

My Weingarten Rights

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative or steward be present at this meeting. If this discussion could lead to my being disciplined and you deny my request for representation, I choose not to answer any questions."

In 1975, the Supreme Court ruled in NLRB v. J. Weingarten, Inc. The court concluded that an employee is entitled to have a union representative present during any interview which may result in his or her discipline. It is up to **you** to insist on union representation. If you fail to do so, you may waive your rights.

Do the following:

- Ask your supervisor if you might be disciplined as a result of the interview.
- If they say, "NO," ask for a written statement to that effect.
- If they give you such a statement, you must participate in the interview.
- If not, read them your Weingarten rights, remain for the meeting, take notes, and afterwards immediately contact your union representative.
- If they say you might be disciplined but will not allow you to have a union representative present, read them your Weingarten rights, stay in the room, take notes, and do not respond to any questions. Afterwards, contact your union representative immediately.
- If they allow your union representative to be present, you should participate in the interview.