

**MCCS**  
**Weingarten Rights**

The Supreme Court has ruled that any employee who is a member of the bargaining unit is entitled to Union Representation when: (a) there is an “examination” meeting between agency management and the bargaining unit employee; (b) the examination must be in connection with an investigation; (c) the employee reasonably believes that discipline could result from the meeting; and (d) the employee requests the representation. These are called the Weingarten Rights.

If you are a member of the bargaining unit, it is important that you know:

- (1) You are entitled to Union representation if you have reason to believe that discipline will result from the investigatory examination. It is your responsibility to contact the union to request representation.
- (2) You are entitled to consult with a Union Representative during the meeting.
- (3) Never refuse to attend a meeting even if Union Representation is denied or unavailable.
- (4) Meetings conducted for the sole purpose of, and limited to, informing an employee of a decision already reached by the agency are **not** examinations.
- (5) Discussions concerning an employee’s performance are **not** examinations in connection with investigations.
- (6) If you believe that you were entitled to Union Representation, and you requested representation, but it is denied, please contact the NAF Personnel Office and report the situation.

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Print Name

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Sign Name & Date