

KNOW YOUR RIGHTS

Prospect CharterCARE Service Staff Members

August 7, 2015

Did you know that you do have certain rights if you are called into an investigatory interview by your supervisor? Well you do.

So says the United States Supreme Court in a decision that goes all the way back to 1975. Those rights are called “Weingarten rights” named after a decision by the court concerning employee rights on the job.

Specifically, the court’s decision provides that “During an investigatory interview...employees have a right to request union assistance and can refuse to answer questions until the request is honored.” (*The Legal Rights of Union Stewards*, R. Schwartz). This means that if your supervisor wants to meet with you and you believe that the meeting could result in your being disciplined you have the right to request that one of us be in attendance. If he/she refuses, then:

- 1) the interview/meeting must end until a Union representative is allowed to attend the meeting;
- 2) If the supervisor does not allow your request for a representative to be present then you can refuse to answer his/her questions.

These are your rights under the law. The Supreme Court ruling in the Weingarten case was to prevent management from using coercive methods, intimidate, or “bend” your answers to get a false admission of guilt.

So be careful when your supervisor asks you to step into the office to “discuss something.” Make sure that the “discussion” is not part of an investigation concerning you. If it is, politely ask for one of us to attend the meeting. You have rights – Use Them!

We’re All on the Same Side

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Which is why it really doesn't make any sense for any of us to be running to management to report on another employee. We know that has become a "tradition" at Fatima but look where it has gotten us:

***Lowest pay rates in the area**

***Really lousy health insurance**

***Complete lack of respect – so far – in our contract negotiations**

"Snitching" for management hasn't paid off for any of us, has it?

The fact is that we are ALL in a real fight to improve things for the employees of Fatima. In fact we aren't Fatima any more, we are now Prospect CharterCARE, a multi-million dollar corporation – no more friendly little neighborhood hospital – a big change.

And with that change we know that we need to work together and not be management's eyes and ears. Keep that in mind when you think you can get brownie points with your supervisor by reporting a fellow worker.

*The Contract Negotiating Team
Service Staff - Prospect CharterCARE*

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Cindy Fenchel (Medical Secretary – Mineral Spring)

Michael Lewis (ESD)

Robert Fenchel (Courier – Lab)

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Nancy Hedgepath (Phlebotomist – Lab Waterman)

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