Workers’ Rights for Workforce Development

2nd Edition

A Practical Guide for Instructors and Job Seekers in Illinois

By Alison Dickson, Suzanne Davenport and Marsha Love

Labor Education Program, School of Labor and Employment Relations, University of Illinois at Urbana-Champaign
Publication Date
This Workers’ Rights for Workforce Development Curriculum is current as of January 1, 2017.

Preferred Citation:
Authors: Alison Dickson, Sue Davenport, and Marsha Love.


Chicago: Labor Education Program, School of Labor and Employment Relations, University of Illinois at Urbana-Champaign, 2017.

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Trainings
Contact us about leading training sessions at your organization or agency.

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Acknowledgements

This project was originally conceived in 2011 in conversations between the Labor Education Program (LEP) and Chicago Jobs Council (CJC) staff. Recognizing the epidemic levels of wage theft experienced by Chicago area workers and increasing frustrations with the lack of centralized and comprehensive worker rights programming, LEP and CJC decided to partner together to train job seekers and frontline workforce development staff in basic employment and labor laws and how to connect this knowledge to their existing programs. Four years, hundreds of staff members and thousands of workers later, LEP released through its Project for Middle Class Renewal the Workers’ Rights for Workforce Development curriculum and is closely tracking the progress of the inaugural graduates of a pilot train the trainer program. We are immensely grateful for CJC’s continued support, guidance and partnership throughout this process and are looking forward to our big plans together in Phase II.

The ground stages of our work connecting workers’ rights to workforce development was generously funded by the Chicago Regional Council of Carpenters, the International Union of Operating Engineers, Local 150, and the Construction and General Laborers’ District Council of Chicago & Vicinity. This project would
not have been possible had it not been for their visionary and forward-thinking contributions towards educating and empowering low-wage workers. Additionally, the Law Offices of Cullen, Haskins, Nicholson & Menchetti P.C. helped to support our pilot training program of practitioners.

The fruits of our labor are evident in the inspirational workers’ rights education efforts being conducted by our pilot train the trainer team. We would like to thank the following organizations not only for their commitment to this project but also for their empowerment of low-wage workers and their families on a daily basis: Jane Addams Resource Corporation, Inspiration Corporation, Housing Opportunities for Women, SERCO, Instituto del Progreso Latino, Kaleidoscope, Youth Job Center, and Indo American Center.

A number of other organizations contributed to our efforts by allowing us to collect stories of workers’ rights violations from their members and students during LEP-led trainings. These partners include: Centro de Trabajadores Unidos, Dorothy Stang Adult Popular Education High School, and Rock Valley Community College.

Our curriculum was amplified and improved with invaluable contributions on payroll card legislation from Dory Rand of the Woodstock Institute. Elizabeth Haydu and Kendra Kuehlem provided vital assistance with copy editing needs. We are sincerely appreciative of both the Labor Education Program’s and the Illinois Occupational and Environmental Health and Safety Research Center’s sustained commitment to the education and empowerment of low-wage workers everywhere. Most importantly, we are grateful for the thousands of workers and our past students whose struggles, stories and victories served as inspiration for this curriculum.
Advice to Trainers

Dear Instructors,

We at the University of Illinois Labor Education Program (LEP) designed this curriculum for use by workforce development staff to educate clients about their rights as workers and strategies for protecting those rights. Although all workers are at risk of violations of employment and labor laws, low-wage workers are especially vulnerable to wage theft and other workers’ rights violations such as illegal discrimination and occupational health and safety concerns. It is essential that workers are familiar with their legal rights on the job as well as governmental and community resources available for help in getting their rights enforced.

We firmly believe that a critical component of being “job ready” is knowing one’s rights at work.

This curriculum is based on learning in social, cooperative and active ways, with students’ questions and concerns as the center focus. The teacher is a facilitator who inspires students to analyze, look for equality, find history, and speak in a strong and informed voice. Our goal is to help you, as workforce development staff, engage your students in learning that they have rights and that there are resources accessible to them for help in protecting those rights. They are not alone and there is strength in numbers.
Workers and their struggles are making headline news every day – from the Fight for $15 to striking school teachers to efforts to extend overtime provisions to more Americans. Assistance can come from fellow workers, unions and worker centers, lawyers and government agencies at local, state and federal/national levels.

As a wide range of organizations, both private and public, engage in workforce development activities, this curriculum is flexible and intended to be adapted to different kinds of programs, clients and local environments. Within an organization, job roles may vary, but we believe that learning workers’ rights is useful for all direct service staff. As service staff learn more about workers’ rights, they will see how their own work - as case managers, instructors, business service representatives - can be more effective with clients if they include workers’ rights.

The curriculum is organized into eight units:

- Introduction and Methods
- Introduction to Workers’ Rights on the Job
- Wage and Hour Laws and Protection
- Getting Hired, Disciplined and Getting Fired
- Leaves of Absence
- Discrimination on the Job
- Worker Healthy and Safety
- Organizing Workers

Each unit has 3-6 activities, designed to teach basic laws, rights, and resources. Materials are varied, including laws, agency documents, complaint forms, storyboard illustrations, illustrated work hazards, short videos, newspaper headlines, and contact information. A full training of trainers would be 12-18 hours. Depending on the training schedule an organization, staff can adapt content and methods to fit their own formats.

Methods include: pair, small group and large group discussions; brainstorming; charting class discussion on paper; and a parking lot for question. Students read workers’ stories, short scenarios, case studies, and press releases. Discussion is the heart of the curriculum, as it is in the exchange of ideas and feelings that people learn from each other and gain confidence in their capabilities.
Whether clients are mid-level managers or first time food service workers, they will have their own questions. The workforce development staff member will want to anticipate clients’ concerns and questions and use the curriculum material most important for their students.

Develop your own handouts that are specific to needs and interests of your clients. Women may need to know what is and is not illegal sexual harassment and how they can address any harassing behaviors or conditions on a job. Immigrants, especially undocumented workers, will want to know what legal protections they have at work and good strategies for enforcing their rights. Racially or culturally identified workers may want to know their rights and resources to stop discrimination.

Currently, the curriculum is written as a Trainer of Trainer guide and assumes high school graduate literacy. As needed, you may want to simplify language. To help with comprehension we have included a glossary of important terms in each unit. For ABE or ESL students there are excellent curricula available that develop English language skills through studying common experiences at work. Please refer to the bibliography of references at the end of the curriculum for some useful resources.

Check the on-line curriculum web site (www.wire.cjc.net/frontline-focus/tools-for-frontline-staff/) for updates to the curriculum. LEP will update the curriculum each year, but also attempt to make changes as key issues are decided in court or legislatures, as companies change policies or workers’ win victories.

Please feel free to contact us if you have any questions about the curriculum or if you need advice on how to best adapt the curriculum to fit the needs of your program and clients. We may also be able to provide you with direct training for your organization’s staff on how to use the curriculum.

Good luck and thank you for your commitment to this important endeavor and justice for workers and their families.

Sincerely,

Alison Dickson, Suzanne Davenport, and Marsha Love
About the Labor Education Program

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 3,000 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 to support research on employment issues and to develop education programs on worker rights.

www.illinoislabored.org
TABLE OF CONTENTS

UNIT 1.
INTRODUCTION AND METHODS
(Total time: 1 hour 20 min – 1 hour 35 min)

Activities
1-1. Group building – Introductions
(20-30 min depending on size of group) Whole group or pair-share

1-2. What do you want to learn about workers’ rights?
(10-15 min) Whole group brainstorm, parking lot and short talk

1-3. Keeping track of work papers and basic work documents
(20 min) Whole group brainstorm, discussion and problem solving

1-4. How do you learn best? How do clients learn best?
(20 min) Whole group discussion and self-assessment

1-5. Educating your organization’s staff about workers’ rights
(15 minutes) Discussion and chart

UNIT 2.
INTRODUCTION TO WORKERS’ RIGHTS
ON THE JOB
(Total time: 1 hour 30 min)

Activities
2-1. Pre-test on workers’ rights
(20 min) Yes/No test with short discussion

2-2. The facts: basic rights and resources
(10 min) Handouts, short talk

2-3. Resources for enforcing workers rights
(20 min) Fact sheets, storyboard and discussion

2-4. Who is a worker? Job classification and consequences
(30 min) Match lists and discuss, chart analysis and short talks

2-5. Common workplace violations and solutions
(10 min) Free write
UNIT 3.
WAGE AND HOUR LAWS AND PROTECTION
(Total time: 1 hour 30 min)

Activities
3-1. Who sets wages? What influences how much you are paid?
(10 min) Brainstorm and discuss to consensus

3-2. Minimum Wages: Fight for $15 – Low-wage workers campaign for higher wages
(15 min) Video and discussion

3-3. Overtime/Exemptions by law
(15 min) Law, Q&A and discussion of personal experience

3-4. Paychecks: How to make sure you got what you earned
(30 min) Comparison

3-5. Wage theft role-plays
(30 min or more) Wage theft situations brainstorm, wage theft role-plays and discussion

UNIT 4.
GETTING HIRED, DISCIPLINED, & GETTING FIRED
(Total time: 1 hour 55 min)

Activities
4-1. Getting hired – What information can the employer legally ask me for and obtain?
(20 min) Discussion, video and review of law

4-2a. What are the rights of immigrant workers?
(20 min) Discussion, small groups, review of law and short talk

4-2b. Preparing and practicing for action
(20 min) Short talk and group discussion. Pairs, group discussion

4-2. On the job
(15 min) Small groups compare and contrast

4-3. Job evaluation and discipline
(15 min) Small groups, discussion and short talk

4-4. Getting fired, leaving a job
(25 min) Fact sheets, T/F quiz, and discussion
UNIT 5.
LEAVES OF ABSENCE
(Total Time: 1 hour 15 min –1 hour 25 min)

Activities

5-1. Introduction
(10 min) Whole group short video and discussion

5-2. What is the Family Medical Leave Act (FMLA)?
(15 min) Whole group read aloud and discussion

5-3. Am I covered? FMLA practice
(5-10 min) Small groups

5-4. What about the other situations where you need to take a leave?
(30 min) Small group jigsaw reading and report out

5-6. Paid sick days
(10 min) Whole group – video, discussion and short talk

5-7. Conclusion
(5-10 min) Whole group discussion

UNIT 6.
DISCRIMINATION ON THE JOB
(Total time: 1 hour 5 min – 1 hour 20 min)

Activities

6-1. Is it legal or illegal discrimination?
(30-40 min) Video, work in pairs, report out and whole group discussion

6-2. Overcoming silence with tools and allies
(20-30 min) Whole group discussion and flip chart

6-3. Case studies (EEOC cases)
(15-20 min) Video, group problem solving, reading and comparison, and independent reading
UNIT 7.
WORKER HEALTH & SAFETY
(Total time: 1 hour 30 min)

Activities
7-1. Intro: Has anyone ever worked in a dangerous job?
(15 min) Whole group gallery and discussion and comparison

7-2. What are your legal rights to work in a safe workplace?
(25 min) Quiz and whole group discussion

7-3. Choose your job or your health?
(15 min) Whole group discussion, tip sheet and role-play

7-4. Who can help you if you work in a dangerous place?
(5 min) Lecture, Q&A and discussion

7-5. What should you do if you get hurt or injured at work?
(25 min) Whole group discussion, story, fact sheets and quiz

7-6. Conclusion
(5 min total) Whole group storyboard review and Q&A

UNIT 8.
ORGANIZING WORKERS
(Total time: 1 hour 45 min)

Activities
8-1. Intro to workers organizing and NLRA protections
(10 min) Whole group discussion and short talk

8-2. What's in a union? What do unions do?
(40-45 min) K-W-L, pairs, and whole group discussion

8-3. What does worker victory look like?
(20 min) Whole group video and discussion

8-4. Next steps - Implementing worker rights at your organization
(15 min) Whole group brainstorm

8-5. Evaluations
(10-15 min)