

Weingarten Rights

RIGHT TO REPRESENTATION

- The U.S. Supreme Court ruled that the National Labor Relations Act gives workers the right to request **union representation** during an interview that the employee reasonably believes could lead to discipline (*NLRB v. J. Weingarten, Inc*)
- Weingarten rights apply at an **investigatory interview** with management (like you supervisor or HR). An investigatory interview occurs if: (1) management questions you to obtain information and (2) you have a reasonable belief that your answers could be used as the basis for discipline against you.
- Weingarten rights do **not** apply at routine meetings (like regular evaluations, daily huddles, etc) or meetings with management where no questions are being asked. If they are informing you of a decision, even if it is disciplinary, Weingarten rights do not apply.
- **Know your unit reps!** Take a minute to make sure you have the contact information for a unit rep or RUNAP officer so that you can reach out, if needed.

"IF MY ANSWERS TO THESE QUESTIONS COULD LEAD TO ME BEING DISCIPLINED, TERMINATED, OR OTHERWISE ADVERSELY AFFECT MY WORKING CONDITIONS, I RESPECTFULLY REQUEST A UNION REPRESENTATIVE."

INVOKING YOUR RIGHTS



IF YOU'RE BEING QUESTIONED

Management may schedule a meeting with you, or you may be in the middle of a conversation or meeting. At any time, you can read the above quote. If management says that it is **not** investigatory, document that. Otherwise, they have to stop the meeting and allow you time to find a union rep.



ASSERT YOUR RIGHTS

Management does **not** have to tell you that you have the right to representation. You must invoke your rights yourself. If you're not sure if a scheduled meeting is investigatory, ask the person who scheduled the meeting and let them know you're planning to bring a union rep. If it's not investigatory, they are not required to allow a rep to be present.



CONTACT A UNION REP

Reach out to your unit rep to see if they are available or if they can help you find a rep. The contract allows for 24 hours to find a rep, so don't delay! If your unit rep is not available we will connect you with a trained rep who can attend.