



*When a great truth once gets abroad in the world, no power on earth can imprison it...or suppress it. It is bound to go on till it becomes the thought of the world.*

*-Frederick Douglass*

## IS YOUR WORKPLACE A FAIR WORKPLACE?

Do you often feel discriminated against because you are a woman, from another country or African American? Are you paid less than other co-workers because of your ethnic background or gender? By federal law, all workers who are at the same position in their workplace are to be paid the same amount and have the same benefits.

These are some other areas covered by non-discrimination laws:

- hiring, firing or harassment on the basis of race, color, religion, sex, national origin, disability, age or association with an individual of a particular race, color, religion, sex, national origin or disability;
- retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices;
- compensation, assignment, or classification of employees; transfer, promotion, layoff, recall, training and apprenticeship programs;
- retirement plans, and disability leave, fringe benefits or job advertisements and recruitment;
- testing or use of company facilities;
- other terms and conditions of employment.

Employers are required to post notices to all employees advising them of their rights under the laws enforced by the Equal Employment Opportunity Commission (EEOC).

Charges of discrimination must be filed with the EEOC within either 180 or 300 days, depending on the jurisdiction, after the discriminatory act. Complaints of discrimination on the bases of race, color, religion, sex and national origin may be brought against employers with 15 or more employees. Complaints of age discrimination may be brought against employers with 20 or more employees. For more information, individuals should contact the nearest EEOC office (see reverse side).

Additional rights are available to parents and others under the Family and Medical Leave Act (FMLA), which is enforced by the U.S. Department of Labor. For information on the FMLA, or to file a complaint, individuals should contact the nearest office of the Wage and Hour Division of the Department of Labor or the Women's Bureau (for more information, see reverse side).



*If there is no struggle, there is no progress.*

*-Frederick Douglass*

## YOUR RIGHTS TO SAFETY AND HEALTH IN THE WORKPLACE

### Under the Occupational Safety and Health Act (OSHA)

#### Safety Quiz *(see bottom for answers)*

1. In the United States, workers have the right to work in safe and healthful working conditions.  
True \_\_\_ False \_\_\_
2. Employers are responsible by law for providing and maintaining a safe and healthful workplace.  
True \_\_\_ False \_\_\_
3. A worker has the right to receive information and training on what chemicals are being used in the workplace.  
Yes \_\_\_ No \_\_\_
4. The employer is required to provide safety equipment to employees who do certain types of work.  
Yes \_\_\_ No \_\_\_
5. It is illegal for an employer to fire, discipline, or discriminate against workers because they complain to supervisors or to a government agency about unsafe or unhealthy conditions on the job.  
Yes \_\_\_ No \_\_\_
6. Employers are required to display the OSHA poster which tells workers their rights under the Occupational Safety and Health Act.  
True \_\_\_ False \_\_\_

**OSHA standards are designed to protect employees from unsafe and unhealthful conditions in the workplace. Anyone can call an OSHA office to get information about what the standards require. Employees or their representatives have the right to file a complaint about unsafe or unhealthful conditions at their workplace with the nearest OSHA office. OSHA will keep your name confidential. You can also file a complaint or get more information about OSHA through the internet at [www.osha.gov](http://www.osha.gov).**

1. True 2. True 3. Yes 4. Yes 5. Yes 6. True



*Man gains his bread by his work. It is his bread and wine. It is his life. We cannot emphasize the importance of it enough. We must emphasize the holiness of work....*

*-Dorothy Day*

## *Teen Workers*

### **Know your rights as a worker under the Fair Labor Standards Act.**

Child Labor laws are designed to protect teens and support their school attendance by restricting the types of jobs and the number of hours they work.

If you are 18 or older, you may work in any job at any time, for any number of hours.

If you are 16 or 17, you may work in any occupation except those declared hazardous. Examples include:

- driving a motor vehicle or fork lift truck,
- operating a power wood saw, power meat slicer, band saw or guillotine shears.

If you are 14 or 15, you may work in office, clerical and sales jobs. You may not operate power driven equipment and you may not work:

- more than 3 hours on a school day, or 18 hours in a school week,
- more than 8 hours on a non-school day or 40 hours in a non-school week,
- between 7 p.m. and 7 a.m. including weekends (or 9 p.m.—7a.m. from June 1 to Labor Day).

If you are 13 or younger, most employment is prohibited.

Different child labor standards apply in agricultural jobs.

If you have any questions about the type of work you are doing, whether the work is appropriate or not, the hours you work or any other questions pertaining to your place of work, contact the Department of Labor, Wage and Hour Division or your state Department of Labor. (Contact information is on the back of this insert).



*Honor the hands  
that grow the crops.*

*- Dolores Huerta*

## **KNOW YOUR RIGHTS**

**As a worker, you are guaranteed proper minimum wages and overtime pay under the Fair Labor Standards Act.**

### **Federal Minimum Wage - \$5.15 an hour**

Do you work in a factory, a garment shop, a store, a nursing home, a dry cleaner, for a landscaper, as a temporary worker, as a laborer, as a driver, as a housekeeper, or in almost any job? Are you paid by the hour, by the piece, by the job, by salary or by commission?

**Then (in most cases) you must be paid no less than \$5.15 for every hour that you actually work. Some states even require a higher minimum wage payment than this.**

**Overtime Pay** means that you will be paid 1½ times your regular rate of pay for all hours worked over 40 in a workweek. Most employees\* are entitled to overtime if they are employed in a manufacturing plant, a restaurant, a retail store, a janitorial service, a security firm and most other types of businesses if they work more than 40 hours in a 7 day workweek.

Overtime pay is due whether you are paid by the hour, by the piece, by the job, by a salary, by commission, or any other means.

\* Except salaried managers, supervisors and professionals, agricultural workers, most truck drivers, and some others.

If you are not being paid at least minimum wage (\$5.15) for every hour you actually work, and at least 1½ times your regular rate of pay for every hour over 40 that you actually work in a 7 day workweek, or you have questions about how the laws apply to you and your job, please call the local Wage and Hour Division of the Department of Labor. See information on the back.

## DO YOU EXPERIENCE IMMIGRATION RELATED DISCRIMINATION?

The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) investigates charges of job discrimination related to an individual's immigration status or national origin.

The categories of discrimination are:

**1. Citizenship status discrimination—**

U.S. citizens, permanent residents, temporary residents, asylees and refugees are protected from citizenship status discrimination. These individuals can not be rejected for employment or fired because they are or are not U.S. citizens or because of their immigration status or type of work authorization.

**2. National origin discrimination—**

Individuals can not be rejected for employment or fired based on their place of birth, country of origin, ancestry, native language, accent or because they are perceived as looking or sounding "foreign." All work authorized individuals are protected from national origin discrimination. OSC has this jurisdiction over smaller employers (4-14 employees), not covered by the Equal Employment Opportunity Commission (EEOC).

**3. Document abuse discrimination—**

Employers can not request more or different documents than are required to verify employment eligibility and identity, reject reasonably genuine-looking documents or specify certain documents over others. All work authorized individuals are protected from document abuse.

**4. Retaliation—**

If an individual asserts his or her rights involving the above forms of discrimination, an employer can not intimidate, threaten, coerce or retaliate against any person for the purpose of interfering with these rights.



*We must have faith that this society,  
divided by ethnicity and by class, and  
subject to profound social pressures, can  
one day become a nation of equals....*

*-A. Philip Randolph*