

A Members Right to Union Representation

Category : General Articles

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Employee Rights - what you should know.

Employee Rights

Under the Supreme Court's Weingarten decision, when a investigatory interview occurs, these rules apply:

The employee may request union representation before or during the interview. After the request, the employer must choose from among three options:

1. Grant the request and delay questioning until the union representative arrives.
2. Deny the request and end the interview immediately.
3. Give the employee a choice of: (a) having the interview without representation (usually a mistake) or (b) ending the interview.

If the employer denies the request for union representation, and questions the employee, it commits an unfair labor practice and the employee may refuse to answer. Please exercise your Weingarten Rights, We recently had a member on a 3-day suspension for PIP, Performance Improvement Plan. To my knowledge there were only 2 members on PIP I was unaware of this 3rd member until the suspension.

Anytime a manager covers you on any issue that can result in discipline please request a union steward to join you. Any member who has been advised they are on a Performance Improvement Plan please file a grievance with a Chief Steward immediately.