

## WEINGARTEN RIGHTS

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

**RULE 1** The employee must make a clear request 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 has three options:

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

**RULE 3** If the employer denies the request for union representation and continues to ask questions, this is an unfair labor practice and the employee has the right to refuse to answer. The employee cannot be disciplined for such refusal but is required to remain present until the supervisor terminates the interview. Leaving before this happens may constitute punishable insubordination.

*If called into a meeting with management, read the following or present this card to management when the meeting begins:*

**“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 be present at this meeting. Without representation present, I choose not to participate in this discussion.”**

*For more information*

call WSNA at 206.575.7979  
or toll-free at 800.231.8482

Washington State Nurses Association  
575 Andover Park West, Suite 101, Seattle WA 98188

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