



Weingarten Rights

As a union employee covered under the AFSCME Local 2887 contract, you have the right to have a steward present during an investigatory meeting with management if you believe the meeting might lead to disciplinary action being taken against you.

Weingarten rights apply during investigatory interviews when a supervisor questions an employee to obtain information that could be used as grounds for discipline. When an employee believes such a meeting may lead to discipline, he/she has a right to request union representation. These basic Weingarten rights stem from the Supreme Court decision in the 1975 case NLRB v. J. Weingarten Inc.

- The employee must request representation before or during the meeting.
- After an employee makes the request, the supervisor has these choices:
 - grant the request and wait for the union representative's arrival;
 - deny the request and end the meeting immediately; or
 - give the employee the choice of either ending the meeting or continuing without representation.
- If the supervisor denies the request and continues to ask questions, the employee has a right to refuse to answer. In addition, the supervisor is committing an unfair labor practice.

Management is not obligated to inform employees of their Weingarten rights—employees must ask for them.

If the discussion in this meeting could in any way lead to my being disciplined or terminated or impact on my personal working conditions, I request that my steward, local officer, or union representation be present. Without union representation, I choose not to answer any further questions at this time. This is my right under a Supreme Court decision called Weingarten as well as under my contract with SIUE.