

Special Section

**DISCUSSION OF A CONTEMPORARY ISSUE:
THE RIGHTS OF NONUNIONIZED EMPLOYEES
TO WITNESSES AT INVESTIGATORY INTERVIEWS
THAT COULD LEAD TO DISCIPLINE**

Let us suppose that we have a non-unionized operation—a plant, an office, a laboratory, etc. Suppose further that a supervisor has a problem with the performance of one of his or her subordinates and invites the underling into the office for a discussion of the problem. Suppose further that the subordinate declines to proceed with the requested interview unless that supervisor permits him or her to include a witness to the discussion.

That is the issue addressed in the next three articles. It is an issue that has been addressed repeatedly by the National Labor Relations Board and by the courts, and *JIER* has published three articles on the topic since I became editor in 2001. On June 9, 2004, the National Labor Relations Board reversed its previous policy and declared that employees who were not members of an organized bargaining unit did *not* have the right to have a coworker present during investigatory interviews that could lead to discipline. The three authors that we previously published on this topic submitted follow-up articles on the new decision. I thought that the three approaches were sufficiently different that *JIER* could publish all three sets of insights without being particularly redundant. I hope that the readers agree.