You Don't Have to Go It Alone

In the Weingarten case, the Supreme Court ruled that Union-represented workers have the right to Union representation during all meetings or discussions with supervisors or managers that the member reasonably believes might lead to discipline.  These meetings or discussions include discussions on the work floor, in work areas, offices and even outside the facility.

Nine times out of ten, stewards are the representatives who attend these meetings with workers. At the beginning of the meeting, this law requires the supervisor or manager to disclose all meeting topics and to give the member a chance to ask for a representative.  Members can demand the presence of any on-duty steward.  If none is available, the supervisor or manager must postpone the meeting until a steward is available.  Companies may not punish members for exercising their Weingarten rights.

Encourage all members to exercise their Weingarten rights.

This is important because a member waives the right to a witness if the member does not speak up and expressly request a witness.

The role of stewards in disciplinary meetings is to hear everything that is said, and to ensure that supervisors and managers do not question the member unfairly by, for example, putting words in the member’s mouth or by bullying members into agreeing to things they otherwise would not agree to.

When supervisors or managers ask unfair questions, stewards should interrupt and demand that the supervisor or manager ask questions clearly and fairly.  If they ask an awkward, run-on or confusing question, the steward can jump in and ask them to rephrase the question.  Similarly, the steward can jump in if the supervisor or manager tries to trick the member into agreeing to something.

Stewards can insist that supervisors and managers permit members to tell their side of the story and present their case, and can ask for meeting breaks to confer with members.

