers must show “just cause” to discipline or discharge us provides security that isn’t possible at non-union jobs.

#### 6. Good Health Insurance Benefits

Approximately 95% of all workers covered under a Collective Bargaining Agreement (CBA) have access to employer-sponsored health care benefits, compared to only 68% of non-union workers. Not only are union workers more likely to have health insurance offered through our employer, but our plan and out-of-pocket costs are often better than non-union workers.

#### 7. Vacation

Whether it’s an adults-only vacation to the Caribbean or a family vacation to Disney, we can enjoy our paid time off because our union negotiates these benefits for us. On average, union workers receive substantially more paid vacation than non-union workers.

#### 8. Weingarten Rights

Never go into an [investigatory interview with management without demanding your union representative](#). If you reasonably believe the meeting could lead to you being disciplined, you are entitled to a union rep (just remember you must make the request)!

#### 9. Seniority

Our union understands the value of hard work, dedication, and loyalty. When a person gives years of their life to an employer—sometimes spending more time on the job than with their family—those years should mean something.

#### 10. A Safe and Healthy Workplace

Our union advocates for proper safety measures and regulations that protect us from hazards. The USW has an entire department dedicated to Health and Safety, as well as the Tony Mazzocchi

Center, which focuses on educating and training workers on occupational health, safety, and environmental hazards.

#### 11. Union Plus Benefits

Union Plus offers discounts to dues-paying union members on cell phone plans, rental cars, amusement park admissions, and so much more! Dues-paying union members and their families can receive a college education at a reduced cost. Union Plus also offers mortgage and credit card opportunities that allow dues-paying union members to defer payment in the event of a work stoppage.

#### 12. Work-Life Balance

Our union advocates for a healthy work-life balance in a world that demands too much. Our union fights for reasonable hours and fair schedules, which gives us quality time with family and friends and “me time.”

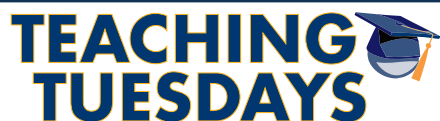
#### 13. Community Building

Our union builds relationships within the community. Local unions organize events and activities such as toy drives or volunteering at a soup kitchen. These actions bring union and community members together, allowing us to connect on a personal level. We pay taxes, support small businesses and volunteer our time. All of this helps build our communities and is possible because of our good union jobs.

#### 14. Advocacy for Social Justice

The USW fights for equity and inclusion for all, advocating for social justice issues affecting our workplaces and communities. This commitment to a better world reflects the love we hold for our society.

As we celebrate Valentine’s Day, let’s remember to share our love for our union. If you’re looking for ways to express your love this Valentine’s Day, write a heartfelt note to your local union or participate in activities that strengthen your bonds with your fellow members. Organize a union gathering, share stories in a newsletter or on social media about how the union has positively impacted your life, or volunteer to serve on a local union committee.



- ▶ Feb. 4, 2025: **Family Medical Leave Act (FMLA)**
- ▶ Feb 11 & 18th, 2025: **Representing Immigrant Workers: Overview of Recent Developments**
- ▶ March 4, 2025: **Contract Language Basics/Interpreting Contract Language**

