

Interview Checklist

SPEEA COUNCIL REP

QUICK REFERENCE GUIDE

Security, Ethics and EEO Interview Checklist

DURING THE INTERVIEW:

1. Take extensive notes of the proceedings, do not share these with the investigator.
2. Remain impartial and objective, but remember you are the advocate.
3. Ask a question only when you are sure that the answer will help the employee's case.
4. Insist that a written statement, if any, is only another form of the security investigator's notes.
5. If necessary, caucus if the employee appears to be willing to sign the statement.
6. If the employee insists on signing the statement, advise them to ask the following questions:
 - a) Can the written statement be used as justification for discipline?
 - b) Can the employee receive a copy of the statement once it is signed?
7. Do not sign the statement as a witness, even if the employee signs.
8. Neither you nor the employee should sign a "Confidentiality Form".

BEFORE THE INTERVIEW:

1. Employee must REQUEST SPEEA representation.
2. Check to see if the employee has been told why they are being interviewed. If not, ask the employee for possible reasons.
3. Advise the employee of the following:
 - a) They should insist on knowing the specific reason for the interview.
 - b) They have the right not to admit to any wrongdoing.
 - c) Any admissions MAY be used against them later.
 - d) They should not assist in the development of a written statement: i.e., writing it, reviewing it for accuracy or signing it.
 - e) They may request a caucus to speak to the SPEEA Rep privately as necessary. (Tip: Provide a code word so they will request a caucus at your request.)
 - f) They should insist on being treated in a professional and non-intimidating manner.

AFTER THE INTERVIEW:

1. Advise the employee that they have a right to SPEEA Representation in any follow-up security interviews or disciplinary meetings.
2. Submit a report to the SPEEA Contract Administrator.

You can:

- Ask pertinent and/or clarifying questions
- Match enthusiasm of management and/or security
- Advise the employee not to answer abusive, misleading, badgering or harassing questions
- Call for a caucus at any time and call SPEEA Headquarters for advice (technically, the employee has the right to call a caucus)

You cannot:

- End the meeting
- Intentionally obstruct the meeting

You should:

- Advise employees not to sign the security interviews statement. It is simply the investigator's notes for the meeting.

Investigator Responses

If the investigator says that you are to be 'merely a witness':

"I am the representative of the employee, per the SPEEA contract and in accordance with federal labor law."

If the Investigator persists:

"I am aware of Article 12.3 in the Contract. The union intends to fully cooperate in good faith investigation by the employer. However, in my role as the exclusive bargaining representative for this member I am afforded certain representational duties and rights under Weingarten Rights."**NLRB v. SW Bell, 730F, 2d166 (5th Cir. 1984).

OR

"I am here as an employee advocate under the Contract and the NLRA. As such feel free to ask any questions you have as I'm not trying to interfere with a good faith investigation."

If the Investigator asks you to sign a Non-Disclosure Agreement or Confidentiality Agreement:

"I respectfully decline to sign this agreement. As the exclusive bargaining representative for this member, I have the right to discuss this matter with SPEEA's Executive Board and their staff. As a Boeing employee, we are all covered by Boeing Code of Conduct which covers this."

OR

Wow, the lawyers are really keeping tabs on your HR types! However, I am obligated by the NLRB to represent this employee and may have to share pertinent information with SPEEA officials and won't be signing the form.

If the investigator reads his/her notes and asks you or your member if you agree with them:

"I (Our Member) answered your questions to the best of my (his/her) recollection."

If the Investigator asks you to sign his/her report:

"I respectfully decline to sign this report and advise my member to not sign the report either."

OR

Those are YOUR notes of the employee responses to YOUR questions. I'll assume that you've accurately and honestly recorded it as such but I'm not inclined to sign off on your thoughts.

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