



When a manager asks to see you in their office, they may want more than the recipe to the chicken casserole you brought to last week's potluck. If you're not absolutely sure that they just want to shoot the breeze, ask them why they want to see you.

HERE'S WHAT TO SAY:

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

YOUR RIGHT TO REPRESENTATION

There are circumstances when you should call your Union steward to accompany you when you meet with management or your supervisor.

- You have a right to have a Union steward present.
- If you want a steward there, you must ask for him or her.
- If you do not know why your manager want to meet with you, ask him/her if it is a meeting that could result in discipline.
- If your manager refuses to allow you to bring a steward, repeat your request in front of a witness. Do not refuse to attend the meeting, but do not answer any questions either. Take notes. Once the meeting is over, call your steward at once.
- You have a right to speak privately with your steward before and during the meeting.
- Your steward has the right to play an active role in the meeting. She or he is not just a witness.

These rights are called "Weingarten Rights" based on a 1975 Supreme Court decision (NLRB vs. J. Weingarten). As with all rights, if we do not use them, we eventually could lose them.

RIVERSIDE SHOP STEWARDS

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SEIU Local 121RN Contract Language for Hospital Corporation of America registered nurses:

ARTICLE 1

DISCIPLINARY ACTIONS

1.1 Just Cause. The Hospital may suspend, discharge or otherwise discipline employees for just cause.

1.2 Progressive Discipline. Unless Hospital management concludes that circumstances warrant more severe actions, the Hospital will utilize progressive discipline. Progressive steps may include written warnings, disciplinary suspensions without pay, and termination. Coaching sessions, documented or otherwise, may be relied on to establish employees' knowledge of rules, policies, or expectations, but are not considered discipline and therefore are not grievable. Documentation of a coaching session shall not be evidence that the employee engaged in the behavior to which the coaching session was directed. Employees will be given copies of documented coaching sessions. Verbal coachings, if memorialized, shall be recorded on forms separate and distinct from forms used to record disciplinary warning or other disciplinary actions.

1.3 Investigatory Suspension. No employee will be held in unpaid investigatory suspension for more than ten (10) calendar days.

1.4 Disciplinary Action. An employee who receives a written warning shall be given a copy of the warning and shall sign the warning to acknowledge receipt of a copy of the document. Acknowledging receipt of the warning shall not constitute an admission by the employee of agreement with the substance of the warning. Employees will have the right to rebut in writing any disciplinary notice or documented coaching session. Such rebuttals, will be attached to the disciplinary notice or coaching session and placed in the personnel file.

1.5 Right to Presence of Union Steward. In connection with investigatory interviews required by the Hospital in which an employee reasonably believes will result in disciplinary action being taken against him/her, an employee upon his/her request shall be entitled to have a Shop Steward or Field Representative present, provided that such investigatory interviews will not be delayed if a Shop Steward or Field Representative will not be available within twenty-four hours. It is understood that the role of the Shop Steward or Field Representative attending an investigatory interview shall be strictly limited to the rights accorded such a representative by the NLRB. An employee may also request the presence of a Union Steward at a meeting held to impose previously determined discipline. In the case of termination or disciplinary suspension, if the employee cannot identify a steward who is available within a reasonable timeframe not to exceed the length of a full shift, the Hospital may proceed with the disciplinary meeting. In the case of a written warning, the disciplinary meeting will not be delayed beyond the end of the shift due to the unavailability of a Union Steward, provided the employee is given at least two hours notice of the meeting. A Union Steward's presence at a meeting called to impose previously determined discipline shall be limited to serving as a witness and not as a participant.

1.6 Consideration of Discipline. Previously issued discipline may be considered in determining the appropriateness of progressive discipline for a period of 12 months from the date of the discipline. However, final written warnings and disciplinary suspensions may be used as the basis for further discipline for a period of two years in the event of a recurrence of conduct reasonably similar to that for which the final written warning was issued. If discipline is overturned through arbitration, or is otherwise conceded by the Hospital to have been issued without just cause, the em-