

CWA ALERT*CWA ALERT*CWA ALERT
WEINGARTEN RIGHTS

Local 3204 is alerting all BellSouth Represented Employees of a recent change in Management policy not to inform employees of their rights to Union Representation during Investigatory Interviews that may lead to disciplinary action.

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 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 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 question, 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.