

USPS Weingarten Card

USPS SUPERVISOR RESPONSIBILITIES UNDER WEINGARTEN WHEN INTERVIEWING AN EMPLOYEE WHERE DISCIPLINE MIGHT RESULT

Under the *Weingarten* rule, you **must** allow each employee the following rights in conducting an investigatory interview:

1. Each employee has a right to be represented by a union steward during an investigatory interview (but not during an Article 16 "discussion"). If, before or at any time during the interview, an employee requests a union steward or in any other way indicates that he or she wants representation, you **must** do one of three things: (1) you must provide a steward, or (2) you must end the interview, or (3) you must offer the employee the choice of continuing the interview without a steward, or of having no interview at all and therefore losing the benefit that the interview might have given to him or her. ***When in doubt, it is better to provide a steward or contact Labor Relations immediately.***

2. The supervisor must tell the employee and steward the purpose and subject of the meeting before the meeting begins. (*over* →)

(Continued from other side)

Then, if either the steward or the employee requests, adequate time must be given to them to talk privately before (or during) the interview.

3. During the interview, you must permit the steward to participate. He or she may ask questions, clarify the employee's answers, comment about the questions, discuss favorable facts, suggest others who have information, and advise the employee. The steward is not allowed to disrupt the meeting or tell the employee not to answer a question. If that happens, postpone the remainder of the meeting and consult your manager or Labor Relations immediately.

4. You may begin the interview, if appropriate, by saying:

- A. You are going to be asked a number of specific questions concerning (*specify the issue causing the interview*);
- B. You are subject to disciplinary action if you refuse to answer or fail to respond truthfully to any questions;
- C. Your steward may advise you and participate in the interview (*assuming the employee has requested a steward*).