

Weingarten Quiz

1. We no longer have a collective bargaining agreement because of ACT 10; therefore, we no longer have a grievance process or representation rights. There's just nothing the union can do if a member gets in trouble!
True False
2. Your Principal asks you to come to a meeting at 4:00 pm today. Your workday under the handbook ends at 4:00. You must attend the meeting.
True False
3. You have a right to have a witness with you at any meeting which you are uncomfortable about.
True False
4. You have the right to get up and leave if you have clearly asked for a representative to be present but your principal refuses to wait or reschedule.
True False
5. The police want to ask you a few questions about a work-related incident. As an employee, you must comply.
True False
6. After a meeting has started, it takes an uncomfortable turn towards a disciplinary meeting which it wasn't supposed to be. You didn't ask for clarification of the purpose at the start of the meeting. You may end the meeting immediately and leave.
True False

Weingarten Rights

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 Association Representative be present at the meeting. Without representation, I choose not to answer any questions.

Weingarten Quiz -- Answers

1. We no longer have a collective bargaining agreement because of Act 10; therefore, we no longer have a grievance process or representation rights. There's just nothing the union can do if a member gets in trouble!

False: Employees who belong to a union have Weingarten Rights to representation. With the implementation of Act 10, there was also a requirement for public sector employers to institute a grievance procedure. Instead of covering all aspects of the collective bargaining agreement as it did in the past, the grievance procedure covers only discipline and termination and workplace safety issues.

2. Your Principal asks you to come to a meeting at 4:00 pm today. Your workday under the handbook ends at 4:00. You must attend the meeting.

True: to refuse to attend the meeting as directed by your supervisor may constitute "insubordination," which is an action that could result in termination. Employees asked to attend meetings should always ask about the purpose of the meeting, and if it is for disciplinary reasons, the employee should request a union representative.

3. You have a right to have a witness with you at any meeting which you are uncomfortable about.

False: You have no legal right to have a representative attend a meeting simply because you are "uncomfortable" with your supervisor. If the discussion revolves around discipline, you have a right to ask. An employee who feels uncomfortable can certainly ask for representation in any meeting, and in many cases, supervisors agree.

4. You have the right to get up and leave if you have clearly asked for a representative to be present but your principal refuses to wait or reschedule.

False: (See #2) If the employer refuses to provide you with a representative, or refuses to reschedule the meeting so a representative can appear, the employee must sit through the meeting anyway. The employee should cite their Weingarten Rights, take notes, and contact union representatives immediately after the meeting.

5. The police want to ask you a few questions about a work-related incident. As an employee, you must comply.

False: You must comply if you are subpoenaed, but otherwise you are under no obligation to talk to the police. In fact, your union discourages talking to the police - even if you are merely a witness to an event. In a meeting with your employer regarding any potentially criminal activity, please call the WEAC Region 3 office immediately.

6. After a meeting has started, it takes an uncomfortable turn towards a disciplinary meeting which it wasn't supposed to be. You didn't ask for clarification of the purpose at the start of the meeting. You may end the meeting immediately and leave.

False: (See #2). When the meeting takes an uncomfortable turn towards discipline, respectfully ask for a union representative. If the employer refuses, see #4.