

Just Cause Worksheet

The seven tests arbitrators use to decide whether discipline was fair. A “no” or “not sure” is where to dig.

Member

Discipline and date

Grievance deadline

1. Notice

Did the member know about the rule, and that breaking it could lead to discipline?

☐ Yes ☐ No ☐ Not sure

Notes and evidence

2. Reasonable rule

Is the rule or order reasonable, and related to doing the job safely and well?

☐ Yes ☐ No ☐ Not sure

Notes and evidence

3. Investigation

Did management investigate before it decided on discipline?

☐ Yes ☐ No ☐ Not sure

Notes and evidence

4. Fair investigation

Was the investigation fair and objective? Did the member get to tell their side?

☐ Yes ☐ No ☐ Not sure

Notes and evidence

5. Proof

Did management find real evidence that the member did what they're accused of?

☐ Yes ☐ No ☐ Not sure

Notes and evidence

6. Equal treatment

Has management applied the rule and the penalty the same way to everyone?

☐ Yes ☐ No ☐ Not sure

Notes and evidence

7. Penalty

Does the penalty fit the offense, given the member's record and years of service?

☐ Yes ☐ No ☐ Not sure

Notes and evidence

Information to request from management