



TAKE CHARGE

2013

Representing UNAC/UHCP
Members at Kaiser

Bakersfield | Downey
Baldwin Park | Fontana

Ontario Vineyard
Optometrists | Riverside

Orange County
Panorama City | San Diego

South Bay | Woodland Hills
Sunset | West Los Angeles

KNOW YOUR
UNION CONTRACT

KNOW YOUR WEINGARTEN RIGHTS

What is Weingarten?



An employee may be represented by the union at an investigatory interview with his/her supervisor when the employee reasonably believes that the interview may lead to a disciplinary action. This rule was set forth by the US Supreme Court in 1975 in *NLRB v J. Weingarten, Inc.* The case involved a clerk being investigated by the Weingarten Company.

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Until my representative arrives, I choose not to participate in this discussion."



These rights have become known as Weingarten Rights.

An investigatory interview occurs when a supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend his or her conduct. When this occurs, the following rules apply:



1. Request a UNAC/UHCP Representative. Management must ensure a Representative is supplied upon request.

2. BEFORE YOU ANSWER ANY QUESTIONS, YOU HAVE THE RIGHT:

- a. To know who is your accuser
- b. To know what specific rule you're accused of violating
- c. To review documentation management may have against you
- d. To have time to confer with your Representative

3. Don't answer anything if a Representative is not provided, just keep the chair warm.

Why is this important?



* The role of Union Rep/Steward is to be an advocate for the employee being questioned.

- Stop the supervisor from misleading, harassing, or abusing the Union member.

* Someone to take notes on what is said and who said it.

- Assist in keeping facts straight.
- A witness to the conversation.

You should always ask for a Union Representative at investigation meetings with management.

UNAC/UHCP Represents 22,000 Nurses and Health Care Professionals in Southern California
For more information visit our website – unacuhcp.org, or call 909.599.8622

UNITED NURSES ASSOCIATIONS OF CALIFORNIA/
UNION OF HEALTH CARE PROFESSIONALS