

\* CWA ALERT \* CWA ALERT \* CWA ALERT \*

## WEINGARTEN RIGHTS

### WEINGARTEN RULES

Under the Supreme Court's Weingarten decision, when an investigatory interview occurs, the following rules apply;

#### *Rule 1:*

The employee must make a clear choice for union representation before or during the interview. The employee cannot be punished for making this request.

#### *Rule 2:*

After the employee makes the request, the employer must choose among 3 options. The Company must either:

- Grant the request and delay questioning until the union representative arrives and has a chance to consult privately with the employee; or
- Deny the request and end the interview immediately; or
- Give the employee a choice of (1) having the interview without representation or (2) ending the interview.

#### *Rule 3:*

If the company denies the request for union representation, and continues to ask questions, they have committed an unfair labor practice and the employee has a right to refuse to answer. The employer may not discipline the employee for such a refusal.