

Your Rights on the Job

Everyone wants smooth working relationships on the job. However, problems arise in every workplace. As an SEIU member, you have the right to union protection and representation.

When Problems Arise— Talk to Your Steward

Contract Violations

If you think that management has violated your rights, or you have questions about work, talk with your Steward. You have the right to file a formal complaint seeking justice when one of your contractual rights has been violated by management. The complaint is called a “*grievance*” and the system used to process it is referred to as the “*grievance procedure*.” Read your contract to find out what the exact procedure and timelines are.

If you and your Steward determine that a contract violation has occurred, together you will fill out a “*grievance form*.” If management refuses to settle the grievance, the union may argue your case before an impartial arbitrator who will make the final ruling. Arbitrators have the power to order an employer to correct the situation.

Remember, grievance procedures have strict time limits. Approach your Steward promptly.

Other disputes with management may arise under the state personnel rules. For example, you may receive a disciplinary action which you disagree with; or, you may disagree with a decision regarding your job classification. These disputes can be pursued through an administrative appeal process very similar to the grievance procedure, with similar deadlines. See your Steward for more information.

Special Tip:

- Not all workplace complaints are grievances or appeals. Winning depends on the facts and evidence the union can collect. Working closely with your Steward will improve your chances of success.

When in Trouble—Demand Union Representation

You have the right to representation by your Steward or Staff Representative during conversations with management which could potentially lead to discipline or termination. If you think the conversation is disciplinary in nature, follow these important steps, sometimes referred to as your ...

“Weingarten Rights”

- ***Demand union representation.*** You must ask for union representation before or during the interview. Management does not have to inform you of this right.
- ***Refuse to answer questions without union representation.*** A questioner must be told of your desire for representation. If management refuses to allow you representation, stay in the room, but remain silent.
- ***Do not make any written or verbal statement of guilt or innocence.*** You cannot be forced to make a statement. The most appropriate response in this situation is to make NO statement. Claiming innocence is considered to be a statement.
- ***Do not waive your right to representation.*** If you proceed in questioning without representation, you have waived your right to representation and any statement can be used against you.

The Weingarten Rights do not apply to everyday conversations between members and supervisors regarding regular job duties or work performance.