



**DISCIPLINE HEARING NOTES**

**For Union LU 251 BA's \$ Stewards**

Grievant:	Classification:	Grievance #
Steward:	Employer:	Domicile:

**Instructions:** Complete this report at the Initial Discipline Hearing.

Date of Hearing: \_\_\_\_\_ Location of Initial Disciplinary Hearing: \_\_\_\_\_

For the Union (Present at hearing)	For the Employer (Present at hearing)

Take careful, detailed notes . Ask for copies of any statements or evidence referred to by the Employer. Make note of all documents received from the Employer. When the Employer is finished presenting his/her case, ask questions and take notes. Do your best to determine if they have met the 7 tests of just cause. (See quick guide on back)

Date of Incident causing discipline \_\_\_\_\_ Time \_\_\_\_\_  AM  PM

Where did the incident take place \_\_\_\_\_

1. Ask the Employer: *“What discipline do you wish to impose on the grievant?”*

Termination    Suspension    Warning   Other: \_\_\_\_\_

2. Ask the Employer: ***“What did the employee allegedly do or what did they allegedly fail to do to warrant the proposed discipline?”*** (Write down what the employer representative says word for word). Attach a copy of the discipline letter.

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Outline of Employer’s Case + Record of Documents Received	Outline of Union’s Initial Response to Employer’s Case

# 7 Tests of Just Cause—Notes

After the Employer has finished presenting their case, ask questions to determine if their case satisfies the 7 tests of just cause outlined below. Take notes under each item. (Use a separate sheet if needed)

## 1. Notice:

## 2. Consistency.

## 3. Due process.

- Did the company hold a pre-disciplinary interview with the member with the steward present before discipline was imposed?
- Did the employer take timely action?
- Has the employer given a precise statement of charges?
- Has the employer adherence to contractual procedures?
- Is the employer attempting to impose double discipline?
- Other?

## 4. Substantial Proof.

## 5. Equal Treatment.

## 6. Progressive Discipline.

## 7. Mitigating and Extenuating Circumstances.