

Know Your Rights

If you are being questioned by Management, in the absence of Union Representation, state the following before the interview begins:

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative be present at this meeting. Without representation, I choose not to participate in this discussion.”

Article 16 Section 6 of the CBA

In any meeting where an Employee is disciplined or any investigatory meeting concerning or which could potentially lead to disciplinary action or discharge of any Employee, the Employee shall have the right to Union representation if requested by the Employee and if such representative is on site. If the Union representative is not on site, the Employee may request another Employee of choice to be present.

Your Rights Under Weingarten

Under the Supreme Court’s Weingarten decision, when an investigatory interview occurs, these rules apply: The employee may request Union representation before or during the interview. After the request, the employer must choose from among three options:

1. Grant the request and delay questioning until Union Representation arrives.
2. Deny the request and end the interview immediately.
3. Give the employee a choice of having the interview without representation. ***Do not waive your right to representation – it is usually a big mistake.***

If the employer denies the request for Union Representation and questions the employee, it commits unfair labor practice and the employee may refuse to answer any further questions.