



Lunch & Learn

Predetermination Meetings

With Ryan K. & Doug C.





Today's L&L:

- **What is a Predetermination Meeting?**
- **ASEA's Role in a Pre-D Meeting**
- **The Meeting itself**
 - Before
 - During
 - After
- **Possible Outcomes**
- **Understanding 'just cause'**
- **Q&A**



What is a Pre-D meeting?

- An investigation of:
 - performance concerns,
 - policy violations,
 - alleged misconduct,
 - or other workplace issues that could result in discipline



What is a Pre-D meeting? Cont.

- **Weingarten Rights:**

Employees have the right to union representation during investigatory interviews when one reasonably believes discipline could be a result of the meeting



What is a Pre-D meeting? Cont.

- ASEA member checklist:
 - Clearly request representation
 - Call or email your BA or ASEA and note you are requesting representation
 - Representation is not a default
****it must be requested***



What is a Pre-D meeting? Cont.

- If a meeting has not been called and you are asked 'to chat' with management and suspect disciplinary action from the conversation--

-----do not answer substantive questions that could lead to discipline until representation arrives

- Example: 'If this discussion could in any way lead to discipline, **I respectfully request union representation at this meeting**'
 - Remain professional and respectful



ASEA's role in Pre-D meetings

- Protect and defend your contractual rights
- Ensure fair treatment
- Clarify questions
- Identify procedural issues
- Request breaks and provide advice during breaks
- Advocate with experience on your behalf



The Meeting – Before

- A member receives a memo directing they report to a predetermination meeting to discuss allegations...
 - *This is your Due Process opportunity to provide an explanation, rebuttal, or mitigating factors regarding allegations*
 - *But contact your Union first! (read on->)*



The Meeting – Before (cont.)

- Important Note: A Pre-D meeting **is not a determination of guilt**. It is a process that benefits all parties involved.
- Partnership approach to representation:
 - The strongest defense is a **prepared member working with their representative(s)**
 - Gather info
 - Meet with representative(s)
 - When facts are irrefutable, discuss how to admit mistakes and organize a plan of action



The Meeting – During

- An HR Rep runs the meeting
- Management attends to support the allegations
- “Yes” and “No” are reasonable answers.
--> *Resist over-explaining*



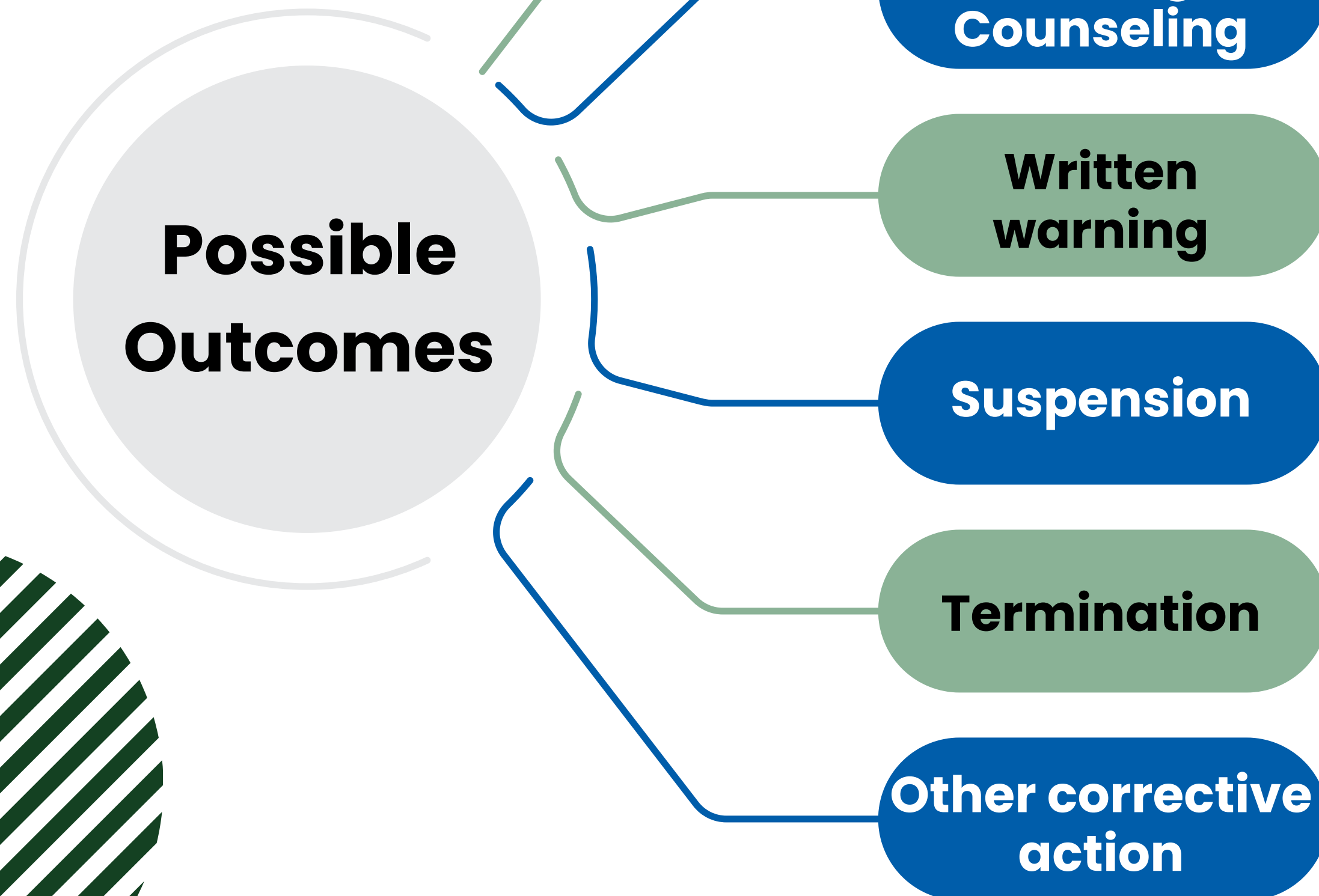
DO's

- ✓ Listen
- ✓ Take time
- ✓ Ask for clarification
- ✓ Tell the truth
- ✓ Remain professional

DON'Ts

- ✗ Guess
- ✗ Speculate
- ✗ Argue
- ✗ Lose cool
- ✗ Become confrontational

The Meeting – After



Understanding 'Just Cause'

- Was the rule reasonable?
- Was the employee aware of the expectation?
- Was a fair investigation conducted?
- Was evidence sufficient?
- Was discipline consistent?
- Was discipline proportionate and/or reasonable?



Clear as mud?

*No matter what, contact ASEA
when with questions, concerns,
or issues.*

*Call: 907-277-5200
or Email (for non-urgent)
questions:
aseahq@asea52.org*

