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SHEET METAL | AIR | RAIL | TRANSPORTATION
SMART



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Utilizing the Rapid Response Protocol



Section 1: Prevention



Why Is This Important?

- We should be welcoming ALL sheet metal workers
- Discrimination is a safety issue
- We need to recruit and retain
- Discrimination lawsuits can be very expensive
- Our governments and communities expect change
- Inclusive workplaces make for more productive employees and more engaged members

Prevention is Key!

Employers:

- Adopt written policies, including a complaint process
- Implement training

Unions:

- Expand the “I Got Your Back” Campaign

Everybody:

- Create culture change
- Address detractors

Written Policies

Why written policies?

1. They protect workers and create procedures for resolving issues early on
2. They set expectations and obligations
3. They provide clear instructions for how to report and address issues
4. They are often required by federal, state, provincial, and local employment laws

Sample Policies and Recommendations

1. Equal Employment Opportunity (EEO) and Policy Statement
2. Anti-Discrimination and Anti-Harassment Policy
3. Code of Conduct (Union)
4. Anti-Bullying and Hazing Policy
5. Inclusive Workplace Policies
 - Lactation Policy
 - Paid Family Leave Policy

Training

- A Rationale for Training
 - Training fulfills requirements per federal, provincial, state, or local law;
 - Training provides a stronger legal defense in case of potential lawsuit;
 - Training reduces workplace harassment and its negative impacts;
 - Training protects employees from harassment;
 - Training ensures employees are aware of your anti-discrimination and anti-harassment policies and understand them;
 - Training prevents problems from arising in the first place;
 - Training creates a safe and supportive work environment for all; and
 - Training builds a workplace culture of mutual respect.

What Makes Training Effective?

- Using trainers who are dynamic and engaging
- Making attendance mandatory
- Re-training annually
- Engaging employees to participate in a respectful work culture **INSTEAD OF** focusing on what not to do
- Avoiding legal technicalities
- Providing supplementary training for supervisors

Training Resources

- Your local attorney
- U.S. Department of Labor training for apprentices:
<https://www.dol.gov/agencies/eta/apprenticeship/eo/harassment/video>
- EEOC's Small Business Resource Center;
- The Labour Program at Employment and Social Development Canada;
- New York: <https://www.nyc.gov/site/cchr/law/sexual-harassment-training>
- California: <https://www.calcivilrights.ca.gov/shpt/>
- Illinois: <https://www.dhr.Illinois.gov/training/state-of-Illinois-sexual-harassment-prevention-training-model.html>

What is the “I Got Your Back” Campaign?

- A SMART-wide campaign to reinforce union solidarity and let our brothers, sisters and union family know that, as union members, we have each other’s back.



Expansion of the “I Got Your Back” Campaign

- Each local union/regional council will designate at least one “I Got Your Back” Representative to serve as a point of contact for members
- The Representative will:
 - Receive training from the International on the Rapid Response Protocol
 - Encourage members to speak up when experiencing or witnessing harassment, bullying or other harmful behaviors
 - Lead a select team to investigate incidents and complaints

Changing the Culture

1. Leadership needs to set the example
2. Participate in BE4ALL Programming
 - Post the BE4ALL Calendar
 - Utilize BE4ALL Toolbox Talks
 - Celebrate Juneteenth
3. Join the SMART Recruitment and Retention Council
4. Attend the NABTU Tradeswomen Build Nations Conference and Send Your Women Members to the Conference
5. Attend Bias and Belonging Training
6. Ensure there is access to menstrual products at union facilities and on jobsite
7. Establish a Women's Committee or BE4ALL/Diversity Committee
8. Use Inclusive Terminology

How to Establish a Culture of Respect in the Workplace

- 1. Lead by example** – a culture of respect starts with the contractors' owners and executives, and it works its way down. By modeling respect, leadership can reduce harassment, ridiculing, gossiping and other negative behaviors among employees. When those behaviors diminish, the door opens for more collaboration among employees.
- 2. Set expectations by making respect a core company value**– Let everyone within the company know they need to treat people with respect. When bringing on new employees, make this a clear expectation from the beginning.
- 3. Adopt policies and procedures to support a culture of respect** – See Section 1 of the Rapid Response Protocol.
- 4. Celebrate successes & acknowledge achievements** - when an employee contributes to curating a culture of respect, it should be acknowledged and recognized. An effective show of respect for a job well done includes praise and reward in a manner that the employee appreciates. Sometimes praising and rewarding in private is a show of respect.
- 5. Be consistent** – When you overlook or downplay bad behavior when it comes from high performing employees, you are insinuating that your expectations don't apply to everyone. You can show that you value all workers equally and care about their mental safety if everyone is held to the same standard.
- 6. Provide training and tools** – Give your workforce what they need to help facilitate respectful communication. Consider adopting something like the “Above the Line - Below the Line” model. Provide resources such as articles and videos relating to respect in the workplace.
- 7. Ask questions and listen to your employees** - This not only sets a good example but fosters collaboration and valuable feedback on your company operations. It allows you to understand where things can be improved (both operations and culture).

Addressing Detractors

Not everyone will agree with these initiatives. Some tips for framing why this work is worth doing to detractors:

1. This is fundamentally about respect
2. This is not about shaming members
3. Recruiting and retaining a diverse membership is strategic
4. Those we do not welcome will end up as our competition

Section 2: Rapid Response Protocol Guidelines



Contractor Responding To a Complaint

What Constitutes a Complaint?

Role of the Contractor

Steps to a Comprehensive Investigation

- Step 1 – Pre-Investigation
- Step 2 – Provide Interim Protection
- Step 3 – Prepare Investigation Strategy
- Step 4 – Choose an Investigator

Contractor Responding to a Complaint

- Step 5 – Face to Face Interview of Witnesses
- Step 6 – Analyze Results
- Step 7 – Implement Action
- Step 8 – Follow Up

Navigating Crisis Communications

SMART: Receiving Member Complaints

- Take every complaint seriously.
- Be empathetic and understanding.
- Review any applicable policies and procedures, which may include the contractor or employer's anti-discrimination and anti-harassment policy, the collective bargaining agreement, and/or other policies in effect.
- Protect the confidentiality of the member bringing forward the complaint as much as possible, but **DO NOT** promise confidentiality.
- Do not retaliate against anyone who brings forward a complaint.
- Involve your attorney early.

SMART: Tips for Investigating

- Get the Who, What, Where and When from the complainant, then the accused and finally from any witnesses
- For member-on-member complaints, assign different representatives to the complainant and accused
- Confirm the story of the person you are interviewing by reading your notes back to them
- Remain neutral and do not pre-judge the situation
- Warn the people you interview about retaliation

SMART: What are the Union's options?

1. Filing a grievance under the Collective Bargaining Agreement
2. Filing a complaint under the employer's anti-discrimination /harassment policy.
3. If the grievance procedure is not an option, or if the employer does not have an anti-discrimination/harassment policy, the Union can still approach the employer about the complaint.
4. Filing a complaint against the employer with the EEOC or the equivalent state agency or equivalent provincial agency.
5. Providing a referral to an attorney.

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