Series 4000: District Employment

4100 Employee Rights and Responsibilities

4108 Union Activity and Representation

The District will not engage in any of the following:

- interfere with, restrain, or coerce employees in the exercise of their rights under the Public Employment Relations Act (PERA);
- discriminate in regard to hire, terms, or other conditions of employment based on membership or non-membership in a labor organization;
- discriminate against an employee because he/she has given testimony or instituted proceedings under PERA;
- initiate, create, dominate, contribute to, or interfere with the formation or administration of any labor organization; and
- use public school resources to assist a labor organization in collecting dues or service fees from wages of public school employees, unless a collective bargaining agreement expressly permits dues or service fee deductions from wages. Upon the expiration of the collective bargaining agreement, the District is not obligated to collect labor organization dues or service fees. Unless prohibited by a collective bargaining agreement, the District may charge an administrative fee to the labor organization for collecting and processing dues and other deductions on the organization's behalf.

This Policy must be implemented consistent with Policy 1101.

An employee who is subject to an investigatory interview that may result in discipline or reasonably believes that an investigatory interview may result in discipline may bring to the investigatory meeting another employee, or a union representative, if the employee is in an exclusively represented bargaining unit. If the employee's union representative of choice is not immediately available, the investigatory meeting need not be delayed and may proceed with another representative present.

The District may permit a union representative to attend other meetings, but is not obligated to do so unless required by law or by an applicable collective bargaining agreement. District administration is not required to inform an employee of the right to union representation.

An employee is not entitled to have legal representation present at an employment-related meeting with District administration unless the Superintendent or designee gives prior permission.

Legal authority: MCL 423.209, 423.210; *Janus v AFSCME*, Council 31, 138 S. Ct. 2448 (2018); *NLRB v J Weingarten, Inc*, 420 US 251 (1975)

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