

YOUR RIGHTS ON THE JOB

Everyone wants smooth working relationships on the job. However, problems arise in every workplace. As a 4Cs member, there is a process for resolving conflicts when contractual rights have been violated. You have the right to union representation.

When Problems Arise-Talk to Your Chapter Leaders

Contract Violations

If you think that management has violated your rights, or if you have questions about work, talk with one of your chapter leaders. You have the right to file a formal complaint seeking justice when your contractual rights have been violated. The complaint is called a “grievance” and the system used to address it is referred to as the “grievance procedure.” Our contract details the procedure and the timelines.

If you and your chapter leader determine that a contract violation has occurred, together you will fill out a “grievance form”. If management refuses to settle the grievance, the union may argue your case before an impartial arbitrator who will make the final ruling. Arbitrators have the power to order an employer to correct the situation.

Grievance procedures have strict time limits. Take action promptly after a violation occurs.

What is a Grievance?

Not all workplace complaints are grievances and often disputes can be resolved without filing a grievance. The key question is: Did management violate the Contract?

Winning a grievance depends on accurately collecting the facts and evidence. Working closely with union representatives will improve your chances of success.

When in Trouble-Demand Union Representation

You have the right to representation by your chapter leader or union staff or organizer during conversations with your supervisor which could potentially lead to discipline or termination. If you think the conversation is disciplinary in nature, follow these important steps sometimes referred to as your ...

“Weingarten Rights”

- **Demand union representation.** You must ask for union representation before or during the interview. Management does not have to inform you of this right.

- **Refuse to proceed without union representation.** A questioner must be told of your desire for representation. Refusal to cooperate on your part can be viewed as insubordination. If management refuses to allow you representation, stay in the room, but remain silent.

- **Do not make any written or verbal statement of guilt or innocence.** You cannot be forced to make a statement. The most appropriate response in this situation is to make NO statement. Claiming innocence is considered to be a statement.

- **Do not waive your right to representation.** If you proceed in questioning without representation, you have waived your right to representation and any statement can be used against you.

The Weingarten Rights do not apply to everyday conversations between employees and supervisors regarding regular job duties or work performance.



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