

Know Your Weingarten Rights

The U.S. Supreme Court has ruled that the National Labor Relations Act gives workers the right to request union representation during investigatory interviews by supervisors, security personnel, and other managerial staff. Union representation includes a colleague who is on the union committee (AKA a shop steward).

An investigatory interview occurs if:

1. Management questions you to obtain information;
2. You have a reasonable apprehension that your answers could be used as the basis for discipline or other adverse action.

You must ask for union representation either at the beginning of or during the interview. **You can invoke Weingarten if the meeting is investigatory OR if it becomes investigatory after it starts.**

Management might not remind you of this right. Once you ask for representation, management may not continue to ask questions, and you are free to refuse to answer if they do. Failure to end the meeting until a rep can attend could make management guilty of unfair labor practices, and charges may be filed. If you are called into a meeting with management, you can read (or write) the following:

“If my responses to your questions could lead to me being disciplined or terminated, or adversely affect my personal working conditions, I respectfully request that you summon my union representative. Until my representative arrives, I choose not to answer any questions.”



Your Weingarten Representative(s):
