

Weingarten Rights

Camden County Council #10 wants to make sure that every employee it represents is fully aware of his/her legal rights and therefore takes this opportunity to remind employees of their Weingarten Rights. If you have any questions about this subject, or want further information, please contact your Union representative.

Employees have the right to Union representation at an investigatory interview where the employee has reasonable grounds to believe that the investigation may result in disciplinary action. Therefore, it is very important that you follow these steps in order to fully protect yourself and make sure you are afforded the rights you are entitled to:

1. Inquire as to the purpose of the meeting.
2. If the purpose relates to anything that could lead to disciplinary action, insist upon Union representation. You must request representation. It is not the obligation of the employer to arrange this.
3. If Union representation is denied, attend the meeting but say nothing, except to repeat your request for Union representation.
4. If you are granted Union representation, insist upon the opportunity to consult with your Union representative first, in private and in confidence.
5. The employee may not insist that a particular Union representative be present. Nor may the Union be obstructive during the interview. The Union is there to assist the employee and protect against improper or unfair questioning.
6. When the meeting is over, the employee and the Union representative should prepare their own report of what happened at the meeting.
7. If you have been denied Union representation or have been disciplined, notify your Union immediately.
8. Do not sign any documents or forms unless and until you have consulted with your Union

MEMBERS WORKING FOR:

Camden County	City of Camden
Camden County Library System	Gloucester Township
Camden County Health Services Center	Winslow Township
Camden County Prosecutor	Camden City Parking Authority
Camden County Mosquito Commission	Pine Hill Borough

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Camden County Council #10



Family Medical Leave And Weingarten Rights

Serving Public Employees
in Camden County
Since 1935



Camden County Council #10

Your Rights Under The Federal And State Family And Medical Leave Acts

Camden County Council No. 10 wants you to be aware of your rights under the federal and state Family and Medical Leave Acts. If you qualify under these Acts, your employer must grant you time off from work and this time off cannot be held against you if you attendance record becomes an issue.

You are entitled to leave of up to 12 weeks within a 12-month period (or a 24-month period in certain situations) for any of the following:

1. The birth or adoption of a child or the placement of a foster child in your care;
2. To care for a parent, child or spouse with a serious health condition; or
3. Your own serious health condition.

A serious health condition is defined as an illness, injury or condition which either:

1. Requires inpatient care in a hospital, hospice or residential medical care facility, or
2. Requires continuing care by a health provider which means:
 - a) incapacity for more than 3 consecutive days that also involves treatment twice or more by a health care provider or treatment at least once by a health care provider which results in a regimen of continuing treatment; or
 - b) any period of incapacity for pregnancy or

prenatal care; or

- c) any period of incapacity due to a chronic serious health care condition which requires periodic visits to a health care provider; or
- d) permanent or long term period of incapacity for which there is no effective treatment; or
- e) any period of absence for multiple treatments for injury or other condition which would result in an absence of more than 3 days if left untreated.

If your need for leave is known in advance you must give your employer 30 days notice. If your need for leave is not known in advance, you must give your employer notice within 2 business days or as soon as practicable. You must give your employer enough detail about your need for leave so that your employer is able to know that it qualifies as Family and Medical Leave. Simply calling off sick is not sufficient. If you have a chronic serious health condition which causes you to miss work on occasion, let your employer know in advance of your health condition.

Your employer can ask you for medical documentation to support your request and you must comply. Your employer can also require you to use your accrued leave time for this purpose if you have time on the books. Unless you

use your paid time, your employer is not required to pay you your salary when you are on Family and Medical Leave. However, your employer must continue your health benefits while you are on leave. You have the right to go back to your same job or an equivalent one at the end of your leave under the same terms and conditions as when you left.

You may take your leave in whatever amounts you need, up to the maximum allowed. This means you can take it in consecutive weeks, or in intermittent days, or hours, or however it is needed.

There may be other qualifications which you need to meet. If you need more detail, or assistance, see your Union Shop Steward or Trustee.

Info Sources on the Internet—

New Jersey Division of Civil Rights:
<http://www.nj.gov/oag/dcr/law.html#FLA>

United States Department of Labor:
<http://www.dol.gov/whd/fmla/>

