

WEINGARTEN RIGHTS

This statement could save your job:

“I request union representation.”

If you are called to a meeting with management, be aware of what this statement means. You could even read the following or present this paper when the meeting begins.

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

Weingarten Rights

California, by law and Constitution, recognizes that public employees have the right to representation and gives workers the right to request union representation during investigatory interviews by supervisors, security, personnel, and other management staff. These are commonly referred to as Weingarten Rights due to a similar court case. ([Weingarten vs. NLRB](#))

An investigatory interview occurs if:

1. Management questions you to obtain information, and
2. You have a REASONABLE APPREHENSION that your answer could be used as a basis for discipline or other adverse action.

You must ask for union representation either at the beginning or during the interview. Management does not have to remind you of this right. If your request is refused and management continues asking questions, you may refuse to answer, but you cannot refuse to be present however. If your request is denied, you should do your best to take notes on what takes place at the interview. Your employer may be guilty of an unfair labor practice and charges may be filed.