

SAFE HARBOR

A monthly newsletter for the Maritime worker from
The Law Offices of Lyle C. Cavin, Jr.

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Thank you for your maritime service and taking the time to review our Newsletter. We at the Law Offices of Lyle C. Cavin, Jr. hope you find the following information helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



DEALING WITH YOUR UNION



Last month we pointed out how a union owes its members fair representation and their duty to investigate legitimate grievances on their behalf. Failure to do so could result in a claim through the National Labor Relations Board holding the union liable for their negligence. The union member must be proactive and diligent in asking and following up with his/her union in pursuing the grievance. This would include putting in writing the grievance, specific witnesses, if any exist, and advising them of any important documents in the employers possession that might support the grievance. This makes the union's job easier and more likely that they will pursue valid claims. Do not let your legitimate grievance become stale!

QUESTION FROM THE BRIDGE



My union filed a grievance on my behalf and after a meeting with the shipping company it was denied. I would like to go to arbitration to try to get my back pay and benefits. Isn't my union obligated to proceed to arbitration?

Louis, M, Norfolk

Answer: Louis, the answer is "no". Your union is obligated to be diligent and pursue legitimate grievances on the member's behalf but they have latitude to determine if they believe proceeding to arbitration is feasible under all of the circumstance.

About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades at sea, on the docks, on our U.S. coastal waters and inland waterways have turned to the maritime law firm of Lyle C. Cavin, Jr. & Associates in Oakland. Today, we are proud to be recognized as one of the preeminent maritime law firms serving injured marine workers nationwide, as well as one of the most successful personal injury litigation firms serving victims of negligence in the San Francisco Bay Area and throughout the West Coast.

Team Approach to Every Personal Injury and Jones Act Claim

When you retain Lyle C. Cavin, Jr. & Associates for a Jones Act injury claim, or personal injury claim, you don't get just one attorney, you get our entire team of dedicated professionals. Our attorneys offer many years of courtroom and negotiated claims settlement experience. We will represent your interests with unwavering dedication, speed and expertise.

Law Offices of Lyle C. Cavin, Jr.

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