



Weingarten Rights apply during investigative interviews when a supervisor is questioning 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 the right to request representation.

The basic Weingarten rights stem from the 1975 Supreme Court case NLRB vs J. Weingarten, Inc.

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

Notice: Management is not obligated to inform employees of their Weingarten rights-an employee must ask for them. If you find yourself in a meeting that you believe may lead to discipline, you may read these rights to your supervisor:

WEINGARTEN RIGHTS

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working condition, I respectfully request that my union representative or steward be present at the meeting. Without representation, I choose not to answer any questions.”