

MassCOSH (www.masscosh.org; 617-825-7233) First Literacy Worker Rights Workshop

January, 2022



Workshop Overview

- **Explore potential problems at work**
- **Learn about rights on the job**
- **Discuss ways to address problems using your rights and taking action with coworkers**



QUESTIONS

1. OSHA protects your health and safety rights on the job.

TRUE FALSE DON'T KNOW

2. A hazard on the job is something that can injure you or make you sick.

TRUE FALSE DON'T KNOW

3. OSHA protects undocumented workers.

TRUE FALSE DON'T KNOW

QUESTIONS

4. OSHA will inspect a school when the students get sick.

TRUE FALSE DON'T KNOW

5. The minimum wage in Massachusetts is \$13.50 per hour.

TRUE FALSE DON'T KNOW

Jobs – The Good and The Bad

1) **ONE THING** you **LIKE** about a job you have or have had in the past?

2) **ONE THING** you **DON'T LIKE** about a job you have or have had in the past?
(One problem you faced, or thing that was not good)



Patty's Problem at Senior Nursing Home

Patty: Hello, Mr. Bob. This is Patty, I work at Senior Nursing Home. I am sorry to bother you.

Mr. Bob: What is it? .

Patty: My back and neck have a lot of pain.
I lift more patients every day because there are fewer CNA's working. I am also afraid of getting the virus.
I use the same mask every day. One of the nurses was coughing near me.

Mr. Bob: I think you should consider yourself lucky. You have an accent - you must be from another country? A lot of people like you are out of work right now.

Patty: Yes I do need the job. I want to see if there is something you could do.

Mr. Bob: We pay you \$10/hour to work, not to complain.

Your RIGHTS at Work



What is a RIGHT?

What's an example of a RIGHT in the US?

Your RIGHTS at Work

Right = Law (passed by local, state or federal reps)

All laws enforced by government agency

Government agency can be:

City of Somerville

State of Massachusetts

Federal / US



Patty's Rights

PROBLEM

My back and neck have a lot of pain.
I lift more patients every day.
I have a hard time breathing.
One of the nurses was coughing near me.
I am afraid I might get the virus.



RIGHT

A Safe and Healthy Workplace

GOVERNMENT AGENCY

US Occupational Safety and
Health Administration (OSHA)

RIGHT: A Safe and Healthy Workplace



Employer must:

- Protect workers from dangers
- Inform workers of chemicals they are exposed to at work;
Provide training in how to be safe from chemicals and other hazards
- Protect from infectious disease (examples?)
- Not punish worker for asking for health and safety protection (Example?)

US Occupational Safety and Health Administration (OSHA):

Workers can report a problem without employer being told your name
Report if employer punishes/threatens worker

Right to work without discrimination



PROBLEM

I think you should consider yourself lucky.
You have an accent – where are you from?
A lot of people like you are out of work.

RIGHT

Work without discrimination
based on **race, class, ethnicity, country,
age, gender, sexual orientation, religion,
disability; sexual harassment**

GOVERNMENT AGENCY

MA Commission Against Discrimination
US Equal Employment Opportunity
Commission

Patty's Rights



PROBLEM

We pay you \$10 per hour to work.

RIGHT

To be paid Minimum Wage: \$13.50/hour

Overtime/hours over 40 per week =
1 ½ times (\$20.25)

GOVERNMENT AGENCY

Massachusetts Office of Attorney General

Workers come together at Senior Nursing Home

Milly: Patty, I have been speaking with workers about the problems at Senior Nursing Home. We are all feeling sick and scared.

Patty: I don't want to get sick but I also can't lose my job.

Milly: We all feel the same. But Mr. Bob needs all of us to do the job - so if we work together we can try to keep our jobs and not get sick. I went to an organization called MassCOSH, which helps workers with problems like ours. I learned that there are laws that protect us.

Patty: I don't want to call a government agency. We might get into trouble. And many of us don't have documents.

Milly: I think that we have the same worker rights if we don't have papers. Let's talk to MassCOSH and find out what our options are.

Taking action for Patty and other workers



Talk with coworkers about the problems at work.



Decide what changes you want to make



Discuss all actions you can take. What would get your employer to respond. How can you take action and protect each worker from retaliation.



Learn which problems are against the law; what agencies can help protect our rights. (You have rights whether or not you have papers or documents!)

Small group activity: What should Patty do?

Suggestions:

Where possible: work as a group - this protects individuals from being punished, ensures that there are witnesses, and there are extra legal protections when you take action as a group!

If you can't work as a group, MassCOSH can help support you as an individual.

What actions can get an employer to respond:

- 1. A letter from a group of workers listing the problems and asking for action**
- 2. A government agency** (MassCOSH can review the pros and cons of calling a government agency)
- 3. Pressure from customers, local officials, community members -**
I.e. letters or calls to the employer; a demonstration at the business; letters in newspapers
- 4. Lawsuit or threat of a lawsuit against the employer**
(you cannot sue for health and safety violations, but you can sue for wages and discrimination)

Small group activity: What should Patty and her coworkers do?



Invite coworkers, go to MassCOSH to learn your rights and options



Document the problems:
Talk with/survey coworkers about the problems at work



Decide what changes you want to make



Learn which problems are against the law
(You have rights whether or not you have documents!)



Discuss all actions you can take.
What would get your employer to respond.