

Just Cause

Just cause – although it's a state statute (10-153a sec. 7), this should be included in every local's contract. Some of the factors that may be examined to determine whether "just cause" existed for a disciplinary action or firing include:

1. Did the company warn the worker in advance for taking action?
2. Is there a clearly communicated work rule which covers the conduct and which is reasonable and related to the orderly, efficient and safe operation of the employer's business?
3. Did the employer investigate before taking action?
4. Was the investigation fair and objective? Does the supervisor serve as prosecutor, judge and witness all rolled in one?
5. Is there substantial evidence that the worker is guilty?
6. Has the employer been fair and even-handed in its enforcement of the rule(s) in question? Is there "disparate treatment"? (Unequal)
7. Was the degree of discipline related to the seriousness of the worker's offense and worker's prior work record?