



This statement could save your job:

"If this discussion could in any way lead to my being disciplined or terminated I respectfully request that my Steward be present at the meeting. Without representation present, I choose not to respond to any questions or statements."

Weingarten Rights: The Right to Representation

If you are ever called into an interview meeting with your supervisor or manager so they can investigate a situation which might result in discipline, you have specific representational rights. These rights are called "Weingarten Rights" based on a 1975 Supreme Court decision ([NLRB vs. J. Weingarten](#), 420 U.S. 251):

- 1. You have the right to have a Union Steward present.**
2. If you want a Steward there, you must ask for him or her.
- 3. You must assert this right yourself.** The employer is under no obligation to inform you about your right to Union representation.
4. If you do not know why your manager wants to meet with you, ask him/her if it is a meeting that could result in discipline.
5. If your manager refuses to allow you to bring a Steward, repeat your request in front of a witness.
- 6. Do not refuse to attend the meeting.**
- 7. If you have requested representation and been refused, you have the right to refuse to answer questions during the meeting.** If you assert this right, be aware that your manager may attempt to further discipline you for "insubordination". This may be an "unfair labor practice" – and it may eventually be reversed if you can document that your manager refused your request for Union representation. If you decide to not answer questions, keep repeating your request for Union representation. One option is to object to the questioning without representation, but answer the questions anyway "under protest" to avoid being disciplined for insubordination.
- 8. Take careful notes during the meeting.** [If you have been refused Union representation, call your Steward as soon as the meeting is over.]
9. You have the right to speak privately with your Steward before the meeting and during the meeting.
10. Your Steward has some right to play an active counseling role in the meeting. She or he is not just a witness.

To find your Steward, call 271-3411.

