



Communications Workers of America - Local 1000 AFL-CIO

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YOUR RIGHTS TO UNION REPRESENTATION

Printed below are the Weingarten Rules, or more plainly stated, your **legal rights to Union Representation**. If you believe that a discussion with management, at any time before or during the discussion, could possibly result in disciplinary action against you, *now or in the future*, the following information applies. If you have **any** problem exercising your rights with management, this should be *reported immediately to your Steward*.

Weingarten Rules

Under the US Supreme Court's Weingarten decision, when an investigatory interview occurs, the following rules apply:

Rule 1: The employee **must** make a "**clear request**" for **Union Representation**, such as "I want Union Representation before we continue", either before or during the interview. The employee **cannot** be punished for making this request.

Rule 2: After the employee makes such a request, the employer must choose from among three options. The employer must:

- a. Grant the request and delay questioning until the Union Representative arrives and has a chance to consult privately with the employee; or,
- b. Grant the request and end the interview immediately; or,
- c. Give the employee a choice of: (1) having the interview without representation (**DO NOT accept this option!**); or, (2) ending the interview.

Rule 3: If the employer denies the request for Union Representation, and continues to ask questions, the employer is **committing an Unfair Labor Practice** and the employee has the **right to refuse to answer**. The employer may **not** discipline the employee for such a refusal.

IF IN DOUBT, ASK FOR UNION REPRESENTATION