

## The Role of an Association Rep: Representing Members in Meetings

### *You are the Front Line!*

**At times you will be representing a member in a meeting with Administration – potentially because of pending discipline. It's important to know a few things.**

#### **WEINGARTEN RIGHTS:**

Weingarten rights are essentially the rights of employees to request union representation at a meeting when the results could potentially lead to discipline or when they have to defend their conduct or behavior. **The Admin does not have to inform the employee of their rights; it is the employee's responsibility to know and request.**

Employers will often assert that the only role of a union representative in an investigatory interview is to observe the discussion. The Supreme Court, however, clearly acknowledges a **representative's right to assist and counsel workers** during the interview.

The Supreme Court has also ruled that during an investigatory interview **management must inform the union representative of the subject** of the interrogation. **The representative must also be allowed to speak privately with the employee before the interview.** During the questioning, **the representative can interrupt** to clarify a question or to object to confusing or intimidating tactics.

While the interview is in progress **the representative can not tell the employee what to say** but he **may advise them on how to answer a question.** At the end of the interview the union **representative can add information to support the employee's case.**

## **More about Meetings**

- Initial interviews/meetings are often informal
- Gather as much information as you can before the meeting
- Insist on meeting privately with the member **BEFORE** the meeting with Admin.
- Keep in mind the first moments and hours are often stressful for the effected employee – this can inhibit clear and rational thinking
- Investigatory meetings are often “fishing expeditions”
- Your **PRIMARY** role is to be a witness/observer/second set of ears and eyes – and to keep the meeting focused on the issues
- Every meeting is unique
- During the meeting take notes, ask clarifying questions, and interrupt the meeting or take a “time out” if it's getting emotional or overly stressful.

## **Advise members to**

- Document everything immediately
- Seek advice early from their reps
- Keep copies of any correspondence related to the issue – preferably at home

## **Warn Members**

- Do not respond spontaneously
- Do not appear alone at any meetings
- Do not attempt to represent yourself
- Do not immediately or initially accept an “opportunity” to resign
- Do not accept proposals without thorough review and time to consider all actions
- Do not submit written statements to the Admin or Board

## **After the Meeting**

- Maintain confidentiality
- Keep local leadership in the loop – if the issue escalates, they will likely be involved and they need to be aware
- Organize your notes and create a “summary report”
- Call your local leaders and/or UD for help at any point

## **Don't Go There!**

- DCFS
- Criminal Allegations
- Sexual Harassment / Inappropriate Touching
- Assault on Employee
- Member/Member conflict
- Worker's Comp, Unemployment, Discrimination

## **Always Remember**

- Defend, Don't Judge
- Be an Advocate, Not an Adversary
- Inform Members of their Rights
- Look for Potential Problems
- Regard your Supervisor as an Equal as you attempt to solve problems
- Do not be intimidated
- Be constructive