

# UPDATE

It's November already, and time for all of us to get out and voice our opinion on who will do our common goal the best. Please get all family members out to vote on Tuesday, and remember who we are supporting. Our pay was held up by one of the candidates so we **must** not forget that. 3000+ and all our family members we should have a strong outcome in this election. The three questions are also an important part of the election and the outcome of **our** future. If anyone needs information on the questions look in last months update for the explanations on each question. The polls open at 7:00 a.m. so there is no reason we can't take 5 minutes out of the day to speak loud and clear.

This is the year that we as a local must have our elections for all offices. We had our nomination meeting for table offices and there were no seats challenged. This means that at the November meeting the table officers will be sworn in for another 2 years. All members of the table would like to thank the sisters and brothers for there support. There goal is *communication and solidarity*.

***"Labor cannot stand still. It must not retreat. It must go on, or go under."***

***"The most important word in the language of the working class is solidarity."***

Harry Bridges

## Take the right approach to disciplinary action

Discipline is a responsibility management can't duct, but it doesn't have to be a hostile confrontation. Here are some keys to handling it effectively:

### • **Timeliness.**

Just as rewards have less meaning if they're delayed, discipline will have little force if it doesn't occur immediately after an infraction. Take action right away, while the behavior is fresh in everyone mind.

### • **Performance.**

Keep personal issues out of any disciplinary procedure. Focus on what the individual did, without speculating on why he or she did it and without bringing personalities into the discussion. Use the conversation as an opportunity to make sure the employee understands performance standards.

### • **Fairness.**

Although management needs to respond promptly to issues requiring disciplinary action, take the time to make sure you understand what happened. A hasty decision that doesn't take everyone's position into account will only increase tension and reduce productivity in the workplace.

**PLEASE  
REMEMBER  
TO  
VOTE  
ON  
TUESDAY!**

### ***Know your Contract!***

If the college send you to a mandatory seminar is there anything that you should do if you feel threatened by it?

Send your answer to:  
[khanley@bhcc.mass.edu](mailto:khanley@bhcc.mass.edu)

First correct answer will receive a \$10.00 gift card to Stop & Shop.

### Important Dates

November 9	Worcester	E-Board Meeting
November 11		Veteran's Day
November 16	SSU	Step 4's
November 18	Westfield	Step 4's
November 25		Thanksgiving
December 14	Worcester	E-Board Meeting
December 25		Christmas Day
January 1		New Years Day

# WEINGARTEN RIGHTS – A MEMBERS RIGHT TO UNION REPRESENTATION

By Julie E. Curtis, Unit I Steward, Salem State University

In 1975 the United States Supreme Court, in the case of the National Labor Relations Board vs J. Weingarten, Inc. upheld a NLRB decision that employees have a right to union representation at investigatory interviews. An investigatory interview occurs when a supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend their conduct. If an employee has a reasonable belief that discipline or other adverse consequences may result from what they say, the employee has the right to request union representation.

When the employee makes the request for a union representative to be present then management has three options:

- it can stop questioning until the representatives arrives
- it can call off the interview or,
- it can tell the employee that it will call off the interview unless the employee voluntarily gives up their rights to a union representative

Management is not required to inform the employee of their Weingarten Rights; it is the employees responsibility to know and request it – a member should never voluntarily waive their rights to a union representative being present at a meeting. If after the request for union representation is made, the employer denies the request and proceeds to question the employee, it becomes an unfair labor practice and then the member may refuse to answer any questions. Members should be aware that the Weingarten Rights do not begin until the actual interview starts.

During this meeting, the union representative has the right to assist and counsel the employee. During the 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. The representative cannot tell the employee what to say but may advise them on how answer a question and can add information to support the employees case at the end of the interview. The representative can also advise the member not to answer questions that are abusive, misleading, badgering, confusing or harassing. But they cannot bargain over the purpose of the interview or obstruct the interview.

Some examples of investigatory interview subjects are:

- absenteeism
- accidents
- compliance with work rules
- damage to company property and/or sabotage
- drinking and/or drugs
- falsification of records
- lateness
- poor attitude
- poor work performance
- slowdowns
- theft
- violations of safety rules

Members should realize not every discussion with supervisors is an investigatory interview. For example a supervisor may speak to the employee about the proper way to do a job. Even if the supervisor asks the member questions, this is not an investigatory interview as the possibility of discipline is remote. However if the supervisor becomes dissatisfied with the employee's answers and becomes hostile, the meeting becomes an investigatory interview and Weingarten Rights apply.

If a member is called to their supervisors office to announce a discipline that has already been decided, this is not an investigatory meeting since the member is just being informed of a previously arrived at decision. Such a meeting becomes an investigatory interview when the supervisor asks questions that are related to the subject matter of the discipline.

Having a union representative present can assist in many ways. The steward can:

- serve as a witness to prevent supervisors from giving a false account of the conversation
- object to intimidating tactics or confusing questions
- when appropriate, advise an employee not to blindly deny everything, as this gives the appearance of dishonest and guilt
- help a member to avoid making fatal admissions
- warn the member against losing their temper
- raise extenuating factors

If members are called to a meeting with management, they need to read the following statement to management before the meeting starts

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Without representative present, then I choose not to participate in this discussion.”

This is your Weingarten Right – the right to have Union Representation, and members need to make sure managers recognize and honor this right!!

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*“Silence never won rights. They are not handed down from above; they are forced by pressures from below.”*

Roger Baldwin

We are in the process of getting our facts together for the Job Spec Committee. Please start forwarding all information that you would like us to process to us as soon as possible. This will make the final rush a lot easier and it will also have us acting rather than reacting. Thank You The Table Officers

We have started the process on filing paper work on outstanding issues with the BHE. There are other unions that will be doing the same in the next couple of weeks.

## ~ RAISES ~

The latest word on our 1% pay raise is that we are schedule to get the raise on the 6th of November, with the retro coming the pay period after that. The Campus Police are on the same time frame. We would like to thank everyone for all the help in calling and getting this on the table in the time manor that they did.

# NOVEMBER CALENDAR

## Monthly

**American Diabetes Month.** In the United States, 23.6 million people have diabetes—children and adults. That's 7.8 percent of the population. For years, the American Diabetes Association has used this month as an opportunity to communicate the seriousness of diabetes and the importance of diabetes prevention and control.

**Epilepsy Awareness Month.** More than 3 million people in the United States have epilepsy, and 200,000 new cases develop each year. The purposes of Epilepsy Awareness Month are to dispel common myths about the disorder, promote public awareness, and inform people with seizure disorders and their families about service programs and informational resources.

**National American Indian Heritage Month.** To honor the original inhabitants of North America and recognize the contributions American Indian and native Alaskan peoples have made to the U.S.

**Peanut Butter Lovers' Month.** Peanut butter is one of America's favorite foods, and it's found in about 75 percent of American homes. For more information and ideas, browse [www.peanutbutterlovers.com](http://www.peanutbutterlovers.com).

**Vegan Month.** Just about every food made from dairy products or eggs has an animal-friendly alternative, with products easily available in shops and supermarkets. Go to [www.veganmonth.com](http://www.veganmonth.com) for information and ideas on cutting meat and other animal products out of your diet.

## Weekly

**National Animal Shelter Appreciation Week, Nov. 7-13.** Sponsored by the Humane Society of the United States in 1996 to acknowledge and promote the invaluable role shelters play in their communities, and to increase public awareness of animal welfare issues and shelter services.

**Kids Goal Setting Week, Nov. 9-12.** The driving force behind National Kids Goal Setting Week is to give the parents, teachers, and coaches of the world some practical suggestions and ideas to help children set goals that will equip them to lead a life full of meaning and direction. For more information browse: [www.goalsguy.com](http://www.goalsguy.com).

**Geography Awareness Week, Nov. 14-20.** Launched in 1987, Geography Awareness Week promotes the importance of geography education in the United States. Its goals: to draw attention to what geography is, why it is important, and how American citizens can ensure access to a robust geography education that prepares them to participate in global social and economic activities and to make decisions regarding people, places, and environments.

**National Games and Puzzles Week, Nov. 21-27.** Encouraging families and friends to spend more time together playing games, doing puzzles, challenging their brains, and having fun.

## Daily

**Election Day, Nov. 2.** Exercise your right to vote.

**Diwali, Nov. 5.** The Indian Festival of Lights, a five-day festival of Hinduism, Sikhism, and Jainism.

**Sadie Hawkins Day, Nov. 6.** Widely observed in the United States, usually the first Saturday in November. An American event that originated in the comic strip *Li'l Abner*, encouraging young girls to take the initiative in inviting the boy of their dreams on a date.

**Veteran's Day, Nov. 11.** Day to honour our Veterans.

**Great American Smokeout, Nov. 18.** Give up cigarettes for a day—and start giving them up for the rest of your life.

**Thanksgiving Day, Nov. 25.** Give thanks for family, friends, health, and turkey.