

STEWARDS' RIGHT TO INFORMATION



The Union has the right to reasonable notice of alleged wrongdoing in advance of an investigative interview. The employer must provide the Union with sufficient information in advance of the meeting to allow the Union to provide "meaningful representation" of the member.

The Union's right to information prior to the investigation is upheld by the Meyers-Milias-Brown Act (MMBA), which acknowledges the following:

1. The employee's right to representation
2. The Union's right to represent members

This right is further validated by two recent Public Employment Relations Board (PERB) cases:

Capistrano School District (2015) PERB Dec. No. 2440

"[T]he employer must inform the employee of the nature of any charge of impropriety before the meeting and, if the employee has no opportunity to confer with the representative on the employee's own time before the interview, allow the employee and the representative an opportunity to confer privately about the subject of the impending interview, so that the representative can provide meaningful representation." (pp.12)

Contra Costa Comm. College (2019) PERB Dec. No. 2652

"[O]ur touchstone is what is necessary to allow meaningful representation... an employer does not satisfy its duty to allow meaningful representation if it provides only general information about the charges of misconduct." (pp.27)

"If you think your rights have been violated, contact your Local 721 Worksite Organizer or call the Member Connection at 877-721-4968.