

WEINGARTEN RIGHTS

Weingarten rights guarantee an employee the right to union representation during any formal conference with administration. A formal conference is one in which an administrator questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend his/her conduct (ex. Investigatory Conference, SEH-204 Conference, Second Level Conference, Hearings).

These rights were established by the Supreme Court in 1975. The PFT's contract requires the administration to inform an employee that he/she is entitled to union representation.

Prior to any formal conference, the administration is required to:

- Provide notice of the meeting in writing
- Give a minimum of 24 hours' notice
- Clearly state the reason for the conference on the notice
- State on the notice that he/she may have a Federation representative present

It is the employee's responsibility to arrange for a Federation representative, not the administration's responsibility. The member may use their Building Representative, another PFT member at the location, or call the union and request the PFT Staff Representative for that location to represent them.

The administration does not have to allow union representation when:

- The meeting is merely for the purpose of conveying work instructions, training, or communicating needed corrections in the employee's work techniques.
- The employee is assured by the employer prior to the interview that no discipline or employment consequence can result from the interview.
- Any conversation or discussion initiated by the employee and without the administration's encouragement or instigation.