

Reminder of Your Rights

Jan 5, 2018

Dear Classified Members of Mt. San Antonio College,

Happy New Year! As we begin another year of serving our students and the campus community, we ask that you take a moment to review some information from CSEA Chapter 262.

First, CSEA 262 is a represented labor unit of classified employees. Our leadership is elected by our members to represent the interests of all our unit members, by the members for the members. Our members perform a wide range of essential work at Mt. SAC, including security, administrative support, academic and paraeducator services, library and media assistance, computer services and more. We represent more than 520 unit members with a 93% membership rate. CSEA has over 700 chapter and 230,000 members in California.

I am Lee Jones, your newly elected Chief Union Steward. For those new to our community, a Steward is a fellow classified employee who volunteers to protect employees' rights on the job, enforce our contract and help employees when working with management on issues related to discipline, termination or working conditions. Stewards receive training from CSEA to acquire the knowledge and instinct to do the very rewarding and important work. Participants get comprehensive training on everything from legal rights to listening skills.

Next, please come to the next CSEA 262 Chapter Meeting. We have meetings at noon on the third Wednesday of the month on the first floor of building 6, in room 160, just to the right of the sound entrance of the building. Attendance for this meeting is on Release Time, which is time where you are on-the-clock but are released from your normal job duties for an approved activity, such as attending the union meeting.

Finally, as your Chief Union Steward, I want to remind to please review your CSEA contract, available on the Mt. SAC Human Resources website under "Resources" at <http://mtsac.edu/hr/> and on the CSEA Chapter 262 website at <http://csea262.org/> (check out the "Know Your Rights" section, it's really helpful).

There are many benefits to union membership, and every member of CSEA has the right to a voice in the operation of the Chapter and every employee in our bargaining unit has a right to union representation.

Although CSEA 262 has a great working relationship with the College, you as an employee still need to assert your rights. An important right you have is the right to union steward representation when you may be disciplined, reprimanded or dismissed. **You must ask for union representation. Your manager does not have to advise you of your rights.** This is commonly known as your Weingarten Rights.

What are your Weingarten Rights? Back in 1975, the Supreme Court heard the case of National Labor Relations Board vs. Weingarten, and the court ruled that **employees have the right to union representation during any meeting which could lead to their being disciplined.** This has come to be known as an employee's "Weingarten Rights".

What it is NOT. Weingarten does **not** mean you can get up and walk out of a meeting. It does **not** mean that you can refuse to comply with your manager's normal work direction.

What it IS. What it **does** mean is that, as soon as you invoke your Weingarten rights, your manager cannot force you to answer their questions, and a union steward must be allowed to attend that meeting (and any future meetings regarding that matter).

If you think you might need to invoke your Weingarten rights, how do you do that?

You could say something like, “I’m invoking my Weingarten rights”; or, “I want a union steward present at this meeting”, the proper and most widely accepted way of invoking your Weingarten rights is to say, “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. Until my representative arrives, I choose not to participate in this discussion.”

NOTE: You may ask to be excused from the meeting until your representation arrives, but your manager is under no obligation to grant such a request. In such a case, simply wait quietly and don’t answer any questions or volunteer any information.

How do you contact a union steward? There should be a CSEA Site Representative who has contact information. You should also have a CSEA bulletin board in your common areas with contact info. Naturally, you may know who the union stewards are near your department, or you may know an elected CSEA 262 officer near you. Periodically, CSEA 262 will email our members with reminders of contact information. If you do not have contact information available, please reach out to your Chief Union Steward, Lee Jones, at x5612 or email chiefsteward@csea262.org. If you can't reach anybody, reach out to our CSEA Labor Relations Representative, Andy Ritchie (you'll find his contact info in the attachment).

Do you need to invoke your Weingarten rights every time you talk to your manager? No, of course not. However, even if you have a good working relationship with your manager, it’s still a smart thing to do if you feel a meeting could lead to discipline of any kind. Invoking your rights is never viewed by good employees or good managers as confrontational or disrespectful. Much like having a lawyer present before talking to the police, it simply makes sure your rights are being actively looked after by a third party who is a subject matter expert so that you can put your mind at ease.

What about charges of insubordination? If you are invoking your Weingarten rights, of course we’ll want to have a steward present as soon as possible. If your manager is unwilling to wait for a steward to arrive, politely ask to reschedule the meeting. If your manager asks you to sign a warning or other document that you disagree with, politely ask if you can wait until a steward arrives, but if the manager demands threatens you with insubordination, then sign and wait for the steward. When in doubt, voice your concern, but **comply now and correct the problem later** with help from your union steward.

This email is getting very long, so please, come to our next Chapter Meeting (January 17, noon, building 6-160) and get involved. Check out our website for information, and make sure a copy of the contact list is posted on your CSEA bulletin board (if you don’t have one, please let us know).

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