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