

“Weingarten Rights” Offer Protection

The U.S. Supreme Court has ruled that union members have the right to representation by their Stewards or Business Representative during conversations with their boss which could potentially lead to discipline or termination. If you believe the conversation is disciplinary in nature, follow these steps, sometimes referred to as the “Weingarten Rights”:

1) ***Demand union representation:*** You must ask for union representation before or during the interview. Management does not have to tell you of this important right (*see interrogation rights statement below*).

2) ***Refuse to proceed without union representation:*** A questioner must be told of your desire for representation. Refusal to cooperate on your part can be viewed as insubordination. If management refuses to allow you representation, stay in the room, but remain silent.

3) ***Don’t make any written or verbal statement of guilt or innocence:*** You cannot be forced to make a statement. The most appropriate response is to make NO statement – claiming innocence is considered to be a statement.

4) ***Don’t waive your right to representation:*** If you proceed in questioning without representation, you have waived your right to representation and any statements made can be used against you.

Interrogation Rights Statement

“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 Steward, Business Agent or Union Officer be present at this meeting. Without representation, I choose not to answer any questions.”

Unions Stewards and representatives have these rights when summoned to the interview:

- **To be informed of the subject matter of the interview.**
- **To hold a private pre-interview conference with the employee.**
- **To speak up during the interview.**
- **To request clarification of questions.**
- **To advise the employee on how he/she should answer questions.**
- **To provide additional information once the interview is over.**