

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 summarized below:

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. 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 a discipline.
4. If your manager refuses to allow you to bring a steward, repeat your request in front of a witness. Do not refuse to attend the meeting, but do not answer any questions either. Take notes. Once the meeting is over call your steward at once.
5. You have the right to speak privately with your steward before the meeting and during the meeting.
6. Your steward has the right to play an active role in the meeting. She or he is not just witness.

These rights are called “Weingarten Rights” based on a 1975 Supreme Court decision (NLRB vs. J. Weingarten). As with all rights, if we do not use them we lose them.

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.”

