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With contributing help from the staff of the  
Chicago Jobs Council

# Workers' Rights in Workforce Development:

Successes and Struggles of Chicagoland Workforce  
Practitioners Pursuing Higher Job Quality

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### ***Chicago Jobs Council***

Chicago Jobs Council is a member-based organization that works to move people out of poverty through employment using on-the-ground expertise, advocacy, and capacity-building. Founded in 1981 with 18 original members, the Jobs Council now works alongside nearly 100 members and many more organizational partners to change policy, develop innovative practice, reform systems, strengthen organizations, and support frontline workforce development professionals. The Jobs Council's primary services are policy advocacy and capacity building. Our major policy efforts focus on advocating for a continuum of education and training services that helps those with low skills find work and advance in the labor market, and reducing systemic barriers to employment experienced by people of color and women. Our capacity building efforts are conducted primarily through the Frontline Focus Training Institute (FFTI) that provides professional development trainings and resources to community-based workforce providers and their staff to ultimately improve and expand employment strategies for people who struggle to find employment. For more information visit [www.cjc.net](http://www.cjc.net).

### ***Labor Education Program and the Project for Middle Class Renewal***

The Labor Education Program (LEP) of the University of Illinois at Urbana-Champaign strongly believes that education plays an important role in helping every American worker realize the promise of economic opportunity. Established in 1947, LEP serves as a state-wide educational and research program with offices in both Champaign and Chicago. Through extension programming and non-credit classes, LEP educates over 2,000 workers statewide on an annual basis. LEP faculty and staff also organize conferences and seminars related to current issues facing workers as well as produce applied and academic research products focused on unions and unionized workers, changes in the economy and labor markets, and the low-wage workforce. In 2015, LEP began the Project for Middle Class Renewal (PMCR) to support research on employment issues and to develop education programs on worker rights. For more information visit [www.illinoislabored.org](http://www.illinoislabored.org).

### ***Great Lakes Center for Occupational Health and Safety***

With more than 40 years of service, the Great Lakes Center for Occupational Health and Safety, formerly the Illinois Occupational and Environmental Health and Safety Education and Research Center, is a recognized leader in the national and international movement to promote healthier workplaces and workers. The center provides masters and doctoral training in industrial hygiene, occupational safety, occupational and environmental epidemiology, agricultural health and safety, and occupational medicine. The center's outreach program provides technical assistance to workers' rights organizations, community groups, workforce development organizations, and employers seeking to protect workers from unsafe and unhealthy working conditions. The Great Lakes Center is located in the Division of Environmental and Occupational Health Sciences at the University of Illinois at Chicago School of Public Health. It is one of eighteen Education and Research Centers funded by the National Institute for Occupational Safety and Health. For more information visit <https://glcohs.uic.edu>



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# Executive Summary

Residents of a thriving U.S. city need good quality jobs that provide adequate wages and benefits, predictable work schedules and lasting tenure in order to ensure economic security, time and stability to care for their families, and the ability to engage and invest in their communities. The economic and employment reality is considerably different for far too many residents of Chicagoland. These workers receive substandard wages, experience unsafe working conditions and face heightened risk of employment discrimination, among other labor abuses. Workers' rights violations in the Chicago area result in lost wages, decreased spending locally in neighborhood businesses, diminished tax revenues, and a myriad of other grave and unrelenting economic and social impacts

Local policy solutions in support of a thriving city are exemplified by substantial increases in minimum wages, mandatory benefits like paid family and medical leave and paid sick days, fair and predictive work schedules, and robust implementation and enforcement of labor standards. In recent years some cities and counties, including Chicago and Cook County, have taken steps in that direction. Despite these imperative efforts, improved employment laws will not be enough to solve the problems related to degraded labor conditions. In addition to pervasive abuse of and inadequacy in enforcement of workers' rights, there exists a widespread lack of awareness of fundamental rights and protections on the part of workers. For most of Chicago's labor force, workers' rights education consists of little more than glancing over outdated required labor law posters posted in an employee break room.

Results from a study conducted by the Labor Education Program of the School of Labor and Employment Relations at the University of Illinois at Urbana-Champaign, the Great Lakes Center for Occupational Health

and Safety of the School of Public Health at the University of Illinois at Chicago, and the Chicago Jobs Council show concrete ways Chicago area workforce development agencies are changing this paradigm. Through connecting workers' rights education to job readiness programming, educating staff and community partners about labor laws and resources, and by using good jobs tools and metrics to rate potential employer partners, Chicago workforce development professionals are on the frontline of educating and protecting the region's most at-risk workers.

This report recommends two specific strategies workforce development agencies can employ to help promote good job quality standards:

1. Education of the low-wage participants they serve on their fundamental rights on the job and how to protect themselves from abuses such as wage theft.
2. Establishment of metrics for "rating" their employer partners on job quality standards.

Included within this report are findings from a survey and interviews of Chicagoland workforce agencies that are actively attempting to promote job quality through the two above strategies. Their experiences provide a starting point for more workforce agencies and other key workforce system players to similarly adopt and support these recommendations. Despite workforce organizations' laudable efforts, this type of training is not currently incentivized or supported by public or private funders. Additionally, these practices may not even be in the workforce organizations immediate best interest. These goals require participant additional training time, which is already restricted, before job placements, and "rating" employer partners could potentially damage employer relationships. Results from the survey and interview of workforce organizations demonstrate that despite these obstacles, many organizations have prioritized job quality and view workers' rights education as a key component of their mission. Importantly, this report outlines ways in which workforce boards and funders can best support these imperative efforts and institutionalize them into the workforce development infrastructure.





## Introduction

Large segments of Chicago's population have not benefited from recent economic recovery as our local economy sees growth of precarious workplace practices. The employment landscape for low wage and middle-income workers in Chicago and across the United States is epitomized by unstable employment conditions including negligible wage growth, unpredictable schedules, and lack of benefits like paid leave. Wage theft, a term synonymous with employer theft of worker



pay in the form of underpayment of legal wages, mandatory off-the-clock work, denial of promised benefits, and illegal wage deductions, amongst others, has reached epidemic proportions in Chicagoland. In addition to wage theft, the modern-day labor market is characterized by low-wage industries and occupations, the dismantling of the traditional employer-employee relationship, the growth of outsourcing and temporary agencies to fill labor demands, widespread and coordinated assaults on organized labor, and defunding of government agencies charged with enforcing workers' rights.

Workforce development agencies have a role to play in raising awareness of employment laws and enforcing them. These organizations aim to connect low-income job seekers to quality employment opportunities through coaching and job readiness programming for job seeking and job-holding clients. By embedding workers' rights education into job readiness programming, educating staff, community partners, and job-holding clients about labor laws and resources, Chicago workforce development professionals are positioned to be on the frontline educating and protecting the region's most vulnerable workers. Workforce development agencies also conduct outreach with employers to identify potential employment opportunities for their clients. In so doing, they can establish relationships with employers who comply with labor laws and provide living wages and benefits. Importantly, they can endeavor to avoid job placements with those employers who are not

compliant with labor laws and who engage in employment abuses.

Both funders of workforce development as well as practitioners are uniquely situated to play an active part in improving job quality to support a thriving city. In addition to the strategies developed by frontline workforce staff, workforce funders can adopt strategies to prioritize, support, and reward practitioners who partner with high-road employers and train job seekers on basic labor standards.<sup>1</sup>

This report:

- Describes the employment landscape of workers most at risk for substandard wages and working conditions.
- Discusses the efforts of Chicagoland workforce development agencies to inform job seekers, new hires and incumbent workers about their rights and educate them about how to take action when the laws are violated.
- Offers tools that workforce development agencies can use to rate potential employers when making decisions about whether to place clients with them.

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1 The business group the American Sustainable Business Council (ASBC) endorses the following principles as the best practices of high road employers. A high road employer will:

1. Provide Family-friendly Benefits
2. Offer Flexibility
3. Pay a Livable and Fair Wage
4. Invest in Employee Growth and Development
5. Cultivate Inclusion
6. Govern Fairly and Transparently
7. Engage with Communities
8. Manage the Supply Chain Responsibly
9. Drive Environmental Sustainability
10. Promote Health and Safety

## The Low-wage Workforce Landscape in Chicago

Despite employment gains nationwide since the Great Recession, wages have remained stubbornly low. A median worker in the United States did not earn much more in 2017 than in 1979.<sup>2</sup> Almost one-quarter of U.S. workers earn poverty-level wages of less than \$11.70 per hour.<sup>3</sup> In Chicagoland, a confusing patchwork of minimum wages dots the landscape ranging from \$7.25 per hour in Hammond, Indiana to \$13.00 per hour in the City of Chicago.<sup>4</sup> Workers in parts of Chicago must navigate this network puzzle of regulations often within the span of a few blocks distance. Even at \$13.00 per hour, workers are unable to support their families in Chicago. The living wage in Cook County for an individual working full-time (2080 hours per year) who is the sole provider for a family with one adult and one child is \$27.14 per hour.<sup>5</sup> Women, especially women of color, are over-represented among the lowest-paid industries and occupations.

Workers in low-wage jobs are also more likely to work part time when they would prefer a full-time schedule. A 2018 study surveying Illinois workers found that almost half of surveyed workers would rather work more hours for more income, despite the sacrifice of time.<sup>6</sup> Across the country, workers are “struggling with unpredictable and unstable work schedules that wreak havoc on their families, finances, and lives.”<sup>7</sup> Indeed, the vast majority of workers have a preference generally for more stability and/or predictability in their hours. For example, in a survey of service and retail

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2 Shambaugh, Jay & Nunn February 2018.

3 Economic Policy Institute February 2017.

4 On July 1, 2019 the Chicago minimum wage increased to \$13 per hour. Beginning July 1, 2020 and every July 1 thereafter, the minimum wage will be tied to a cost of living adjustment but will be capped at a 2.5% increase.

5 MIT Living Wage Calculator, <http://livingwage.mit.edu/counties/17031>

6 Dickson, et al. 2018.

7 CLASP, Retail Action Project, and Women Employed 2014.

workers in the state of Connecticut, three-quarters of workers “would like a more stable and predictable schedule.”<sup>8</sup> Nationwide, about half of low-wage hourly workers do not work 9-to-5, Monday-through-Friday jobs, while 83 percent of part-time workers report having unstable work schedules.<sup>9</sup> Additionally, authors of the Illinois study found that there is



a “large proportion of survey respondents who at least occasionally work on call, have short advance notice times and experience schedule alterations in just the few days leading up to their scheduled work.”<sup>10</sup> As a result, shifting and unpredictable work schedules “interfere with time for family and home lives for over 70 percent of sample; 40 percent of surveyed workers experience issues with childcare, parenting or direct caregiving obligations,.. (and) over half of surveyed workers who are enrolled in educational programming miss classes due to their unpredictable work schedules.”<sup>11</sup>

Paid and unpaid leave are out of reach for most low-wage workers. A majority of municipalities in Cook County opted-out of passage of county-wide paid sick day legislation in 2017, leaving most low-wage workers in Chicagoland unable to afford taking unpaid leave and without access to paid leave. Nationally, less than 10 percent of workers in low-wage sectors such as retail or food service had access to paid family and medical leave in 2017.<sup>12</sup> Only about half of U.S. workers are even eligible for unpaid leave through the federal Family and Medical Leave Act (FMLA), with very few able to afford to take it.<sup>13</sup> To compound issues, in 2017, 78 percent of very low-wage workers did not have healthcare through their job.<sup>14</sup>

Of the 8 million new jobs projected to be created by 2022, the majority

8 Schneider & Harknett 2018.

9 Ben-Ishai 2015; Watson & Swanberg 2011; Golden 2015.

10 Dickson et al. 2018, 32.

11 Ibid, iv.

12 BLS 2017a.

13 IMPAQ 2017

14 BLS 2017b.

**Table 1: Occupations with the most job growth, 2016 and projected 2026  
(Numbers in thousands)**

2016 National Employment Matrix title	Employment		Change, 2016-26		Median annual wage, 2018
	2016	2026	Number	Percent	
Total, all occupations	156,063.8	167,582.3	11,518.6	7.4	\$38,640
Personal care aides	2,016.1	2,793.8	777.6	38.6	\$24,020
Combined food preparation and serving workers, including fast food	3,452.2	4,032.1	579.9	16.8	\$21,250
Registered nurses	2,955.2	3,393.2	438.1	14.8	\$71,730
Home health aides	911.5	1,342.7	431.2	47.3	\$24,200
Software developers, applications	831.3	1,086.6	255.4	30.7	\$103,620
Janitors and cleaners, except maids and housekeeping cleaners	2,384.6	2,621.2	236.5	9.9	\$26,110
General and operations managers	2,263.1	2,468.3	205.2	9.1	\$100,930
Laborers and freight, stock, and material movers, hand	2,628.4	2,828.1	199.7	7.6	\$28,260
Medical assistants	634.4	818.4	183.9	29.0	\$33,610
Waiters and waitresses	2,600.5	2,783.0	182.5	7.0	\$21,780
Nursing assistants	1,510.3	1,683.7	173.4	11.5	\$28,540
Construction laborers	1,216.7	1,367.1	150.4	12.4	\$35,800
Cooks, restaurant	1,231.9	1,377.2	145.3	11.8	\$26,530
Accountants and auditors	1,397.7	1,537.6	139.9	10.0	\$70,500
Market research analysts and marketing specialists	595.4	733.7	138.3	23.2	\$63,120
Customer service representatives	2,784.5	2,920.8	136.3	4.9	\$33,750
Landscaping and groundskeeping workers	1,197.9	1,333.1	135.2	11.3	\$29,000
Medical secretaries	574.2	703.2	129.0	22.5	\$35,760
Management analysts	806.4	921.6	115.2	14.3	\$83,610
Maintenance and repair workers, general	1,432.6	1,545.1	112.5	7.9	\$38,300
Teacher assistants	1,308.1	1,417.6	109.5	8.4	\$26,970
Financial managers	580.4	689.0	108.6	18.7	\$127,990
Heavy and tractor-trailer truck drivers	1,871.7	1,980.1	108.4	5.8	\$43,680
Elementary school teachers, except special education	1,410.9	1,514.9	104.1	7.4	\$58,230
Stock clerks and order fillers	2,008.6	2,109.6	100.9	5.0	\$25,700
Teachers and instructors, all other	993.9	1,091.8	98.0	9.9	\$30,850
Receptionists and information clerks	1,053.7	1,149.2	95.5	9.1	\$29,140
Sales representatives, services, all other	983.0	1,077.9	94.9	9.7	\$54,550
Business operations specialists, all other	1,023.9	1,114.3	90.3	8.8	\$70,530
Licensed practical and licensed vocational nurses	724.5	813.4	88.9	12.3	\$46,240

Data are from the Occupational Employment Statistics program, U.S. Bureau of Labor Statistics. Wage data cover non-farm wage and salary workers and do not cover the self-employed, owners and partners in unincorporated firms, or household workers

will pay below \$14.26 per hour. In the last decade, good jobs have increasingly been replaced by temporary, part-time, and low-quality positions paying low wages.<sup>15</sup> Table 1 displays the U.S. occupations with the largest projected growth in employment between 2016-2026. The median annual wage in 2018 dollars for the thirty fastest growing occupations was just \$38,640, with twelve occupations earning less

15 Picchi 2017.

than \$30,000 annually. A full-time worker earning the Chicago minimum wage of \$13 will earn \$27,040 annually before taxes. Large job growth in low-wage sectors is compounded by higher instances of workers' rights violations. The leisure and hospitality industry and food and drink service establishments have historically possessed the largest percentages of low-wage workers and minimum wage violations.<sup>16</sup> This is due, in large part, to the fact that the majority of food service workers earn most of their pay through tips and are paid a sub-minimum wage (\$6.40 per hour in the City of Chicago, \$5.25 per hour in Cook County suburbs subject to the higher minimum wage and \$4.95 per hour in the rest of Illinois as of the publication of this report). A 2017 Economic Policy Institute study found that over 14 percent of all workers in food and drink service (one out of every seven) are paid less than the minimum wage, and that "food and drink service workers make up over a quarter (25.9 percent) of all workers suffering minimum wage violations—the largest share of any single industry."<sup>17</sup> In total, among major occupations, workers who experience minimum wage violations are more likely to work in a service job than in any other occupation, with service workers comprising "46.5 percent of all workers suffering minimum wage violations."<sup>18</sup>

## An Epidemic of Workers' Rights Violations

### Wage Violations

In addition to poor pay, unpredictable schedules, and lack of paid leave, low-wage workers in Chicago face extraordinary levels of violations of fundamental labor standards. The findings from the landmark 2008 Unregulated Work Survey Project are staggering: for example, nearly half (47 percent) of participating workers in the Chicago area across several low-wage industries experienced a wage violation in the prior week, such as being paid less than minimum wage or being denied overtime

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16 Bernhardt et al. 2009; ERG 2014.

17 EPI 2017, 25.

18 Ibid.

pay. Only three percent of participants received workers' compensation for a severe on-the-job injury. In total, over \$7.3 million was determined to have been stolen from workers by employers weekly in Cook County -- in 2008.<sup>19</sup> The highest incidence of violations occurred amongst undocumented female immigrants, though incidence of wage theft occurred across all demographics and industries/occupations surveyed.

**Wage theft** – Actions by an employer or employer's representative to steal/keep earnings of a worker. Examples of wage theft include: not being paid for all of the hours worked; not being paid the legal minimum wage; not being paid overtime; illegal paycheck deductions including being charged for health and safety protective gear; not being paid benefits or time-off owed; not being compensated for costs associated with injuries or illnesses suffered on the job; and being misclassified as an independent contractor.<sup>20</sup>

A more recent report published in 2017 by the Economic Policy Institute (EPI) also attempted to measure one form of wage theft - minimum wage violations - in the 10 most populous U.S. states. The authors of the study found that in the states analyzed, "2.4 million workers lose \$8 billion annually (an average of \$3,300 per year for year-round workers) to minimum wage violations—nearly a quarter of their earned wages... This form of wage theft affects 17 percent of low wage workers, with workers in all demographic categories being cheated out of pay."<sup>21</sup>

## Illegal Discrimination

Low-wage workers also experience illegal discrimination at alarming rates. Results from a 2009 field experiment showed that "black applicants were half as likely as equally qualified whites to receive a callback or job offer... (and) black and Latino applicants with clean backgrounds fared

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19 Bernhardt et al. 2009.

20 Dickson et al. 2017.

21 EPI 2017,1.

no better than white applicants just released from prison.”<sup>22</sup> Authors of the 2015 Business of Fear Human Rights Documentation Project found these trends of abuse were not limited to wage theft or any one specific type of violation. In fact, “most participants from diverse industries reported experiencing multiple and often simultaneous violations in their current or most recent jobs.”<sup>23</sup> Across Chicagoland, breaking the law has “become a standard business practice” with workers facing an almost entirely lawless environment, with many participants reporting their bosses telling them that they have no rights.<sup>24</sup>

## Occupational Health and Safety Violations

Far too many workers still suffer from preventable on-the-job injuries and illnesses. A 2014 Center for Progressive Reform report found that “four to five thousand workers die on the job each year, an average of more than 10 every day”.. [while] “the number of workers who suffer occupational injuries or illnesses each year is hundreds of times the number who die on the job.”<sup>25</sup> The majority of occupational injuries and illnesses are experienced by low-wage workers and immigrants who suffer from the most unsafe working conditions. Indeed, “these victims and their equally at-risk co-workers have both a real and a perceived lack of power in relation to their employers, leaving them unable to demand the engineering controls, improved work practices, and other actions that employers should take to eliminate occupational hazards.”<sup>26</sup>

## Illegal Retaliation

Employer retaliation against workers who speak up about abuses is

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22 Pager et al. 2009 777.

23 Raise the Floor Alliance 2016, 9.

24 Theodore et al. 2008.

25 Montforton et al. 2014, 4; Leigh 2011, 728.

26 Ibid., 4.

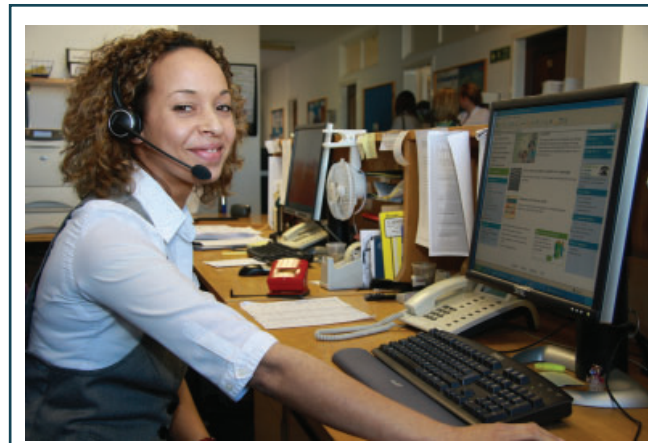


extremely commonplace. Approximately one in every three workers surveyed in the 2008 Unregulated Work Survey who complained to their employer about a violation of their rights or tried to unionize was fired or otherwise retaliated against by their employer.<sup>27</sup> Additionally, more than one in five experienced retaliation for reporting an injury.<sup>28</sup> For surveyed workers in the Business of Fear Survey, "83 percent shared an example of a time they had tried to fix a problem at work or improve their jobs, and half (48 percent of all survey participants) reported experiences involving retaliation."<sup>29</sup>

## Enforcing Existing Employment Standards and Improving Job Quality Through Worker Education

Workers across the country remain grossly unaware of legally required wage and hour protections and other rights they maintain on the job. Workplace violations affect the lowest-wage workers who are the least able to risk losing or quitting a job. Wage theft, in particular, causes families to fall below the poverty line and strains safety net programs by increasing workers' reliance on public assistance. Lost wages put downward pressure on wages which negatively affects law-abiding employers, affected industries, and local and state economies. Additionally, as evidenced in the previous section, women and workers of color disproportionately work in the lowest wage industries and for the top ten industries susceptible to wage theft.

Basic workplace rights and laws are not typically taught in high schools or higher education and employers have no obligation to disclose worker



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27 Theodore et al., 16.

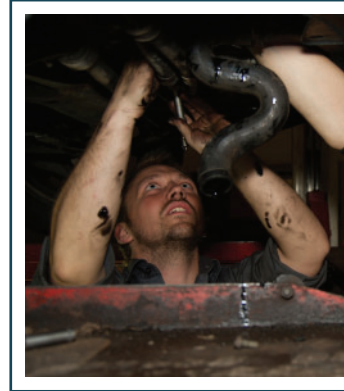
28 Ibid., 18.

29 Raise the Floor Alliance 2016, 11.

protections other than relevant health and safety information and posted notices of employment laws in common spaces. Low-wage workers and those with employment barriers are also under considerable pressure to not report possible violations. They may feel that they have few other job opportunities and their employment may also be linked to receipt of public benefits. As the former US DOL Wage and Hour Administrator David Weil noted, “[w]orkers in many of the industries with the highest levels of noncompliance are often the most reluctant to trigger investigations through complaints due to their immigration status, lack of knowledge or rights, or fears about employment security.”<sup>30</sup>

On any given day in Chicagoland, public money is used to train, prepare and inform job seekers about jobs that are often of low quality--low wages, variable schedules, and limited benefits. The community-based workforce organizations that deliver these services reach thousands of job seekers and workers every year and, with information about worker rights, have an opportunity to both educate job seekers about their rights and focus on engaging higher quality employers. To combat the lack of knowledge of basic workplace rights, the Labor Education Program of the School of Labor and Employment Relations at the University of Illinois at Urbana-Champaign (LEP) and the Chicago Jobs Council's Frontline Focus Training Institute (FFTI) partnered to bring workers' rights education into workforce development programming in the Chicago area. LEP directly trains workforce agency staff and job seekers in their programs on workers' and FFTI delivers a 2-day train-the-trainer course on how to teach workers' rights in a workforce development setting.

In addition to training frontline staff of community-based workforce organizations and job seekers in their programs, together staff at LEP, FFTI and the Great Lakes Center wrote an open-source *Workers' Rights for Workforce Development* curriculum.<sup>31</sup> Its eight chapters cover all of the content of workplace rights and consist of activities designed to be



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<sup>30</sup> Weil, 2010.

<sup>31</sup> The second edition of the curriculum is available for free download at <https://cjc.net/frontline-focus/tools-frontline-staff/>. The third edition will be released in late 2019.

used in workshops and trainings and integrated into existing workforce programs. Organized as a “how-to manual”, it is comprised of “pick and choose” activities ranging from 10-60 minutes so practitioners with limited time can select the content most appropriate for their program and participants from the following chapters:

**Unit 1: Introduction and methods**

**Unit 2: Introduction to workers' rights on the job**

**Unit 3: Wage and hour laws and protection**

**Unit 4: Getting hired, disciplined, and getting fired**

**Unit 5: Leaves of absence**

**Unit 6: Discrimination on the job**

**Unit 7: Worker health and safety**

**Unit 8: Organizing workers**



As the first curriculum ever developed in the United States that is entirely focused on connecting workers' rights education to workforce development programming, the content is regularly updated and a third edition is currently being developed. Since the release of its first edition in 2015, over 230 individuals from 188 organizations and 16 states have downloaded the curriculum. A total of 100 individuals from 53 organizations have taken part in FFTI trainings on worker rights since 2012. Additionally, more than 1700 Illinois workers and 200 staff from varied organizations across Illinois have been trained directly by LEP staff on workers' rights.

## **Outcomes and Lessons From Successful Integration of Workers' Rights Education into Community-based Workforce Services in Chicago**

In order to understand the reach and impact of the joint efforts to connect workers' rights education with workforce development, staff of

LEP, the Jobs Council, and the Great Lakes Center conducted a survey and focus groups of workforce practitioners. The research, conducted in 2018-2019, had four objectives:

1. To catalog the universe of workforce development practitioners in the Chicago area that incorporate workers' rights information into their job training programs, including best practices and potential barriers that exist.
2. To understand the extent to which local workforce development agencies have invested in staff professional development in workers' rights training.
3. To discover if and how area workforce development agencies rate potential employer partners on job quality standards.
4. To discern ways in which the workforce development system and funders can support the above listed practices.

The survey methodology and information about survey respondents is found in Box A. Over half of survey participants (52.5 percent) attended a course or workshop on how to connect workers' rights information to workforce development programming: 48 percent attended an FFTI class, 28 percent participated in a class taught by LEP staff, and

## BOX A

The research team created a 20 item online survey and later conducted half hour telephone interviews with practitioners serving a variety of client types.

The survey targeted participation from people who had either:

- Downloaded the 1st and/or 2nd editions of the curriculum
- Participated in a FFTI workers' rights class at the Chicago Jobs Council
- Attended a Workforce 360 meeting hosted with a LEP-led workers' rights presentation.\*
- Attended a LEP-taught workers' rights class for frontline staff or program participants at a community-based organization

Survey participation was also limited to staff from organizations operating in Illinois. In total, 241 frontline staff were identified as eligible for participation and were sent invitations to participate. This invitation resulted in 53 email bounce backs resulting in 188 potential targets. The final sample size participating in the survey was 49, representing a 26.1 percent response rate.

Thirteen participants of the forty-nine who responded to the survey indicated that they would be interested in having a more in-depth conversation about their experience using the WRWD curriculum. The survey team was ultimately able to conduct six telephone interviews in late February to early March 2019 with an average length of 33 minutes.

*Table 1* displays the distribution of survey respondent participation by organization type of survey respondents. The two largest types of organizations represented in the survey sample were Illinois-based non-profit organizations, both those who primarily focus on workforce development/job readiness and those whose work include workforce development amongst other activities. Combined representatives from these two types of organizations comprised 55 percent of the survey sample. *Chart 1 and Table 2* provide other snapshots of organizational participation in the survey.

*Table 1: Participation by type of organization*

Illinois-based non-profit organization primarily focused on workforce development/job readiness	27.5%
Illinois-based non-profit organization which includes workforce development amongst other activities	27.5%
Municipal, County, State or Federal program (EXCLUDING formal education)	15.0%
Other, please specify**	10.0%
Educational institution (Higher education or continuing education)	7.5%
National or international non-profit organization primarily focused on workforce development/job readiness	5.0%
National or international non-profit organization which includes workforce development amongst other activities	5.0%
For-profit corporation or other entity	2.5%

\*Workforce 360 is a monthly stakeholders' meeting organized by the Chicago Jobs Council and structured around a specific workforce development topic.

\*\* Participants who selected "Other" represented transitional housing program, mental health and substance abuse programs, and building trades pre-apprenticeship programs

Chart 1: Number of employees by organization

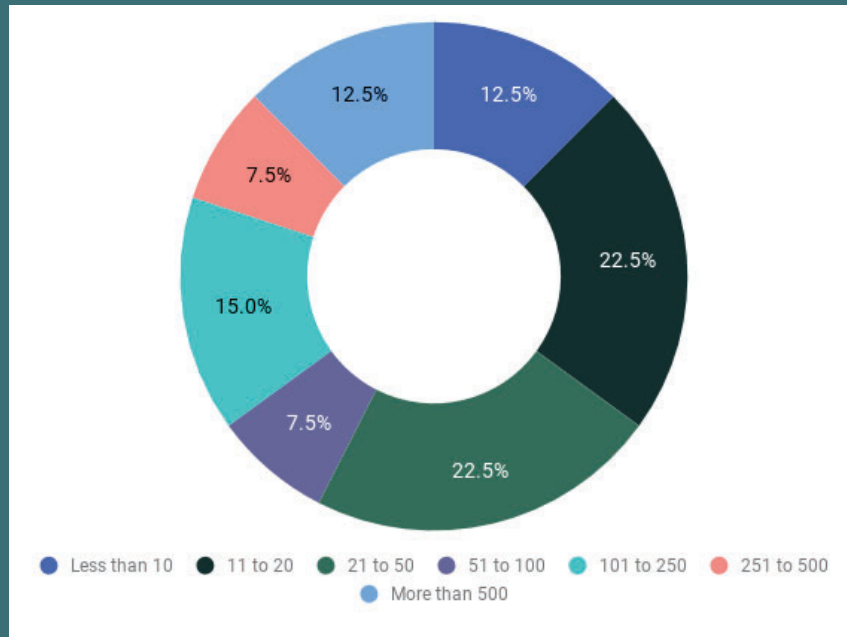


Table 2: Population served by organization

Chronically unemployed/underemployed	13.0%
Formerly incarcerated individuals	13.0%
Homeless/housing unstable individuals	12.0%
Public housing residents	10.0%
Immigrants and/or refugees	10.0%
Individuals with disabilities	10.0%
Individuals with substance abuse issues	9.0%
At-risk young workers	9.0%
At-risk women	9.0%

24 percent participated in a course taught by someone else. Thirty-five percent of respondents had downloaded the Workers' Rights for Workforce Development (WRWD) curriculum. The survey was followed by interviews with six survey respondents from community-based workforce development agencies serving a wide range of individuals, including: youth aged 16-24, job seekers 55 and older, incumbent immigrant workers and job seekers, job seekers in low-income communities, dislocated workers, and formerly incarcerated job seekers. The amount of job readiness training varies among the surveyed organizations. Results from the survey indicate that roughly 60 percent of surveyed job trainers indicate they currently include some workers' rights information in their organization's workforce development programming. Half of the participating organizations do not provide formal training sessions on workers' rights for job seekers. Rather, they prefer to integrate this information into their existing programming. Participating organizations use the *Workers' Rights for Workforce Development* curriculum in two primary ways:

- As a teaching tool: Parts of the curriculum activities are used as designed or slightly modified, and they make use some of the teaching techniques in other areas of their programming.
- As a reference guide: Participants appreciate their ability to use the curriculum to quickly look up provisions in labor laws or find information to refer clients who suspected their rights had been violated.

Notably, community-based workforce providers embrace workers' rights education, despite lack of systemic support or incentive. The research results revealed that knowledge of workers' rights has a significant and practical impact on workforce organizations and the services they deliver. Survey respondents reported that incorporating workers' rights



information:<sup>32</sup>

- increased the knowledge base of the organization by educating other staff internally about workers' rights information, such as changes in minimum wage rates which they could use in advising job seekers or looking for potential job placements
- alerted staff to report potential violations of labor law, e.g. if they saw questions on job applications asking about a potential job applicant's criminal record
- helped the organization to think more about fair employment standards when considering potential employers for placing clients at job placements and not working with employers who did not meet those standards

**“We’re more aware and conscious of violations in the workplace. We’re able to talk about that in individual sessions with clients or at partnership meetings.”**

**“We’ve gotten all staff alerted that employers should not be asking about our job seekers’ prior (criminal) record and to file a DOL complaint if they see job applications with that question.”**

As the result of getting formal workers' rights education, community-based providers are doing two main things to incorporate the information into their programming: adding workers' rights information into their job training programs for

job seekers; and evaluating employer partners using a range of factors related to job quality. In addition, the organizations participating in the research identified challenges and shared ideas for improvement of efforts to integrate workers' rights information into programming. Challenges, insights and recommendations are explored more below.

## **A Range of Program Structures Create Constraints that Limit Workers' Rights Education:**

Lack of time is a major issue for survey participants and they feel constrained in their ability to conduct workshops on workers' rights.

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<sup>32</sup> The different ways in which surveyed organizations have included workers' rights information into their existing programming are compiled in Appendix A.



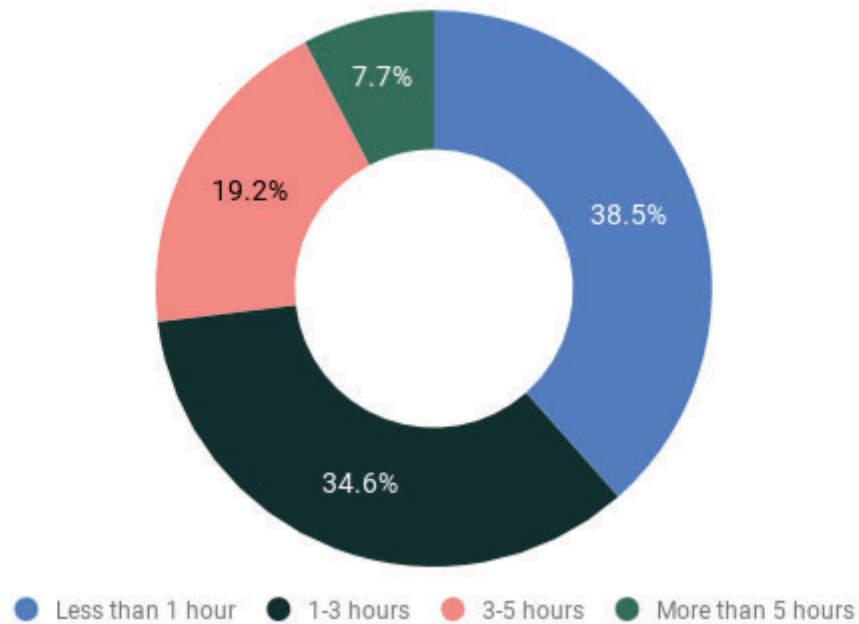
Surveyed organizations are forced to choose which issues to prioritize in their training due to time limitations. Funding requirements that focus on job placement and retention often place time constraints on training and education. The lack of support devoted to workers' rights programming and job quality makes it difficult for organizations to focus on the efforts outlined in this report.

**“We are not always able to do what’s right because of funding. Funding (requirements from funders) is very stifling cannot make it possible to do true transformational work sometimes.”**

Funder requirements can also limit potential client eligibility to benefit fully from programming, such as which services and programs can be offered to undocumented immigrants.

*Chart 2* illustrates the amount of time monthly survey participants spend teaching or discussing workers' rights with their job seekers every month. As can be seen in the chart, just under 40 percent of participating providers spend less than one hour per month discussing

*Chart 2:* Number of hours spent per month on workers' rights



workers' rights on the job, while 35 percent spend roughly one to three hours monthly on workers' rights. Conversely, approximately 27 percent of participating organizations spend at least three hours monthly teaching workers' rights to their program participants.

In order to understand why participating organizations don't spend more time discussing workers' rights with their job seekers, survey participants were asked about potential obstacles that may exist. Table 3 shows the different reasons indicated by survey takers as to why more time is not spent on workers' rights. The three largest responses indicated are "lack of time/too many other items to cover (33 percent)", "lack of knowledge/confidence in teaching workers' rights (24 percent)", and "lack of funding to pay for staff professional development or guest speakers (24 percent).

**“We’re not able to do all the lessons we would want to do, but having the conversations about rights creates a shift, a space for people to ask questions, and to have our staff be empowered to answer client questions.”**

*Table 3: What prevents you (and your coworkers) from spending time or more time teaching or discussing workers' rights to your clients/workers?*

Lack of time/too many other items to cover	33.0%
Lack of knowledge/confidence in teaching workers' rights	24.0%
Lack of funding to pay for staff professional development or guest speakers	24.0%
Other, please specify*	8.0%
I think we spend adequate time teaching workers' rights already	5.0%
Pushback/resistance from your organization's management	4.0%
Fear of alienating employer partners	3.0%
Pushback/resistance from your organization's funders	0.0%
I don't think workers' rights information is important to teach our clients/workers	0.0%

## Community-based Workforce Organizations also Translate Workers' Rights Information into Employer Rating Systems:

Lack of time is a major issue for survey participants and they feel constrained in their ability to conduct workshops on workers' rights. Surveyed organizations are forced to choose which issues to prioritize

Despite the lack of institutional support, financial incentives, and other obstacles outlined in Table 3 above, workforce development agencies endeavor to search out employers who demonstrate elements of the high road model. It is worth noting that workforce development organizations can experience hurdles when negotiating with potential employers, e.g., finding the appropriate decision maker to get buy-in and vetting decisions through the legal departments of large employers.

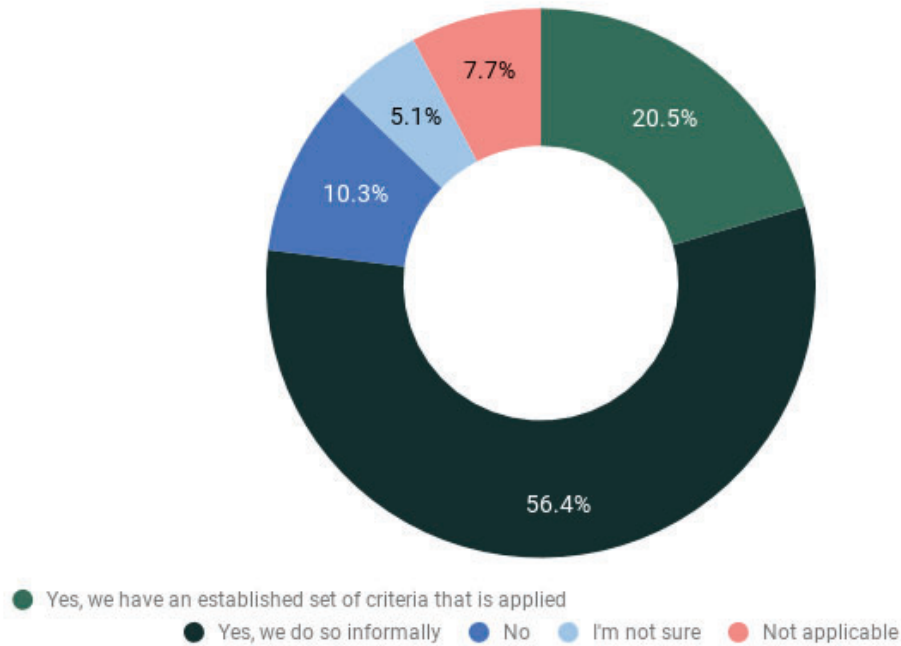
***High Road companies** see their employees, the communities in which they operate and the products and services they provide as equally important to their financial success. These companies hold a long-term perspective and view the workplace as a means to create significant business and social impact. They reject low-road business models that exploit employees and disregard the environment as the basis for success. High Road Employers know that, logically, their businesses are likelier to thrive and grow when they strengthen their marketplace by operating responsibly and compensating employees fairly.<sup>33</sup>*

In assessing job quality for job seekers workforce development organizations have established a system, formal or informal, for rating employer partners, and they are strategic about which employers they choose to partner with. As can be seen in Chart 3, more than three-quarters of surveyed organizations have a rating system. For most of

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33 American Sustainable Business Council, "High Road Workplace." <https://www.asbcouncil.org/high-road-workplace>

Chart 3: Job quality ratings for employer partners



these organizations this system is informal in nature, rather than an established set of criteria. Fifty six percent of surveyed organizations make use of an informal system for rating employers' job quality, while 21 percent maintain an established set of criteria that are applied.

In the interviews, researchers learned more about the methods used by organizations to evaluate potential employer partners. These included:

- Use of a formal rating system with criteria for ranking employers on issues such as wages, hours, history of labor law violations
- Creation of a database tracking how long employees are retained
- Site visits before and during job placement
- Surveying job seekers about their job placement experiences
- Spelling out responsibilities expected of employers in an employee/ employer handbook

For those organizations that have a formal process it typically consists of tiers based on specific criteria to categorize employers and may include a variety of other criteria specific to particular organizations/populations. For example, the Growing Home Employer Classification also rates

employers on “advancement,” “culture,” and “background” (Appendix B).

*Growing Home Tier One (Top Tier) Classification.*<sup>34</sup>

**Wage:** Entry level starts \$15/hour or more

**Paid time off:** More than 5 days PTO within the first year

**Health benefits:** Access to quality health care within 60 days

**Retirement plan:** Provides access to an employer-sponsored retirement plan and 3%+ match within 6 months

**Advancement:** Provides regular evaluations opportunities for advancement and raises, at least 1 within 6 months

**Hours:** Entry level starts with 40 hr/ week with opportunity for paid overtime, or is salaried

**Culture:** Has a culture of professional development, ongoing training and transparent management techniques. Has a positive culture of promoting from within and supporting employees through individualized improvement plans

**Background:** Hires people regardless of records of prior conviction

Another example, developed and in use since 2013 by Chicago's ManufacturingWorks is the tier-based system shown below. Their tier-based system for rating employer relationships is more general than Growing Home's system.

*ManufacturingWorks Tier Three (top tier) classification.*<sup>35</sup>

Firms [that] offer family sustaining wages, good benefits and career ladders. Typically these firms have adopted one or more other high road practices, such as using high performance manufacturing techniques, genuine employee participation, long term management, etc. These are the firms that offer the best opportunities for workers and for the community. They are our highest priority at all times (ManufacturingWorks, 2013).

<sup>34</sup> Growing Home, 2017.

<sup>35</sup> Schrock, 2013.

Importantly, ManufacturingWorks also included a Tier Zero and Tier One in their employer rating matrix. Tier Zero was used to classify firms that “pay less than minimum wages, fail to pay overtime, maintain an unsafe workplace or in some other way violate the law,” while Tier One firms “pay at or near the minimum wage, do not offer benefits and lack career opportunities or career pathways/ladders for workers.” ManufacturingWorks did not serve Tier Zero firms and preferred not to work with Tier One businesses, but if requested, “will enter job openings into the State job listing system, and will refer job seekers that desire the type of job offered, but will not make any effort to recruit workers on behalf of these firms.”

Other workforce development agencies described additional approaches:

**“We have told employers that rights training is part of our programming here.”**

**“We were planning a large event last year, Hospitality Hire Chicago, for employer engagement, and this was during the time that there was a strike with the hotel union. We as an organization and by direction of the County Board President, we took the side to stand with workers because it was a workers’ rights issue—wages, health care, etc.. So we postponed our hiring event until that strike was ratified. We halted recruitment for those employers until there was a bargaining agreement. We did not lose any employers, and our job seekers understood.”**

**“We keep track of retention. If it’s a new employer we haven’t worked with, we try to get as much information as possible. We try to visit their facility, asses the existing workforce population -is the workforce all Hispanic males? Is this a coincidence or are you specifically not hiring other races? Do the workers look happy—are they being yelled at? We do work with some staffing companies and we’re very particular about the ones we work with. We try to do research. We Google the company to find out if something pops up—oh, they’re being sued for this, have they opted out of the minimum wage legislation. We stay away from them because we have our own image to protect.”**

**“If we have a formal partnership with an employer, we screen that employer. We don’t have a job developer here because we are small. We’re not a staffing agency. We don’t blindly send people off to places. We’re asking questions about starting wage, raise increases, how often do employees get to meet with supervisors, opportunity for feedback that is not when it’s punitive, are there benefits? We’ve prioritized union employers.”**

There are also examples of new systems to rate job quality that have been developed by national organizations (see B Corp B Impact Assessment). Of particular note is the Working Metrics tool recently developed by the Good Companies/Good Jobs Initiative at the Aspen Institute's Economic Opportunities Program and Working Metrics.<sup>36</sup> This cloud-based software collects business data to provide a cross industry comparison of how different companies treat their workforce. The tool then devises a firm rating system based upon worker retention, wages, job growth, benefits and inclusion and racial and gender diversity.

## Current Workers' Rights Education Efforts Build Momentum in Workforce Organizations for More Education:

Interviewed staff of community-based organizations identified additional benefits of workers' rights education and made recommendations to create systemic support for workers' rights training. Importantly, interviewees asserted that inclusion of workers' rights programming enables organizations to make clients aware of possible forms of discrimination and where they could go for help if they thought their rights were violated. Specifically, they discussed how this type of knowledge educates job seekers to advocate for themselves by giving them the tools they need to take actions to build their cases (such as tracking their wages and hours to document wage theft).

**“[We are] educating job seekers in terms of how to advocate for themselves or where to go if their rights have been violated. Education is bringing more empowerment for our job seekers.”**

**“It's held us more accountable in our aspirations with employer partners. To be consistently true to not work with employers who don't meet standards we believe. To make sure we're staying true and accountable and not just be hungry for a partnership that is not going to be any better (for our clients) before coming to our program.”**

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36 Aspen Institute, 2018. “Measuring Good Jobs and Good Companies.” <https://assets.aspeninstitute.org/content/uploads/2018/10/Measuring-Good-Jobs-and-Good-Companies.pdf>

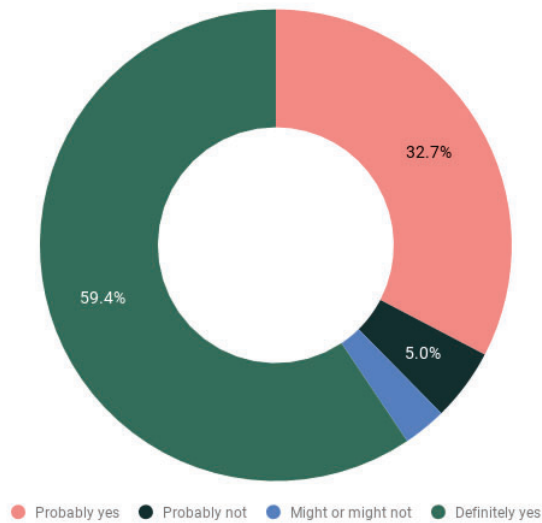
All of the interviewed participants stated that they were able to share workers' rights information with others, either internally at their organization, externally or both. Notably, one of the workforce professionals learned the Workers' Rights for Workforce

**“We’re a part of the Human Trafficking Subcommittee of Cook County. We incorporate information from that subcommittee in our workshops, and it’s sparked internal conversation. We’ll be doing a workers’ rights training in the summer for our staff on the [IL] Domestic Workers’ Bill of Rights and we’ll share that with staff at X (another agency), so that they’ll be able to support their members as well.”**

Development curriculum so thoroughly that he then served as a trainer in subsequent sessions on the curriculum offered by Frontline Focus to other workforce development agencies. Other examples of how participants shared the information included: revising a resume workshop curriculum to incorporate workers' rights issues and then sharing it with other staff who could then teach it; providing handouts from the curriculum and explaining them to co-workers; and sharing information and best practices with workforce development agencies and other organizations at meetings, workshops and conferences.

Over 90 percent of survey participants indicated a desire to learn more about workers' rights issues facing low-wage workers and how to connect rights' information to job readiness training. Among those who affirmed support for this type of professional development, 60 percent

Chart 4: Participant interest in learning more about workers' rights





stated they possessed a definitive interest in learning more (Chart 4).

The survey captured organizations' support for a range of systemic strategies to expand workers' rights education and information. As is displayed in Chart 5, 27 percent of participants desire funding for staff professional development in workers' rights information, 25 percent want funds for guest speakers to teach workers' rights to their job seekers, 19 percent would like to establish workers' rights training as a deliverable in their grant requirements, 15 percent believe incentives should be established for job placements with "high-road" employers, and 9 percent think there should be an adoption of anti-wage theft language and strategies in broader discussions of job readiness work. Surveyed organizations had additional suggestions for how the workforce development system and funders can support inclusion of workers' rights information in programming, including:

- requiring that workers' rights be incorporated into job training programming
- educating government agencies who provide services to clients on other needs (e.g., housing, food stamps) about workers' rights and coordinating those services
- convening stakeholders to share best practices and problems freely without fear of reprisals
- reaching out to employers and educating them to make a cultural shift in their thinking about workers
- taking collective action against employers who violate the rules
- being inclusive by making sure all populations impacted are able to be trained and that their voices are included in the curriculum

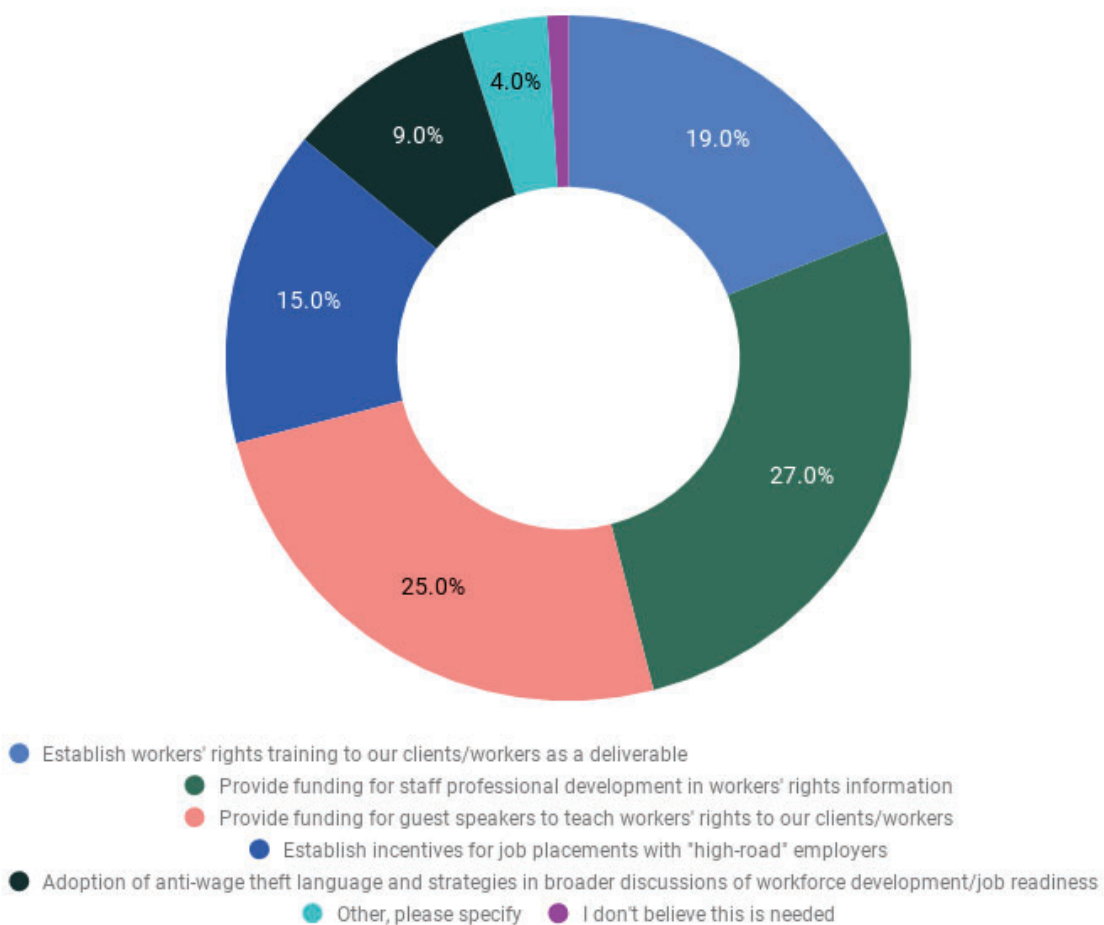


## Workforce Development Funding and Job Quality

Workforce programs funded by the federal Workforce Opportunity and

“It would be very helpful to have all of the folks doing this to convene together and discuss what’s going right, best practices, and what’s not going right. Funders need to be realistic about who these workforce professionals are seeing come in to ask for help on a day to day basis. I know it’s a sensitive issue. It’s not as easy as they make it sound. We’re having to do work that is unfunded, because we’re restrained by the funds. It’s a big systemic issue, but talking about policies, a bigger conversation about the systemic issues of economic justice with front line staff and policy makers. It should be a conversation with confidentiality, an assurance that this is for the betterment of everyone we work with. Some kind of safety mechanism involved, so that everyone feels comfortable to be honest. All of the stakeholders who make these decisions. Maybe a funder could convene the meeting and bring all of these players to the table. This is happening in the domestic violence world, where the funders convene all of the professionals and we discuss what’s right and what’s not and what can we do better. How can we collaborate? So, it’s not unheard of.”

Chart 5: Participant recommendations for supporting workers' rights



“It has to be pushed by multiple agencies, and they need to work together. Because someone goes to the unemployment office and they try to get a job. Then they go to human services for food stamps and get information there about another problem. Or they have a housing violation or need a housing voucher and have to go to another agency to deal with that problem. All these different agencies with different information. That could sometimes discourage someone from continuing to work. Or if there’s a violation, they’d be so discouraged they wouldn’t even pursue it. Everyone working together and having the same information would help. The agencies need to be trained on current laws in the state, the municipality, the county. I don’t think they’re all aware of the types of infractions that could happen that could violate workers’ rights and labor law. If they take the training, and they come across a situation, they’ll have a resource guide.”

Innovation Act (WIOA) as well as other public and private sources, assist low-income workers to achieve the skills, training and connections they need to acquire and retain employment. Unfortunately, many of the jobs available to participants in these programs, especially those with barriers to employment, are low-quality positions with low-wages, no benefits, no paid leaves and variable scheduling practices. This type of placement results in high turnover, causing hardship not only for affected workers but also the workforce programs whose performance is graded on retention rates.

Given that public workforce funding is limited and declining, local workforce areas should use their WIOA plans and funds to pursue the high road model--reward employers that promote good jobs and career paths. A formula provided by The Center for Law And Social Policy (CLASP) suggests the following stipulations to award only those employers that:

- Provide adequate wages (in the top 20% for industry/occupation) and benefits
- Continue to invest in employee training after the initial on-the-job training courses
- Provide paid sick days, paid family leave, and paid medical leave

- Schedule employees predictably and for sufficient hours.<sup>37</sup>



Another important strategy for promoting good quality jobs is for workforce boards to set job quality standards as part of their performance expectations for workforce development agencies. These types of criteria would reward providers based on job placement quality, as opposed to quantity. Multiple job outcomes can be measured by agencies to gauge job quality including earnings, access to paid sick and family leave, hours, benefits, and opportunities for advancement. Connecting workers with good quality jobs serves job seekers better, as more stable work results in higher incomes, more predictable work

schedules, and greater retention and career advancement. Additionally, “WIOA policies for job quality help protect the public investment in training by ensuring that investments in training are not simply lost in a revolving door of turnover”<sup>38</sup>

## Conclusions and Recommendations

A workforce system that prioritizes good quality jobs necessitates commitments to actions from public and private workforce boards, private funders, employers and workforce development agencies. It is not enough to just discuss the importance of partnering with high road employers and training participants for career ladders resulting in good jobs. A firm commitment to placing workers in “good” jobs must be coupled with education on fundamental rights on the job. The epidemic of wage theft and changing nature of work in the 21st century require workers to be equipped with the information and skills necessary to protect themselves and enforce their rights.

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<sup>37</sup> Ibid.

<sup>38</sup> EARN 2015.

The research conducted by LEP, Illinois ERC, and the Jobs Council shows that local workforce development practitioners are leading the way in making workforce development a locus for influencing job quality. As outlined in this report, agencies are using education of workplace rights as a tool to: improve their job and career readiness services; arm their job seeker clients with information and tools to combat bad employers; and focus on working with employers who offer better jobs.

The public workforce system also has a role. As outlined in CLASP's 2015 memo, WIOA and Job Quality, the legislative framework of the 2014 WIOA envisions a policy focus on job quality and allows WIOA administrators

to limit the use of declining federal resources on a narrow pool of employers. For example, local workforce boards can develop their own tiered system for providing training funds to employers. Limiting factors such as "wage and benefit levels" and "other factors the local board determines appropriate" are possible.<sup>39</sup> This means that for the federal framework to result in systemic changes in practice, state and local WIOA administrators must make policy choices. In Chicago these would align with emerging practice in the field.

Three principal recommendations result from the study findings and can be applied to workforce practitioners and public and private workforce funders:

1. Retire the outdated mantra "any job is a good job" and replace it with a new ethos focused on jobs that provide economic security, schedule stability, respect for workers' rights and opportunities for career advancement. At the current time throughout Chicagoland, public money is being spent on training opportunities and job fairs that promote occupations characterized by low wages, variable

**"To normalize it, that it should be a shift in the conversation, it (workers' rights education) should be part of the core mandates. You wouldn't act surprised if someone in workforce development was doing resume building (in their programming). There are core things we all accept are part of workforce development. This should be part of it, not extra."**

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39 Ibid.

schedules, few to no benefits, and rampant wage theft. Despite the good intentions of funders and administrators, without specific policy, incentives, and criteria for jobs, scarce public workforce resources are connecting people to poor quality jobs.

2. Prioritize workers' rights education rather than omitting it or hastily adding it to programming as an afterthought. The Workers' Rights for Workforce Development curriculum supplies field-tested and proven methods for incorporating workers' rights education into workforce programs. The Jobs Council's Frontline Focus Training Institute train-the-trainer course on usage of the curriculum and the importance of workers' rights is facilitated by current and former workforce development staff. Concrete examples of ways in which local workforce agencies are already performing this vital task are included in Appendix A. This recommendation requires workforce boards and private funders to commit funding to organizations so that they can devote meaningful time to this programming. Establishing workers' rights as an additional deliverable added to an already overflowing bucket of requirements necessitates that additional funding be dispersed.

**“Before I wouldn’t have thought to incorporate these issues into other parts of our curriculum. I would not have thought that it would be prevalent and important to discuss these things. But I remember being shocked when I heard the amount of times this occurs. It shook me into thinking at any given moment let’s include some education about this.**

**We didn’t know it (workers’ rights) was a big focus. Usually you would think this information is for people who have a job. Now we focus on it even before participants are even hired. So now they know what look for when they go into a situation and to document and keep records before a situation occurs it helps them prior to anything occurring.”**

3. Allow for a system-wide culture change that focuses scarce public and philanthropic funds on job training programs that support a more inclusive economic development model. This means working with and rewarding the majority of employers that play by the rules and demonstrate a commitment to their workers and jobs.

**It allows me to slow it down and take more of a neutral, non-judgmental approach. Not to say that I was judgmental before I take a minute and think about my response before I respond, research the situation before I respond. To have more understanding and obtain more clarity, restating to make sure I'm understanding, and while I do that I'm thinking about additional resources to help people who may not look like me."**

Chicago, Cook County and Illinois are already pioneers for advancing employment laws benefiting workers. Employers that have strong relationships with employee-led organizations or are worker-owned can form a needed chorus to focus workforce development investments in their direction.

Many workforce organizations are demonstrating a commitment to workers' rights and job quality. This is primarily seen through two key strategies: embedding workers' rights education into job readiness training and evaluating employer partners for job quality. However, these practices are not currently incentivized or supported by public or private workforce funders and further, organizations face time and other limitations to implement these practices. Funders should be leading efforts to formalize job quality evaluation and workers rights' education into every aspect of the workforce development system infrastructure, and they should prioritize and reward providers who already do so. An expanded knowledge of workplace law for workers and greater transparency and accountability for employers would lead to greater economic stability for many Chicagoland families.

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## Appendix A:

### Including workers' rights into existing programming

The amount of job readiness training and the schedules for trainings vary among the surveyed organizations. Most have fixed classes for a set number of weeks for a cohort of job seekers, an estimated one-week to four-week range on average. However, there are also other arrangements, i.e. three hours weekly for an indefinite period--until the candidate secured a job. One agency uses an open-entry, open-exit model with repeating workshops over two months, allowing job seekers to drop in and take whichever workshop they are interested in.

Half of the participating organizations do not provide formal training sessions on workers' rights for job seekers. Rather, they prefer to integrate this information into their existing programming. For those who do offer workers' rights issues as a separate training class, the format varies. One offers a single class session covering multiple topics in workers' rights, while another offers occasional workshops on particular topics as the need arises. Another organization surveyed adopts both approaches—a separate class and also embedding information in other classes.

The amount of time spent on workers' rights, whether embedded in other programming or taught separately also varies, ranging from 15 minutes to 60 minutes per session when information on rights was incorporated into programming, or 60 minutes to 120 minutes if given as a separate class.

**“I do workshops on the WARN act. I facilitate rapid response sessions and I talk about workers' rights and what's available through WIOA. If I'm invited to a job club, I talk about what employers can ask and can't ask in interviews. Classes are about one hour, and this information is included, about 30 minutes. Could be a focus group for employers, role plays at conferences, a mixture.”**

Participating organizations use the Workers' Rights for Workforce Development curriculum in two primary ways:

- **As a teaching tool:** Parts of the curriculum activities are as used as designed or slightly modified, and some of the teaching techniques practiced throughout the tool they use in other areas of their programming.
- **As a reference guide:** Participants appreciate their ability to use the curriculum to quickly look up provisions in labor laws or find information to refer clients who suspected their rights had been violated.

**“I use the workers' rights 'Bible', I like to call it, more as a reference guide. I have my own copy in my office and a copy in the resource room. I use it as an encyclopedia. If someone asks me a question I can pull out the 'Bible' and answer it right there and show the person where the information is coming from. So they can see that I'm not just making up the answer off the top of my head.”**

The surveyed organizations identified several aspects of the curriculum that were useful for the content of their programming as well as the inclusion of varying teaching techniques. Specifically, participants mentioned the following areas as particularly helpful:

- Activities teaching job seekers how to document hours and work schedule

- Lessons on interviewing skills and role play activities on job interviews using questions that employers should not ask
- Understanding the difference between legal and illegal discrimination
- User friendly format of the curriculum allowing easy transfer of knowledge with coworkers
- Handouts on changes in minimum wage laws
- Information about the functions of various government agencies
- Information about workers' rights advocacy organizations

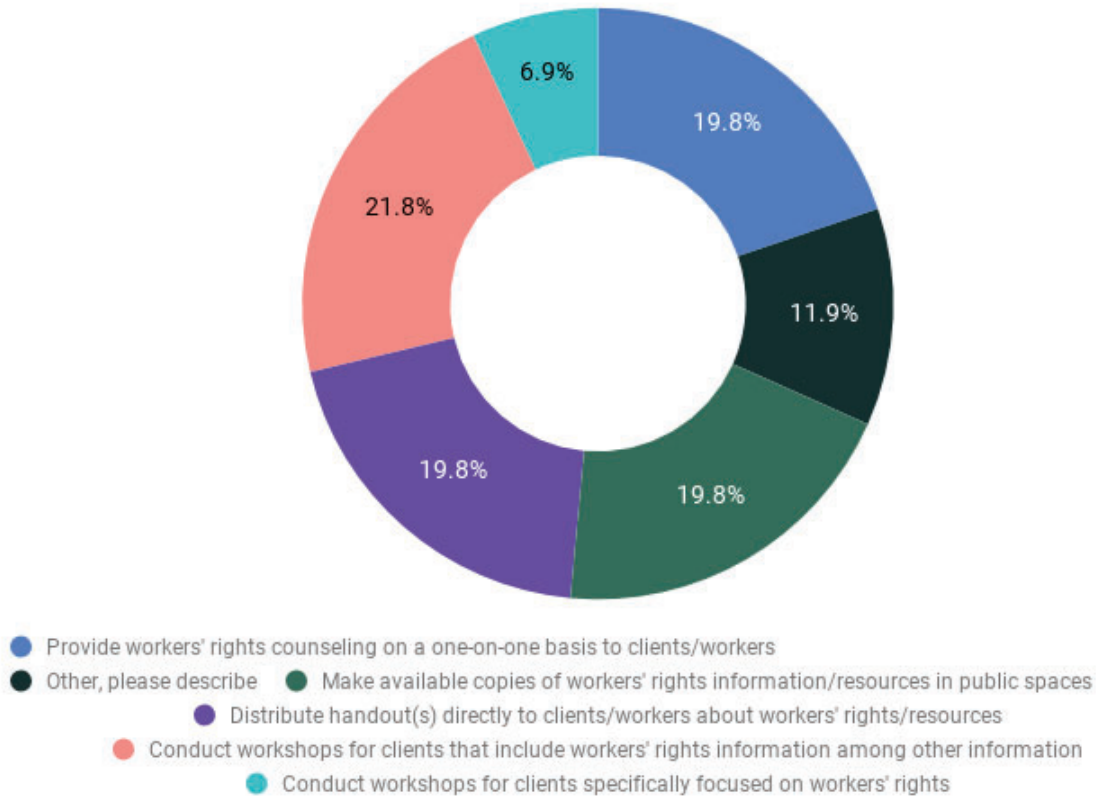
**“It’s important to integrate this curriculum for young people, to teach them the ins and outs of what they need to know about the job, not just to keep the job but to make sure they’re being supported at work as well.”**

**“Staff don’t have to always refer people to attorneys. It’s now part of the language of our staff to say, ‘Well, do you know about worker centers?’”**

Roughly 60 percent of surveyed job trainers indicate they currently include some workers' rights information in their organization's workforce development programming. Chart 6 shows they different ways in which survey participants include this information in their work with job seekers. Chart 7 provides a breakdown of the different types of workers' rights information survey takers and their coworkers provide to their program participants. Approximately 21 percent teach their job seekers information related to wage and hour issues, such as minimum wages, overtime, and wage theft. An additional 17 percent provide information about illegal discrimination and 16 percent teach workers' rights as they relate to worker health and safety/OSHA regulations. Other types of workers' rights information taught include sexual harassment, precarious work-related issues (i.e. misclassification of workers, temp agency issues, subcontracting and independent contractors), types of leave (i.e. FMLA, paid sick days, etc.), and organizing/unions.

**Workers’ rights is not talked about too much in our communities. People come here looking for skills—resume support, mock interview, or job search (assistance). We try to incorporate workers’ rights here and there (too), so that we make sure that they take away what they want to know, but we are also able to educate them about we believe everyone should know about their rights. For example, in the mock interview we’ll be doing illegal interview questions. look like me.”**

Chart 6: Participant recommendations for supporting workers' rights



**“We’ve incorporated documentation and interviewing skills. We would like to do the part on ICE and sexual harassment. Working with young people, who they should go to is particularly important.”**

**“[We] incorporate into their existing training instead of adding on another workshop that focuses on workers’ rights. It’s much easier to do that. Example: if you are doing GED classes, have a math lesson that is about how to read a pay stub.”**

Organizations described various methods of incorporating workers' rights issues into their programming including:

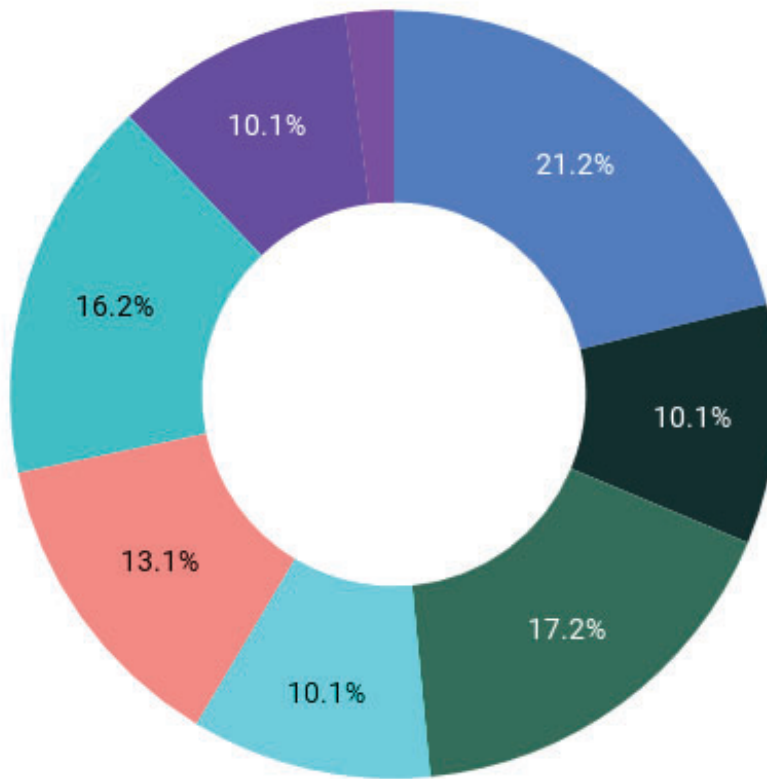
- advising job seekers in individual counseling sessions and in groups (e.g. job clubs) about labor law requirements and how to document wages & hours, where to go for help if they suspected a violation of their rights was occurring, and clarifying misconception about rights

- advising potential employers in focus groups about workers' rights under current labor laws (e.g., current minimum wage rate) before job placement
- bringing in guest speakers to give know-your-rights sessions in job readiness classes
- developing classes for job seekers focusing on workers' rights
- reinforcing information on rights and using activities from the Workers Rights for Workforce Development curriculum in already existing classes for job seekers

**“We took the true/false questions modeled in the curriculum and took the ones that were most common for our participants. We made it interactive and had conversations with them”**

**“[We] bought little notebooks. We asked participants to practice using them for documenting work hours in our program.”**

Chart 7: Types of workers' rights information taught to job seekers



- Wage and hour issues (for example, minimum wages, overtime, wage theft, etc.)
- Sexual harassment
- Other forms of illegal discrimination
- Precarious work issues (for example, misclassification of workers, temp agency issues, subcontracting and
- Types of leave (for example, FMLA, paid sick days, etc.)
- Health and safety/OSHA
- Organizing/unions
- Other, please specify

Interviewed participants discussed various ways in which their approach to including workers' rights lessons was successful including:

- providing tools such as a calendar to help job seekers document hours and wages and practicing using the tool during the job readiness training program
- seizing opportunities to hear from clients about particular types of potential employment discrimination and counseling them about their rights, (e.g., having one on one conversations while they were working on their resumes or searching databases for jobs)
- bringing in guest speakers as subject matter experts in particular issues, such as Social Security benefits
- making referrals to workers' rights organizations
- using workers' rights as leverage in negotiations with employers when providing them with a pool of job applicants

Half of the agencies surveyed include immigrant rights in their teaching and/or in their programming. Those organizations that do not include immigrant rights state their reasons for exclusion include: a partnering organization serving their clients covers this topic in their programming and the organization's client base does not include immigrants.

**“We discuss DACA, educate providers on the immigrant population. To get full diversification with the workforce, we do outreach to immigrants. We have multi-language materials in our marketing and have an interpreter at our events. We make sure to fund diverse communities.”**

**“We will have this course open to everybody, regardless of immigration status. The really important piece I was able to take away from the training was that there are legal protections for the population that we work with, that there are legal protections for undocumented workers. That is something we will emphasize in those classes. I've already started doing that in our one on one sessions.”**

# Appendix B:

## GROWING HOME EMPLOYER CLASSIFICATION

	<b>TIER ONE</b>	<b>TIER TWO</b>	<b>TIER THREE</b>	<b>TIER FOUR</b>
<b>WAGE</b>	Entry level starts \$15/hour+	Entry level starts between \$12- \$15/hour	Entry level starts above minimum wage	Entry level starts at minimum wage or below
<b>PAID TIME OFF</b>	More than 5 days PTO within the first year	At least 5 days PTO within the first year	Some accrual of PTO after one year	No PTO
<b>HEALTH BENEFITS</b>	Access to quality health care within 60 days	Access to quality health care within one year	Some form of dental, vision, or medical stipend without health care	No health benefits
<b>RETIREMENT PLAN</b>	Provides access to an employer-sponsored retirement plan and 3%+ match within 6 months	Provides access to an employer-sponsored retirement plan with opportunity for matching within 1 year	Provides access to an employer-sponsored retirement plan without matching	No access to employer-sponsored retirement plans
<b>ADVANCEMENT</b>	Provides regular evaluations opportunities for advancement and raises, at least 1 within 6 months	Provides regular evaluations opportunities for advancement and raises, at least 1 within 1 year	Provides some opportunity for growth if employee is assertive and has good performance	No real opportunity for growth and promotion within current business structure
<b>HOURS</b>	Entry level starts with 40 hr/ week with opportunity for paid overtime, or is salaried	Entry level starts with 30-40 hr/week without option for more	Entry level starts with 20-30 hr/week without option for more	Entry level starts with less than 20 hr/week without option for more
<b>CULTURE</b>	In addition to characteristics in Tier 2- Has a positive culture of promoting from within, ongoing training, and supporting employees through individualized improvement plans	Has a culture of professional development, ongoing training and transparent management techniques	Has a culture of cross-training and retaining employees through flexible scheduling and altering job duties to fit employee needs	Culture does not support employee retention; No opportunity for additional training or professional development
<b>BACKGROUND</b>	Hires people regardless of records of prior conviction	Background checks but does not disqualify any offense, including "major" and "violent"	Background checks and excludes people with select prior convictions	Background checks and doesn't hire people with who have records of prior convictions

