

# Red Flag Moments

Many times school employees acquiesce to questioning without representation. It is not a wise decision. The following list of situations and phrases commonly happen in schools.

- **You may need a building representative when** a building administrator says, “I just want to talk to you for a minute.” When you walk into the office, a parent and principal are seated on the same side of the table.
- **You may need a building representative when** you walk into the office and you’re met by two administrators, one is your building principal and the other is from the central office and you know nothing about the meeting.
- **You may need a building representative when** the administrator starts getting “hot-under-the-collar” with you and you are alone.
- **You may need a building representative when** the building administrator says, “I’ve had some parent complaints about you.”
- **You may need a building representative when** the building administrator says, “I have some concerns we need to talk about.”
- **You may need a building representative when** the building administrator says, “There are rumors in the community about you that we need to discuss.”
- **You DEFINITELY need a building representative when** the administrator says, “do you want a building rep?” THE ANSWER IS ALWAYS, “YES!” If the building administrator is offering a building representative before the meeting takes place, the member must take it as a clue that the meeting is not going to be a happy event.
- **You DEFINITELY need a building rep when** the building administrator uses the following words in the course of the meeting: discipline, termination, employment status, or negative evaluation.

# The Weingarten Rule

**IT IS THE RIGHT OF AN EMPLOYEE TO THE PRESENCE OF A UNION REPRESENTATIVE AT A MEETING WITH THE EMPLOYER IF HE OR SHE HAS A REASONABLE EXPECTATION THAT DISCIPLINE MAY RESULT.**

## Key Concepts:

1. The right to representation only comes when the employee requests it. Management does not have to advise members of their rights.
2. An employee may not unilaterally leave the interview to seek representation contrary to the supervisor's orders.
3. An employer cannot require substituting one designated union representative, for another representative.
4. Time should be provided to consult with your representative before the investigating meeting.
5. The right to representation exists even if investigated by an outside agency.
6. The right to a representative only applies in situations where an employee reasonably expects disciplinary action could result.
7. The employer has not duty to bargain with any union representative attending the investigating interview.