

Welcome to the IAFF/WSCFF Joint Education Seminar



Duty of Fair Representation



Washington State
Council of Fire Fighters



WSCFF

Tim Hoover-
-WSCFF 6th District Representative
-IAFF District Field Service Representative



Dean Shelton

-WSCFF Vice President/8th District Rep.



What are your responsibilities as a union leader?



What is Duty of Fair Representation??

Duty of fair representation is a legal standard that defines the union's obligation to protect the rights and interests of ALL members in a bargaining unit (regardless of race, sex, religion, age, national origin, union membership status, political position, etc.



U.S. Supreme Court Definition Principles of DFR –

The Union’s “statutory obligation to serve the interests of all members without *hostility* or *discrimination* toward any member, to exercise its discretion with complete good faith and honesty, and to avoid arbitrary conduct.” *Vaca v. Sipes*, 386 U.S. 171, 177 (1967)



Does DFR Apply to your local union?



Who is responsible?

Any union officer who conducts almost any activity that involves union administration.



What types of union activities are covered under Duty of Fair Representation?



GRIEVANCE HANDLING



Contract Negotiations

Collective Bargaining Agreement

2023-2025

Agreement

By and Between

Marysville Fire District

And

**Marysville Professional Fire Fighters
Local 3219 International Association
of Fire Fighters
(Battalion Chief Bargaining Unit)**

January 1, 2023 - December 31, 2025



Effective January 1, 2023 – December 31, 2025 (BC Agreement)

Page 1



Contract Administration



Court Criteria used to determine

- Was the Union Arbitrary?
- Was the Union discriminatory?
- Did the union act in bad faith?



Five ways you can reduce DFR liability

Represent ALL employees in the BU equally

Document all meetings and decisions pertaining to grievances

Keep daily, weekly calendars to document all union decisions

Follow the Constitution and Bylaws, contract and policies of local

Keep bargaining union in mind when negotiating



What can you do when you return to your local?

Represent ALL employees equally regardless of race, sex, religion, position, membership or internal politics



CASE STUDY #1



CASE STUDY #2



QUESTIONS????

