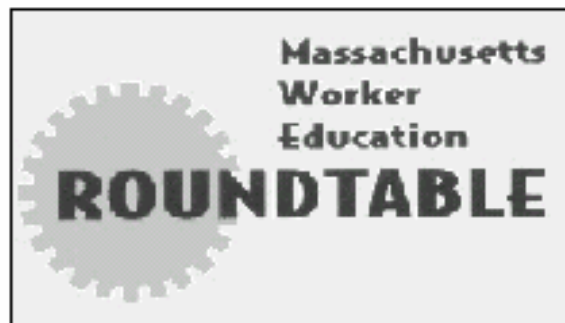


# **Introduction to Workers' Basic Legal Protections on the Job ESOL Curriculum**

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Massachusetts Worker Education Roundtable ©2009



**To use with the**

*Workers Rights Pilot Curriculum*

Introduction to Workers' Basic Legal Protections on the Job Module  
by the Labor Extension Programs of  
the University of Massachusetts

To download this curriculum, go to [www.umass.edu/roundtable](http://www.umass.edu/roundtable)



# Introduction to Workers' Basic Legal Protections on the Job ESOL Curriculum

## Contents

<b>Introduction .....</b>	<b>ii</b>
<b>Curriculum Outline.....</b>	<b>v</b>
<b>Lesson 1: Workplace Issues.....</b>	<b>1</b>
<b>Lesson 2: Worker Rights .....</b>	<b>5</b>
<b>Lesson 3: Laws to Protect Your Rights .....</b>	<b>12</b>
<b>Lesson 4: Write About It .....</b>	<b>23</b>
<b>Lesson 5: How to Talk About Your Rights at Work.....</b>	<b>26</b>
<b>Lesson 6: Worker Rights Theater.....</b>	<b>31</b>
<b>Lesson 7: Help Educate Others.....</b>	<b>33</b>
<b>Selected Resources.....</b>	<b>36</b>

# Introduction

## What is this curriculum?

This curriculum is designed to help ESOL students (English for Speakers of Other Languages) learn about the basics of their rights at the workplace and how to exercise them. By the end of the lessons, students will be able to:

- name workplace problems and issues
- identify where rights come from
- name some laws that govern the workplace
- state how these laws address some workplace problems

The curriculum uses learner-centered activities that engage students in discussion, elicit and build on their experiences and encourage critical analysis and strategies. Teachers can use these lessons to create a *participatory* curriculum with students, in which teachers and students analyze issues that they have identified together, and develop strategies to address them.

We have designed lessons for low-intermediate to intermediate level ESOL students who speak, read and write some English but still need to learn many basic English skills. Teachers of beginning or advanced ESOL students and teachers of Adult Basic Education (ABE) can adapt lessons to meet their students' levels and needs.

This curriculum is based in part on the Introduction to Workers' Basic Legal Protections on the Job Module of the *Workers Rights Pilot Curriculum* by the University of Massachusetts Labor Extension Program (2003). We have designed lessons that make the *Pilot Curriculum* module's information more accessible to ESOL students (and others), and give students language practice using module content. Activities like vocabulary review, coworker interviews, grammar practice, creation of dialogues and role plays, research, and production of educational materials for other community members help students learn basic information about their workplace rights, and also learn and practice the language they need in order to understand these rights and exercise them.

## How can you use this curriculum?

We have designed lessons and activities that can satisfy a range of student skill levels. Lessons include brainstorming and discussions, reading, writing, vocabulary and grammar practice. While lessons are sequential and build on each other, you may choose certain lessons to cover due to time constraints.

Many lessons include catalyst activities designed to raise students' issues and concerns and help them develop strategies to address these issues. So while you can teach this curriculum from beginning to end, it is more likely that your class will take off in a different direction at some point, to follow up on issues that have surfaced during class work. Teacher notes after each lesson list activity tips and variations, as well as ideas for next steps and follow up.

While we have created lessons that address some of the content in the *Workers Rights Pilot Curriculum* Introduction to Workers' Basic Legal Protections on the Job Module, our curriculum is by no means exhaustive. We hope that you will create your own lessons and activities to build on the lessons we have designed. You can also use this curriculum as a model to create your own lessons and activities for other *Pilot Curriculum* Modules.

Discussing and taking action on workplace issues can bring risks for workers. You and your students should talk about potential benefits and risks of discussing workplace issues in class, and of taking action outside the classroom.

### **What is the U. Mass. *Workers Rights Pilot Curriculum*?**

The *Workers Rights Pilot Curriculum* is designed for trainers and other staff of unions and community-based organizations who need to inform workers of their basic rights under Massachusetts law. The curriculum targets workers new to the workforce or re-joining it, young workers and immigrant workers, both documented and undocumented.

*Workers Rights Pilot Curriculum* contains nine modules: Introduction to Workers' Basic Legal Protections on the Job; Minimum Wage; Child Labor; Overtime; Protection from Discrimination; Health and Safety Protection and Workers' Compensation; Family and Medical Leave; Unemployment Insurance; and Unions and the Right to Organize.

While the *Pilot Curriculum* provides information in a straightforward and simple format, it hasn't been designed specifically for non-native speakers of English. Our *Introduction to Workers' Basic Legal Protections on the Job ESOL Curriculum* provides lessons oriented toward that population. It can also serve as a model for teachers who want to adapt or create lessons based on other *Pilot Curriculum* modules.

### **What is the Massachusetts Worker Education Roundtable?**

The Massachusetts Worker Education Roundtable is a statewide network of unionists, educators and labor-management education programs. Our mission is to promote and provide high quality education programs for Massachusetts union members. To this end we are involved in policy around workplace learning, and we provide technical assistance to unions and their employer partners who are interested in establishing learning programs at the workplace. We also provide professional development opportunities for educators in workplace education, particularly those teaching in unionized workplaces.

We work closely with the Massachusetts AFL-CIO and are members of the national Association of Joint Labor-Management Education Programs. We also participate in discussions of policy and practice in the adult education and workforce development communities, in such venues as the Massachusetts Coalition for Adult Education and the Massachusetts Workforce Alliance.

Our focus is on basic skills, including adult basic education, English for Speakers of Other Languages, computer literacy and GED preparation. Some programs in the network offer other classes such as career ladders, technical training, leadership skills, communication skills or writing. While most of our programs serve incumbent workers at their place of work, some also work with unemployed workers, dislocated workers or offer classes at the union hall or in the community.

To find out more about the Roundtable and to view and download our *Introduction to Workers' Basic Legal Protections on the Job ESOL Curriculum*, visit [www.umass.edu/roundtable](http://www.umass.edu/roundtable)

### **Who is the author of this curriculum?**

Diana Satin has a Masters in Intercultural Relations with a specialization in teaching ESOL. Since 1994 she has worked as a classroom teacher, staff development consultant, and curriculum developer. Her publications include *Project Care: Health Care Case Studies, Multimedia and Projects for Practicing English* and *Learning Computers, Speaking English* ( University of Michigan Press) and *Your Government, Your Taxes*,

*Your Choices* (Massachusetts DOE). She is currently a distance-learning instructor for several ESOL programs. Diana is also an educational consultant serving as a mentor to adult basic education programs and developing online professional development courses for adult educators as well as courses for ABE learners.

### **What is the University of Massachusetts Labor Extension Program?**

The U. Mass. Labor Extension Program is a statewide effort, based in the U. Mass. campuses at Amherst, Boston, Dartmouth, and Lowell, to provide training and education to workers, their unions, and other workers' organizations. The focus of the program is on strengthening these organizations, increasing activism, and building the skills necessary to effectively advocate for the needs and concerns of the workforce.

The Labor Extension Program (LEP) helps unions and other worker organizations to fully and effectively represent an increasingly diverse membership, to train a new generation of union leaders to face the challenges of the future, and to prepare all workers, organized and unorganized to exercise their full rights in the work place and the community.

LEP offers programming in a variety of formats for individual unions, central labor councils, and union members, including short courses, seminars, conferences, and special programs on a broad range of subject areas. LEP contracts with unions to custom design programs for their members, officers and staff. LEP also offers open enrollment programs that anyone may attend for a small fee. Finally, LEP provides assistance and support to labor organizations in the development and delivery of their own educational programs.

To find out more about the U. Mass. Labor Extension Program and to view and download the *Workers Rights Pilot Curriculum*, visit [www.cpcs.umb.edu/lep](http://www.cpcs.umb.edu/lep).

## Curriculum Outline

**Lesson 1. Workplace Issues** – Students do a jigsaw activity using pictures in order to share their experiences with workplace issues and to develop common language to talk about them.

**Lesson 2. Worker Rights** – Students clarify what rights and laws are, and discuss what they know about them. They survey coworkers to find out what rights they know about, share their results, and discuss possible ways they can get more information out to people by doing a project in a later lesson.

**Lesson 3. Laws to Protect Your Rights** – Students learn about workplace laws and how they match with the issues they discussed in the first lesson. They interview an expert to get answers to questions they have about their protections.

**Lesson 4. Write About It** – Students choose an issue they or a friend has dealt with and how laws can help them and write about it.

**Lesson 5. How to Talk About Your Rights at Work** – Student pairs think about the best way to talk with people at work about issues and their rights. They create and practice dialogues about issues they choose as most pressing to them.

**Lesson 6. Worker Rights Theater** – Student groups create role plays about ways to handle workplace issues and act them out for each other. Viewers try to guess the rights addressed, and suggest alternate ways to handle the situations.

**Lesson 7. Help Educate Others** – Students complete a project in order to share information with their community. They choose topics to address and a product to create, gather the information they need, put it together in a format they choose, and disseminate it to others in the school and the community.

# Lesson 1: Workplace Issues

## Objectives

By the end of the lesson, students will be able to name and describe workplace issues.

## Materials

- The following Workplace situation pictures copied onto colored paper (in Appendices section of the website: <http://www.cpcs.umb.edu/lep/revisions.html#Appendices>): Slip, Hazardous waste, Safety net, Help wanted, Sick, Overtime, Plant Closing, Disability, Pregnant worker, Terminated, Petition
- A sheet of newsprint for each group
- Markers
- Tape
- Workplace Issues Matching Cards, enough copies printed on oaktag or other heavy paper and cut apart to make sets for each pair or small group of students. (Blank boxes are available for you to fill in with additional issues and images students come up with.)

## Activity

1. Tell students you will be talking about problems they may have at work and protections that exist to help them with some of those problems.
2. Jigsaw activity: Have students form small groups. Tell them they will report back to the class on the activities they are going to do, and that each student in the group needs to help out with that. Give each group a different selection of the workplace situation pictures, a sheet of newsprint, markers, and tape. The groups examine the pictures and discuss answers to the following question:
  - What are the issues or problems in the pictures?

Give the groups sufficient time to answer the question. Rotate among the groups to make sure each student is able to name the issues or problems. Then have them tape the pictures on the newsprint and label them with the problems they represent.

3. Put the following questions on the board and have the small groups discuss them. Rotate among groups, assisting with new vocabulary and prompting discussion as needed.
  - Do you or someone you know have (or had in the past) those issues at work? This could be in a job in your country or in the US.
  - If yes, please explain about the problem. Explain if anyone (workers, management, or someone else) did anything about the problem.
  - If you had the problem in your country and also here, how was the problem the same? How was it different? Compare the things people did about the problem in your country and in the US.
4. Have small groups post their newsprints for the class, explain the issues they named, and share an account about one issue people have had at their jobs, including answers to the questions discussed. As they speak, list on newsprint pertinent new vocabulary they use, and have the students who used them define the vocabulary for the other students. Ask if there are more



workplace issues to add. If so, students or you add pictures and labels for each to the newsprint collection.

5. Remove the newsprints from the walls. Hand out one set of the Workplace Issues Matching Cards for student pairs or small groups to play like the card game Concentration: Turn all the cards over. Students take turns turning over two cards, looking to match the picture with the correct vocabulary words. If the match is incorrect, they turn the cards back over, leaving them in the same places. If the match is correct, they put the cards in a pile near them.
6. Tell students that in the next lesson, you will talk about protections that exist for workers in these situations.

Note: Keep the newsprints for use with several of the following lessons.

## **Teacher Notes**

**Activity tips and variations.** If your class is at a more beginning level, you may decide to limit the number of workplace issues pictures for students to discuss at this point, and add them in a later lesson. You may also want to give them fewer questions to discuss.

For classes that enjoy acting, the small groups can act out the issues for step 4 instead of giving an account.

**Next steps.** If students would benefit from additional time becoming familiarized with issues and rights, you can invite students to talk about protections they already know about as a way to prepare for Lesson 2.

## Workplace Issues Matching Cards

(To be developed when I can get access to the images in a format other than PDF. It will be comprised of small versions of the workplace situation pictures on the left side of each of the vocabulary words.

	<b>Slip</b>		<b>Sick</b>
	<b>Hazardous waste</b>		<b>Overtime</b>
	<b>Safety net</b>		<b>Plant Closing</b>
	<b>Help wanted</b>		<b>Disability</b>

	<b>Pregnant worker</b>		<b>Petition</b>
	<b>Terminated</b>		

## Lesson 2: Worker Rights

### Objectives

By the end of the lesson, students will be able to:

- define 'rights' and 'law'
- name workplace rights and laws they know about
- analyze surveys of coworkers' knowledge of their rights at work
- identify possible reasons for coworkers' levels of familiarity with their rights

### Materials

- Newsprint and marker
- Issues newsprints from Lesson 1
- World Map handout for each student
- Can/Can't handout
- Worker Rights Survey handouts for each student

### Activities

#### Part 1 – What are Rights?/Survey

1. Write the word 'rights' on the board. In a large group, ask students to brainstorm their definitions of the word. Write students' responses on the board. Clarify as needed, for example: Rights are something people agree that you can do or have. One example in the US is that all people can keep their religion. Write the definition on the board.
2. Write the word 'law' on the board and ask students to define it. If not mentioned, explain that people make laws (rules from the government) to protect their rights. Make sure students understand the difference between rights and laws.
3. Have students sit together by country. Hand out the World Maps. Put the following questions on the board and have the small groups discuss them. Rotate among groups, assisting with new vocabulary and prompting discussion as needed.
  - What rights or laws do you think workers in the US have to help with these issues?
  - What rights or laws do workers in your country have to help with these issues?
  - If you know of any rights or laws, how did you find out about them?

Have small groups share their answers to the above questions with the class, showing the class the locations of their countries on the World Map. Have students circle each other's countries on their maps and note the rights or laws their classmates mention for those countries.

On newsprint, list the rights and resources, and student's name. Practice with students the grammar and pronunciation of 'can' and 'can't', using the rights and laws students mention. For example: In Colombia, workers can (base form of verb).....

Invite students to note rights or laws they or friends or family may use, either in the US or in their countries. Tell the class you will type the complete list and give it to them at the next class meeting.

4. Ask students which US rights or laws they think their coworkers know about. Explain that they will find out by surveying them. Ask students to explain what a survey is. Clarify if needed, for example: It is a way to get information about what many people think. We ask many people the same questions and then put the results together.
5. Hand out the Worker Rights Survey and go over it, including the vocabulary. Ask them to complete the survey before the next class meeting. Tell students that if they don't feel comfortable surveying coworkers, they can survey students in other classes, friends, or family. Acknowledge that some people may not feel safe talking about this kind of thing at their workplace. Encourage them to talk about concerns they may have about doing so. Have the class talk about ways they would feel comfortable participating in this effort, i.e., if they fear punishment from someone at work, they can help produce one of the forms of communication but choose not distributing it at their workplace.
6. After class, type up the lists of rights and resources to distribute at the next class.

## **Part 2 – Survey Results/Share Information**

7. At the next class meeting, have students share their survey results with the class, and have students tally all results, either by listing the categories from the survey form on newsprint, adding the rights mentioned, and totals for each category, or by creating a bar chart on newsprint or spreadsheet software.
8. In a large group, ask students to analyze the results. Ask these questions:
  - Did many coworkers know their rights?
  - Which categories (meals, pay, etc.) did most know about?
  - Which did most not know about?
  - Why do you think this is true?
  - What could the class do to help their coworkers, friends, and family know more about their rights?
9. Ask the class to consider the following way to help others know more about their rights. Have them add more ways they can think of.
  - make a brochure
  - make a website
  - make a video

If the class decides to do one or more of the above or other projects they think of, tell them the class will do them later (Lesson 7 addresses this), after they learn and think about more information in the following lessons.

## **Teacher Notes**

**Variations.** For more beginning-level students, you can alter the survey forms so that half the class asks about half the categories and half the class ask about the remaining ones. Also, students can work in pairs to interview students in other classes.

Students can discuss laws they think should exist to protect workers in their countries and in the US.

You can quiz students on their mastery of the lesson objectives.

**Next steps.** If a student knows someone at their workplace who is knowledgeable about laws, such as a union steward, the student could invite that person to visit the class for the next lesson's interview. The person could visit the class, participate via webcam using Skype or other similar software, or a telephone (if you have access to a phone with a speaker).

Political Map of the World, September 2008



## Can/Can't Worksheet

Name \_\_\_\_\_

Date \_\_\_\_\_

Fill in the blanks. Check with your classmates to make sure your information is correct.

In \_\_\_\_\_, workers \_\_\_\_\_  
country name can/can't base form of verb

In \_\_\_\_\_, workers \_\_\_\_\_  
country name can/can't base form of verb

In \_\_\_\_\_, workers \_\_\_\_\_  
country name can/can't base form of verb

In \_\_\_\_\_, workers \_\_\_\_\_  
country name can/can't base form of verb

In \_\_\_\_\_, workers \_\_\_\_\_  
country name can/can't base form of verb



# Worker Rights Survey

Student name: \_\_\_\_\_

## Interview 1

1. Explain to your coworker what worker rights are.
2. Ask your coworker to explain any worker rights he or she knows about. Write your coworker's answers below.

meals \_\_\_\_\_

\_\_\_\_\_

pay \_\_\_\_\_

\_\_\_\_\_

overtime \_\_\_\_\_

\_\_\_\_\_

worker's compensation \_\_\_\_\_

\_\_\_\_\_

union \_\_\_\_\_

\_\_\_\_\_

discrimination \_\_\_\_\_

\_\_\_\_\_

unemployment \_\_\_\_\_

\_\_\_\_\_

health \_\_\_\_\_

\_\_\_\_\_

safety \_\_\_\_\_

\_\_\_\_\_

# Worker Rights Survey

Student name: \_\_\_\_\_

## Interview 2

1. Explain to your coworker what worker rights are.
2. Ask your coworker to explain any worker rights he or she knows about. Write your coworker's answers below.

meals \_\_\_\_\_

\_\_\_\_\_

pay \_\_\_\_\_

\_\_\_\_\_

overtime \_\_\_\_\_

\_\_\_\_\_

worker's compensation \_\_\_\_\_

\_\_\_\_\_

union \_\_\_\_\_

\_\_\_\_\_

discrimination \_\_\_\_\_

\_\_\_\_\_

unemployment \_\_\_\_\_

\_\_\_\_\_

health \_\_\_\_\_

\_\_\_\_\_

safety \_\_\_\_\_

\_\_\_\_\_

## Lesson 3: Laws to Protect Your Rights

### Objective

By the end of the lesson, students will be able to:

- name and describe workplace laws
- match laws to workplace issues
- formulate questions about worker protections

### Materials

- Workplace Laws sets for jigsaw activity: Copy the Workplace Laws handout. Cut it apart to form sets, one for each student small group. Then make enough copies of each set so each student gets a copy of his or her group's set.
- One copy of the Workplace Laws dictionary for each group (located at the end of the Workplace Laws handout)
- Copies of the complete Workplace Laws handout for each student
- Scissors for each small group
- Issues newsprints from Lesson 1
- Masking tape
- Paper and markers
- Yes and No signs, each copied onto different colored paper
- Legal Rights of Undocumented Workers for class activity (for you)
- Legal Rights of Undocumented Workers handout for each student
- Workplace Laws Worksheet
- Handouts for each student from the Appendices section (<http://www.cpcs.umb.edu/lep/revisions.html#Appendices>): Government agencies, Partial list of advocacy organizations, and Safe and unsafe agencies for immigrant workers.

NOTE: To prepare for the interview in Part 3, unless you have a contact through a student (see Lesson 2: Next steps), you will probably need to contact your area agency well in advance to set a date for their outreach staff to visit. For a partial list of agencies, click here: <http://www.cpcs.umb.edu/lep/advorgs.pdf>. Because agencies can be quite busy, you may want to contact more than one agency to increase your chances of finding someone who is available. You can also ask friends and colleagues if they are experts or know those who are.

### Activities

#### Part 1 – Laws to Protect You at Work

1. Jigsaw activity: Have students get in small groups. Give each group of students one set of one the Workplace Laws handout, and have them discuss the questions that follow. Tell them they will explain to the class the rights they read about and give a summary of their answers to the questions. Explain that they will get a copy of all the rights afterwards.
  - Which rights are new to you or the people you surveyed?
  - Which ones can people in this class or others you know use?
2. Explain that some laws protect certain workers. Ask students what 'undocumented worker' means. If needed, explain that it means someone who doesn't have legal papers to work here.

3. Have the small groups explain the rights they discussed and a summary of their answers to the questions. Note the ones that don't protect undocumented workers. Ask students why they think this is so.
4. Give all students a copy of the complete Workplace Laws handout.

## **Part 2 – Matching Rights and Workplace Issues**

5. Have one student in each small group take the handout with the set of laws their group discussed and cut them apart so each law is on a separate strip of paper. Have them tape the strips on one section of the wall. Tape the student newsprints from Lesson 1 on the walls.
6. Have student pairs choose a strip with a law, evaluate whether or not it addresses any issues on the newsprints, and if so, tape it to those newsprints. (An alternative activity is to have some students hold a picture of a workplace issue and have others hold a strip with a law. One by one, ask students to stand near each other to match the issues and the laws.)
7. If there are some laws without an issue to match, have students try to think of example issues to match with the rights and use the paper and markers to draw a picture depicting the issue. If there are some issues without a law to match, you can explain the laws relevant to the issues. If you don't know of any, let students know that they can ask an expert who will visit at the next class meeting.
8. Tell students they already found out that two laws don't protect undocumented workers. Ask students if they think any other laws protect the rights of undocumented workers.
9. Tape the Yes sign on a wall on one side of the classroom and tape the No sign on the other side. Tell students you will read a right and ask them to stand near the Yes sign if they think the law protects undocumented workers, and to stand near the No sign if they think it doesn't protect them. After you read each one and students choose an answer, ask one student who chose 'yes' and one student who chose 'no' to explain why they chose their answer. After reading all the statements, tell students that laws protect undocumented workers for all except for the last two. Give them the Legal Rights of Undocumented Workers handout.
10. Give students the Workplace Laws Worksheet. This can be a vocabulary quiz.
11. Explain that laws can always change, and that we have to work for the protections we have. Give them the Partial list of advocacy organizations handout and invite them to contact an agency to see how they can get involved.

## **Part 3 – Interview an Expert**

11. Well in advance, schedule a worker rights expert to visit the class. (See note at the beginning of this lesson.)
12. Tell students that an expert will come to answer questions they have about worker protections. Tell them they have the option of asking their questions themselves or having you read their questions anonymously. To help them prepare questions, ask students to briefly describe the

13. In advance of the visit, give the outreach worker the questions so she or he can prepare answers and gather informational materials as appropriate.
14. When the outreach worker visits, remind students they can ask any questions they feel comfortable asking, and you will ask all remaining questions on the index cards. Have student volunteers ask their questions. Have students take notes on the answers if they are able. Be sure to take notes yourself.
15. After the interview, give students copies of the Government agencies and Safe and unsafe agencies for immigrant workers handouts, and remind them of the Partial list of advocacy organizations handout they received earlier. Help them identify agencies near them and the agencies' areas of focus for future reference. Invite them to share this and other handouts from this lesson with coworkers, friends, and family.

## **Teacher Notes**

**Activity tips and variations.** For more beginning-level students, you can shorten the list of workplace laws, or have students work in pairs on a smaller number of laws.

You can quiz students on their mastery of the lesson objectives.

**Next steps.** Have the students write the questions and answers in plain English and disseminate it to the school and the community. Alternatively, this could be a project for a student group in Lesson 7.

In small groups, students can research and analyze the similarities and differences among the laws in their countries, such as when and why laws were enacted and whether or not they have changed over time. They can note the dates of the laws in the US and in their country and compare the timing and circumstances of similar laws and report their findings to the class.

Small groups of students can develop research questions about union movements in the US and in their countries, search the Internet, books, or experts for answers, and report their findings to the class.

Students can practice calling or visiting area agencies to find information they need. They can then call or visit to get the information and report back on how it went and share what they learned. Alternatively, if the agencies have websites containing relevant information, you can show students how to navigate the site. Have them report back on what they find out.

## **Workplace Laws**

### **Massachusetts Meal Break Law (1887)**

- If you work more than 6 hours, you must get 30 minutes to stop working and rest or eat.

### **Massachusetts Payments of Wages Law (1879)**

- For most people: If you work 5 days a week or more, you get paid every week or every 2 weeks.

### **Massachusetts Workers Compensation Act (1911)**

- If you get hurt at work, you still get some of your pay.
- You also get medical help.
- If you can't do your job anymore, you get training to do another job.

### **Davis-Bacon Act (1931, state law)**

- If you work on a federal or state construction job worth \$2,000 or more, you must be paid the same as union construction workers in your area.
- The same is true if you work on a public works project.

### **New Deal Social Security Act (1935, federal law)**

- If you lose your job and it is not your fault, you get unemployment pay for a maximum of 30 weeks.
- This is for documented immigrants only.

### **National Labor Relations Act (1935, federal law)**

- Workers can talk together about improving their pay and conditions at work.
- They can organize a union and talk with their employer about improving these things.
- This is only for people NOT working for the government.

### **Fair Labor Standards Act (1938, federal law)**

- This law is to decide the smallest amount of pay your employer must pay you (minimum wage). You can not get pay less than that amount.
- It also makes rules for workers younger than 18 years old.
- For most workers: If you work more than 40 hours in a week, you must get paid 1.5 times your regular pay for the hours over 40.

### **Massachusetts Fair Employment Practices Act (1946)**

- It is not legal to discriminate because of race, color, religion, country you came from, country your family came from, age, gender, disability, sexual harassment, and sexual orientation.

### **Civil Rights Act of 1964 (federal law)**

- It is not legal to discriminate because of race, color, religion, gender, or country you came from.

### **Massachusetts Employment & Training Law (1970)**

- If you lose your job and it is not your fault, you get unemployment payments for up to 30 weeks.
- This is for documented immigrants only.

### **Minimum Fair Wage Law (1970)**

- This law is to make the smallest amount of pay your employer must pay you. You can not get pay less than that amount.
- If you work more than 40 hours in a week, you must get paid 1.5 times your regular pay for the hours over 40.

**Occupational Safety & Health Act (OSHA) (1970, federal law)**

- This law is to protect your health and safety on the job.
- This is only for people NOT working for the government.

**Massachusetts Public Employee Collective Bargaining Law (1973)**

- Workers can coordinate together to improve their pay and conditions at work. They can organize a union and bargain with their employer.
- This is only for people NOT working for the government.

**Americans with Disabilities Act (1992, federal law)**

- It is not legal to discriminate because of someone's disability.

**Family & Medical Leave Act (1993, federal law)**

- You can take time off from work if you get a disability or to take care of a sick family member.
- You can take time off if you have a baby or adopt a child.
- The employer must keep the job for you so you can return after.

**Massachusetts Public Employee Whistleblower Protection Act (1993)**

- If you see a person at work is doing something bad, you can report it and no one at work can do something bad to you to punish you for that.
- This is for people working for the state or a town, and also health care workers.

**Workplace Laws Dictionary**

**Adopt a child** – legally take another person's child to be yours

**Break** – time to rest during the work day

**Conditions at work** - the way your workplace is, for example safety, noise, or amount of work.

**Disability** – a part of your body or mind does not work normally

**Discriminate** – not be fair to you because of your religion, the country you come from, or other reasons.

**Documented immigrant** - an immigrant with legal papers to work

**Employer** – person or company you work for

**Gender** – male or female

**Get laid off** – lose your job because there is not enough work to do

**Meal** – breakfast, lunch, or dinner

**Minimum wage** – the smallest amount of pay your employer must pay you according to the law

**Race** – People who have the same genetics (like blood type) and appearance (like skin color and eye shape).

**Sexual harassment** – When someone says or does something sexual to another person and the other person doesn't want that to happen

**Sexual orientation** – Whether a person prefers romantic relationships with people of the same gender or the other gender

**Undocumented immigrant** - an immigrant with no legal papers to work

**Unemployment pay** - When you are laid off or lose your job, you can get money from the government.

**Union** - a group of workers organized to protect their pay and work conditions

**Wages** - pay

**Whistleblower** – a worker who reports other employees going against the law or company policy

**Workers compensation** – When you get hurt at work, you get part of your pay for the time you need to get better.

**True**



**False**

## **Legal Rights of Undocumented Workers**

### **For class activity**

If you don't get pay for regular work hours, overtime pay, or vacation pay, you have the right to report it.

If you get hurt on the job, you have the right to get Workers' Compensation.

Health and safety laws protect you.

Your employer can't fire you for complaining about pay or work conditions.

You can have the right to organize a group with other workers. Together, you can talk with management to try to get better pay and working conditions.

People can not discriminate against you.

The Family Medical Leave Act protects you.

You can get unemployment compensation.

If you help organize a union and don't get pay during that time, your employer must give you that pay.

**Answers: All are true except for the last two.**

# **Legal Rights of Undocumented Workers**

## **For student handout**

### **Rights undocumented workers have:**

- If you don't get pay for regular work hours, overtime pay, or vacation pay, you have the right to report it.
- If you get hurt on the job, you have the right to get Workers' Compensation.
- Health and safety laws protect you.
- Your employer can't fire you for complaining about pay or work conditions.
- You can have the right to organize a group with other workers. Together, you can talk with management to try to get better pay and working conditions.
- People can not discriminate against you.
- The Family Medical Leave Act protects you.

### **Rights undocumented workers do not have:**

- You can not get unemployment compensation.
- If you help organize a union and don't get pay during that time, your employer does not have to give you that pay.

## Workplace Laws Worksheet

Name \_\_\_\_\_

Date \_\_\_\_\_

Write the correct vocabulary words next to the definitions. You can look on the next page for the vocabulary words if you need to.

	- breakfast, lunch, or dinner
	- time to rest during the work day
	- pay
	- When you get hurt at work, you get part of your pay for the time you need to get better.
	- a group of workers organized to protect their pay and work conditions
	- When you are laid off or lose your job, you can get money from the government.
	- an immigrant with legal papers to work
	- an immigrant with no legal papers to work
	- the way your workplace is, for example safety, noise, or amount of work.
	- person or company you work for
	- the smallest amount of pay your employer must pay you according to the law
	- not be fair to you because of your religion, the country you come from, or other reasons.
	- people who have the same genetics (like blood type) and appearance (like skin color and eye shape)
	- male or female
	- a part of your body or mind does not work normally
	- when someone says or does something sexual to another person and the other person doesn't want that to happen
	- Whether a person prefers romantic relationships with people of the same gender or the other gender
	- legally take another person's child to be yours
	- a worker who reports other employees going against the law or company policy
	- lose your job because there is not enough work to do

## **Workplace Laws Worksheet**

### **Vocabulary list:**

**meal**

**union**

**disability**

**sexual orientation**

**get laid off**

**discriminate**

**undocumented immigrant**

**conditions at work**

**sexual harassment**

**adopt a child**

**wages**

**documented immigrant**

**gender**

**whistleblower**

**employer**

**race**

**workers compensation**

**minimum wage**

**break**

**unemployment pay**

## Lesson 4: Write About It

### Objective

By the end of the lesson, students will be able to:

- write about a workplace issue and a law that addresses that issue
- correctly use modals and other writing skills covered in class

### Materials

- Materials to review modals of necessity and prohibition (The Englishpage website has a tutorial and quizzes: <http://www.englishpage.com/modals/modalintro.html>)
- Your materials to review writing skills previously covered in class
- Materials to find or create pictures (drawing implements, magazines, computer with clip art or access to website with images)
- Writing Checklist handout for each student (You can get ideas for skills to add by visiting the Project Based Learning website: <http://pblchecklist.4teachers.org/checklist.shtml>)

### Activity

1. Tell students they will prepare their language skills for a writing assignment on how they or a friend could use the information they've learned so far. Review how to use modals of necessity and prohibition. Review other writing skills previously covered in class, i.e., capital letters, punctuation, paragraph formation, etc.
2. Tell students they will write about a workplace issue they or someone they know had and a law that helps with that type of issue. For a pre-writing activity, have students choose to either do a quick write in their notebook or talk with another student for about 10 minutes about the topic.
3. Give students the Writing Checklist and explain that they will be evaluated according to it. Go over it to make sure students know how to use it. Ask them to make sure they use it to check their work.
4. Then have students write their first draft. In their writing, they can include a picture (for example a drawing, magazine photo, or image from a computer). Depending on class time and students' time available to do homework, you can have them start writing in class and finish as homework, or complete the writing during class time.
5. Have student pairs use the Writing Checklist to check each other's work. Students then make corrections based on the feedback they decide to accept, and then give the papers to you.
6. Use the Writing Checklist to check students' papers, give feedback, and have students make final corrections to their work.

### Teacher Notes

**Activity tips and variations.** More beginning-level students can work in pairs to complete the assignment.

**Next steps.** Students can post their work (anonymously, if they prefer) in a school common area for other classes to read. Post a blank sheet of newsprint and attach a pen so readers can respond to the exhibit.

## Writing Checklist

Name\_\_\_\_\_

Date\_\_\_\_\_

We will evaluate your writing for these skills we studied in class.

Put a check ✓ next to the best description.

<b>Skill</b>	<b>Check your work</b>	<b>Another student checks your work</b>	<b>Teacher checks your work</b>
Correctly use modals	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no
(Add other writing skill)	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no
(Add other writing skill)	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no
(Add other writing skill)	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no	Mostly yes Sometimes Mostly no



## **Lesson 5: How to Talk About Your Rights at Work (for classes needing extra practice before creating role plays in Lesson 6)**

### **Objective**

By the end of the lesson, students will be able to:

- name advice when having conversations at work about workplace issues
- name possible actions and their pros and cons
- have a dialogue about a workplace issue, including applicable law(s), advice, and modals and other language skills covered in class

### **Materials**

- Issues newsprints from Lesson 1
- Copies of the Conversation Form for each student group or pair
- Copies of the Writing Checklist (from Lesson 4) for each student

### **Activities**

#### **Part 1 – Advice and Actions**

1. Tell students they will practice how to talk about workplace issues with coworkers, supervisors, union members, or others at work. Have small groups discuss the following questions:
  - Did you ever talk with someone at work about an issue? If yes, describe the situation, the conversations, and what happened after.
  - What advice do you have for workers when they have this type of conversation?
  - What are possible reasons to follow the advice? What are possible reasons not to follow the advice, for example dangers?

Then have the groups report back to the class and note their advice on newsprint. Add the following if they don't mention them:

- Learn about laws that protect you
- Prepare what to say
- Stay calm
- Keep a notebook to write what happens at work. If you need to go to file a grievance with the union or go to court, you can use this to support what you say. Write only the facts, not why you think things happened. Don't write anything that isn't true. Don't leave out information because you feel ashamed.
- Keep awards and any papers from your supervisor about your work. If you have a problem like your supervisor discriminates against you, or you get fired for a reason that isn't a good reason, you can use those papers to show you are a good worker.
- If someone does something wrong to you at work and other people see it, ask them to be witnesses. For example, if someone touches you in a sexual way and a coworker sees it, ask your coworker to write down what he or she saw and sign it. Even if he doesn't want to do that, write down his name and what he saw.
- If you have a problem, ask coworkers if they have the same problem. For example, if a supervisor doesn't pay you on time and doesn't pay your coworkers on time either, you can work together with your coworkers to try to change the situation.

2. With students, recognize that the advice may differ depending on who they are talking with, and talk about these differences, for example they might be informal with coworkers they trust, or they may decide to go with a group of coworkers to talk with a supervisor, especially if they are protected by the National Labor Relations Act or the Massachusetts Public Employee Collective Bargaining Law (refer to the Workplace Laws handout).
3. Ask students to name possible actions they can take to resolve workplace issues, and the pros and cons for each of those actions in the US and in their countries. Note them on newsprint. Add the following if they don't include them:
  - Write or sign a petition
  - Talk to your supervisor
  - Talk to your coworkers
  - If you are in a union, talk with your union steward
  - File a grievance
  - Talk with coworkers about starting a union
  - Contact an agency
  - Strike
  - Give coworkers information about their rights at work

After class, type up the newsprint notes and distribute them to students for future reference. Leave blank space for them to add more thoughts in the future.

## **Part 2 – Create Dialogues**

4. Have students review the Lesson 1 newsprints and choose a workplace issue they'd like to practice addressing. Students pair up according to their issue of interest. Hand out the Conversation Form and explain how to use it. Remind them to use the modals they practiced, any other grammar you have worked on in class, to include reference to the relevant rights and advice they've discussed in this and previous lessons.
5. Ask the pairs to write up the dialogues. Remind them to check for writing skills you have worked on in class. Give them the Writing Checklist to guide their work.
6. Then have pairs meet with another pair to talk about ideas for refining the dialogues using the Writing Checklist. Rotate among the groups to check as well. Collect the final copies.
7. During break or after class, copy all the dialogues. Distribute them to the students. Have pairs meet with other pairs to teach their dialogues to each other and discuss the following questions:
  - What is one thing you like about this dialogue? Why?
  - Is there one thing you suggest to change in the dialogue? What and why?

## **Teacher Notes**

**Activity tips and variations.** For more beginning-level classes, you can give students index cards with vocabulary and other language skill elements you want them to include in their dialogues (as prompts).

**Next steps.** Students or you can check the advice with an expert. Students can then produce a brochure, web page, or video to share it with other classes and the community. Alternatively, this could be a project for a student group in Lesson 7.

## Conversation Form

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The workplace issue (from the newsprint):

---

The law to protect the worker (from the newsprint):

---

The basic story:

---

The roles each person will take (worker, supervisor, union steward, etc.)

---

Advice you will include:

---

Modals and other language skills to remember to use:

---

The script:

---

Student name

---

What she or he says

The script (continued):

Student name

---

What she or he says

---

## Lesson 6: Worker Rights Theater

### Objective

By the end of the lesson, students will be able to:

- (if not already completed in Lesson 5) name advice when having conversations at work about workplace issues
- (if not already completed in Lesson 5) name possible actions and their pros and cons
- role play situation about a workplace issue, including applicable law(s), advice, and modals and other language skills covered in class

### Materials

- Conversation Guide (from Lesson 5) for each small group or pair
- Video camera

### Activities

#### Part 1 - Advice

If you haven't done Lesson 5, do Part 1 from that lesson.

#### Part 2 – Role Plays

1. Have students form small groups or pairs. Hand out the Conversation Guide. Explain how to use it if you haven't used it already in Lesson 5. Ask the groups to create and practice role plays about a work issue and how to handle it, using the information about laws, advice, and other information they have learned in earlier lessons.

Tell students they will act out the situation for the class and stop before they mention the law. If the role play includes a person making a decision about what to do, they will stop before the decision is made. At that point, they will ask the rest of the class to name the right or suggest what decision the person could make and what each person in the role play could say. Their classmates will discuss the suggestions. Then the pair or small group finish the role play either as they originally planned or as students suggested, whichever they think is the best choice for the situation enacted.

Rotate among the groups, assisting with group process, language, or information as needed.

2. When the groups are prepared to perform, ask student volunteers to take turns video recording the role plays.

### Teacher Notes

**Activity tips and variations.** If the class completed Lesson 5, Part 1 here, students or you can check the advice with an expert. Students can then produce a brochure, web page, or video to share it with other classes and the community. Alternatively, this could be a project for a student group in Lesson 7.

For more beginning-level classes, you can give students index cards with vocabulary and other language skill elements you want them to include in their role plays.

**Next steps.** If any student groups feel comfortable, share the video of their performances with other classes and/or the community. Invite them to respond, for example via letters or emails.

## Lesson 7: Help Educate Others

### Objective

By the end of the lesson, students will be able to:

- produce a brochure, website, video, or other product to explain in plain English some aspect of the rights they learned about
- share what they produce with classmates, coworkers, friends, family, and the community

### Materials

- Examples of each of the following (not necessarily with the content of this lesson) to show to give students an idea of the formats: poem, presentation software (like Power Point), poster, brochure, website, video, newspaper article, diary, spreadsheet software (like Excel)
- Project Form handout for each student

### Activities

1. Explain to students that they will make a brochure, website, video, or other product to explain in plain English some aspect of the rights they learned about. They will then share what they produce with classmates, coworkers, friends, family, and the community. (For example, you can contact your local community cable organization to submit videos, distribute brochures at community centers, email web addresses to friends and family, etc.)
2. Ask students to name ideas for topics. List their ideas on the board. Add these if they are not mentioned:
  - Write a story about workers and a supervisor dealing with a work issue. Write two different endings and have the audience decide what they agree and disagree with about each.
  - Find out current information about worker rights laws.
  - Give advice to workers with certain issues at their jobs.
  - Give important information you think workers should know.
  - Choose information you want to find out more about and interview someone to find out answers. (This can be in person, on the phone, by webcam, or by email.)
  - Find out resources for workers and /or supervisors in your area so they can learn more about laws and rights.

Have students choose a topic and form small groups or pairs among those with the same interest.

3. Ask students for ideas about helpful and interesting ways they can get information about worker rights to others. List them on the board. If they don't mention the following, add the ones that are possible, given the school's, students', and your resources available. Show examples of each.
  - music video
  - poem
  - presentation software (like PowerPoint)
  - poster
  - brochure
  - web site
  - video of a presentation



- newspaper article
  - diary
  - spreadsheet software (like Excel)
5. Hand out one Project Form to each group. Explain how to fill it out. Make copies for each student in the group and for yourself. Give students a rough schedule of when they will work on, complete, and present their projects to the class (and to other groups, if desired).

Check in with groups frequently on their progress, modifications they may need to their plans, and support they require.

6. As groups complete their projects, have one or two groups present to the class per class meeting.

## **Teacher Notes**

**Activity tips and variations.** More beginning-level students can translate information into their own language and include pictures to produce materials that will aid workers with very limited English skills.

**Next steps.** If your students plan to distribute their information to the community, it's a good idea to have an expert check the final drafts of their projects. You can contact the expert that visited the class or one of the community agencies on this list: <http://www.cpcs.umb.edu/lep/advorgs.pdf>.

## Project Form

---

Our topic:

---

Our format (circle your group's choice):

poem presentation software (like PowerPoint) poster brochure website	video newspaper article diary spreadsheet software (like Excel) other (write it here)_____
--	--

---

Information we will include:

---

Information we have already:

---

Information we need to get and how we will get it:

---

Work each student is responsible for:

_____ Student name	_____ What she or he is responsible for doing
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## Selected Resources

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MassLegalHelp <<http://masslegalhelp.org/>>