



# Pennsylvania Conference of Teamsters

Strength in Numbers 95,000

## LEGISLATIVE ACTION ALERT

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>>>>>>>This article supplied by our legal advisor Tom Kohn, Esq.<<<<<<<<<

### Interviewing a supervisor in connection with a pending disciplinary matter or possibly to prepare for arbitration

On occasion a union may ask to interview a supervisor in connection with a pending disciplinary matter or possibly to prepare for arbitration. As a general rule, such requests are seldom permitted, and the question is whether that constitutes an unfair labor practice.

Although the NLRB does not have a quorum, which precludes the Board from issuing decisions, its Division of Advice continues to operate as always. On May 30, the Division issued a response to a Regional Office that had requested advice as to whether an employer’s failure to make supervisors available for interviews pursuant to a union’s information request was an unfair labor practice. The Division advised the Region that it should withdraw the complaint that had issued, stating, “The Board has never affirmatively held that interview requests are cognizable as requests for information under Section 8(a)(5) and it is the Acting General Counsel’s position that requests for interviews are not information requests.

So, there you have it!



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