



:: Union Stewards at Cal Poly ::

Stewardship is the most visible form of employee representation by the union. It is a union steward's chosen responsibility to help enforce the employment contract CSUEU negotiates with the California State University. The contract covers a wide range of employment issues including (but not limited to) every represented worker's:

- Wages
- Benefits
- Health and safety of working environments
- Freedom from discrimination and harassment
- Fair treatment in job placement and advancement

CSUEU is **required by law** to represent all employees when suspected contract violations occur. Union stewards also provide **additional representation for CSUEU members** in matters such as on-the-job disciplinary actions and **member's only benefits**.

Union Stewards at Cal Poly are volunteers. As fellow employees, they have chosen to assist other workers without pay. From time to time, professional Labor Relations Staff assist with complex contract issues. There is also a CSUEU legal department to advise the union in matters of law.

If you feel your rights as an employee have been violated, you are urged to contact a union steward for help. There is a Stewards Council at Cal Poly made up of these volunteer fellow employees. You can contact a union steward by e-mail, telephone, or by writing the University's Chief Steward. After you make contact, one of your campus colleagues will be assigned to you for confidential discussions that may or may not lead to a formal grievance or complaint. Please contact:

John Burdett, Chief Steward
756-2593
jburdett@calpoly.edu



NEED A Union Steward?

Grievance Confidentiality

- Chapter 316 Stewards
- Labor Representative

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Know Your Rights - An Employee's Right to Representation

Weingarten Rights

You have the right to union representation during an investigatory interview when you reasonably believe the interview might result in discipline. You have the right to know before a meeting what general matter (such as work performance, dishonesty, inappropriate use of the internet, absences, tardiness, etc.) is being investigated. (CSUEU Contract Article 12.11).*

You must request union representation! No request, no right. Management is not required to tell you that you have a right to have a union steward present.

You must request their presence. You should say something such as:

If this discussion could in any way lead to my being disciplined or terminated or affect my personal working conditions, I respectfully request that a union representative be present.

If the supervisor says that this discussion will not lead to your being disciplined, ask for a written statement to that effect. If he or she says that it could result in discipline or refuses to give you a statement to the contrary, tell him or her that you will not answer questions unless a union representative is present.

If the supervisor insists that you involuntarily answer questions without a representative present, s/he violates the contract and commits an unfair labor practice. Under these circumstances, the employee should avoid charges of insubordination by answering the questions. Because the employee will not have a witness to support his or her version of events, s/he should document the questions, as well as his or her answers. When the meeting is completed, the employee should immediately contact the union.

Management can call you into a private meeting as long as they are not questioning you. However,

even a casual conversation with a supervisor that starts seemingly harmlessly (over work assignments, for example) can be stopped--until a steward can be asked to be present--if that discussion begins to lead to the possibility of trouble.

* These are called "Weingarten Rights," after a Supreme Court case. They are incorporated into the CSUEU contract under Article 12.11, which states:

Upon his/her request, an employee may be represented at an investigatory interview if he/she reasonably believes that disciplinary action may result. Prior to the interview, the employee shall be informed of the general nature of the matter being investigated. He/she may request to consult with his/her representative, if any. The right to representation does not apply to meetings held exclusively to inform an employee of a previously made disciplinary decision unless the CSU proposes to discuss or modify the disciplinary decision. If the representative an employee requests is unavailable, the employee may request alternate representation.

The CSU is not obliged to postpone the interview, nor to suggest or secure the alternate representation; however, the employee shall not be required to answer any questions without a representative present, unless he/she voluntarily chooses to do so. At its discretion, the CSU may decline to hold any interview if the employee requests representation.

If the supervisor denies the request for union representation and continues to ask questions, he or she commits a violation of the contract. The union and the employee have the right to file a grievance. A written grievance must be filed within 30 days of the incident.

