



# KNOW YOUR RIGHTS

## AS A UNION MEMBER IN THE WORKPLACE

**N**ow that you are a union member, you have many more rights in the workplace than you did before. Knowing your rights will help you feel confident and empowered to support the union and bargaining team throughout our contract campaign without fear of your employer.

We're protected by law. Under the Meyers-Milias-Brown Act (MMBA), workers who engage in protected concerted activities to improve wages, hours and other working conditions are protected from illegal acts by the employer. If the employer stops you, threatens you, or retaliates against you because of your protected concerted activity, it may be an unfair labor practice (ULP)—which is illegal.

Simply put, there are certain things you can do to advance our contract campaign and it is illegal for the employer to stop you or punish you for it. Be respectful, but **DO NOT BE AFRAID!**

### **Q: What can I do to support my union contract campaign at work?**

**A:** You can (and should) do many things, including:

- ◆ Read, distribute and discuss union literature (in non-work areas during non-work times, such as in the break room during breaks or lunch hours);
- ◆ Wear union buttons, T-shirts, stickers, hats or other union gear (as long as it does not violate established dress code policy);
- ◆ Sign petitions or file ULP charges related to changes to wages, hours, working conditions and other job issues (and tell your union rep if you see any such changes);
- ◆ Ask other employees to support the union, to sign union cards or petitions and support your bargaining team;
- ◆ Discuss your terms and conditions of employment or union organizing with your co-workers;
- ◆ With one or more co-workers, complain directly to your employer to improve working conditions;
- ◆ Strike and picket (after planning such actions with your union rep and ensuring they are protected).

For more info: [https://www.dol.gov/olms/regs/compliance/EmployeeRightsPoster11x17\\_Final.pdf](https://www.dol.gov/olms/regs/compliance/EmployeeRightsPoster11x17_Final.pdf)

### **Q: What is the employer not lawfully allowed to do?**

**A:** It is **illegal** for the employer to:

- ◆ Prohibit you from having conversations about the union during non-work time (such as before or after work or during break times) or from distributing union literature during non-work time, in non-work areas (such as parking lots or break rooms);
- ◆ Fire, transfer, demote, reassign you to more difficult work tasks, or threaten to take any of these actions because you exercised your rights (listed above);
- ◆ Reduce your benefits, reduce your hours, or threaten to take either of these actions because you exercised your rights (listed above);
- ◆ Promise preferential treatment or extra benefits to employees to discourage their support of your union;
- ◆ Question you about your union sympathies or activities in a way that interferes with, restrains or coerces you from exercising your rights (listed above);
- ◆ Spy on or videotape peaceful union activities and gatherings or pretend to do so.

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### **Q: If you think the employer is doing something illegal, what should you do?**

**A:** If you believe you are being confronted by the employer for exercising your rights, remember to stay calm, ask questions and take notes.

- ◆ What did the employer say or do?
- ◆ Did the employer give you a reason for confronting you? If so, what was the reason?
- ◆ What time and date was the confrontation?
- ◆ Did anyone else witness the confrontation?

### **Q: What if the employer wants to meet privately with me?**

**A:** You should exercise your "Weingarten Rights." If a supervisor or manager requests a meeting that you think may lead to discipline, you should use your Weingarten Rights by stating:

***"If this discussion could in any way lead to my being disciplined or terminated I respectfully request that my representative be present at the meeting. Without representation present, I choose not to respond to any questions or statements."***

Once you use your Weingarten Rights, you have specific rights to representation at the meeting:

- ◆ You have the right to have a co-worker representative (or other union rep) that you trust to be present and play an active role in the meeting;
- ◆ If you want a representative present, you must expressly ask for him or her;
- ◆ You have the right to speak privately with your representative before and after the meeting;
- ◆ If your manager refuses to allow you to bring a representative, repeat your request in front of a witness. Do not refuse to attend the meeting, but do not answer any questions either. Once the meeting is over, contact your union immediately.