Know Your ...... “WEINGARTEN RIGHTS”

Members of CWA Local 1122 have Weingarten rights during investigatory interviews. An investigatory interview occurs when a Company representative questions a member to obtain information that could lead to discipline OR asks a member to defend his or her conduct.

If you reasonably believe that discipline or other adverse consequences may result from a meeting with a Company representative, you have a right to Union representation at that meeting. But, you must request it.

WEINGARTEN RULES

Under the Supreme Court’s Weingarten decision of 1975, when an investigatory interview occurs, the following rules apply:

RULE 1: The member must make a clear request for Union representation before or during the interview. The member cannot be punished for making this request.

RULE 2: After the member makes the request, the employer must choose from among three (3) options. The employer MUST either.

(1) Grant the request, delay questioning until the Union representative arrives and has an opportunity to consult privately with the member; OR

(2) Deny the request and end the interview immediately; OR

(3) Give the member a choice of:
   (a) having the interview without representation; OR
   (b) ending the interview

RULE 3: If the employer denies the request for Union representation, and continues to ask questions, it commits an unfair labor practice and the member has the right to refuse to answer. The employer may not discipline the member for such a refusal. Do not leave the meeting.