

LESSON 3



WHAT RIGHTS DO WE HAVE?

Here students begin to shake up their assumptions about labor and union history. We hope students will develop an openness—a willingness to question and reflect—that is hindered by stereotypical notions of unions and other worker organizations. The two student handouts, **What Rights Do I Have?** emphasize that studying about labor is not just “academic” but can be quite personal.

Goals/Objectives

1. Students will realize some of what they don't know about the labor movement.
2. Students will learn important background information about labor history and contemporary organized labor.
3. Students will consider rights that workers have and do not have and see that these rights are at times ambiguous.

Materials Needed

- **Student Handout #3-A: Labor Movement: What We Do and Don't Yet Know.**
- **Student Handout #3-B: What Rights Do I Have? (Part 1).**
- **Student Handout #3-C: What Rights Do I Have (Part 2).**

Time Required

- One class period.



Procedure

1. Distribute **Student Handout #3-A: Labor Movement: What We Do and Don't Yet Know**. Go over the questions aloud and have students write their responses in class. Explain that this is not a test to be graded, but an effort to determine quickly what they know.
 - 1(b). Workers have organized to protect themselves against worsening conditions ever since some people have labored for others. There are records of worker organization in the building of the pyramids. 1(c), (d), and (e) all included unions, worker associations, or medieval guilds.
 - 2. A complete list would be quite long. The aim of this question is to get beyond “strike” and “negotiates wages, benefits, and working conditions” as the common answers. Some additional answers would include:
 - set up committees to strive for worker safety and health
 - promote legislation favorable to workers
 - represent and defend workers in disciplinary proceedings within workplaces and
2. Discuss the questions one by one, drawing on the following answers:
 - 1(b). Workers have organized to protect themselves against worsening conditions ever since some people have labored for others. There are records of worker organi-

when workers have grievances against arbitrary authority or contract violation by management

provide a social gathering place for members or be a training ground in public speaking and running meetings and in grassroots democracy

support candidates for public office

- 3. True. There are two major teacher unions in the United States, the National Education Association and the American Federation of Teachers. Most teachers belong to one or the other.
 - 4. This varies from workplace to workplace, often geographically. In some parts of the country, the principle of organization is by skill. There, workers may belong to *craft unions*: machinists, electrical workers, painters, etc. In other regions, all workers in a workplace are members of the same union, e.g., the United Automobile Workers, known as an *industrial union*. Supervisors are considered management and thus are generally not eligible to join a union.
 - 5. All except (e). The Cincinnati Redstockings were local workers who managed the team through a system of workers' control.
3. Distribute **Student Handout #3-B: What Rights Do I Have? (Part 1)**. Again go over the questions aloud and have students write their responses in class. Emphasize that they are not necessarily expected to know the answers. Students should write what they think or guess the correct answer might be. An option here is to allow students to complete the handout in small groups. (After students have discussed the problems posed in the handout, you might ask for volunteers to act out the situations as improvisations.)
4. Discuss the questions one by one. An intention of this part of the lesson is for students to realize that rights they may expect or those to which they feel entitled don't necessarily exist in the workplace, or at least are not clear-cut. You may wish to have

them indicate their answers by a show of hands before discussing each. This discussion is also an opportunity to get an overview of students' own work experiences. As you discuss the questions, be sure to encourage people to use examples from their work lives. The following background information applies to the technical questions (i.e., not to the "what will you do?" and "should you . . ." questions) and is not meant as legal advice:

- 1(a). Some states and a few cities have passed laws which say that workers, if they ask, have to be given information about the chemicals and materials they handle. There is a national law but it has many loopholes. For instance, a company does not have to inform its workers when it claims that the use of certain chemicals is a "trade secret"—a secret that the company doesn't want known to its competitors. A common practice continues to be for companies to remove or change labels or to somehow disguise the materials from the workers who are handling them. Currently, there is a national movement trying to strengthen what is called the "right to know" and the "right to act."
- 1(b). Technically an individual may have the right to refuse work that is dangerous, as long as he or she honestly believes that the danger appears serious and immediate. In practice, companies do sometimes fire workers for refusing a direct order from a supervisor, and the process for getting a job back can be very costly and take many years.
- 2(a). Usually, if there is a union contract with management, the worker would have the right to a hearing. Otherwise, usually not. Occasionally, groups of workers stop working and insist on an informal hearing. This is sometimes effective in making management listen.
- 2(b). Under nearly all union contracts, the individual would be able to bring along the shop steward or a union official who knows the contract.

- **3(a).** The law continues to change. Right now, in general, the right of free speech is not considered to apply in the workplace. Handing out leaflets in the office is considered an interference with business. A worker may not have a right to post a leaflet unless there is a union and the contract says that the union can have its own bulletin board. In that case, a worker still needs union permission to put up the leaflet. On occasion workers will scatter leaflets, say, in the restrooms, in the hope that they will be seen and discussed by other workers throughout the day.
- **4(a).** This right varies from union to union. Most unions have now signed contracts that give up the right to strike except in very particular circumstances, usually when a contract expires. Even if workers feel that the contract is being violated by management, they can no longer strike but must go through complex procedures in which the decision is in the hands of judges or arbiters. Only a few unions, such as the International Woodworkers (whose members work as loggers and in lumber mills), have insisted on retaining the right to strike to prevent contract violations. In the situation described in the handout, whether the suspension or

the unsafe working conditions were contract violations would depend on the contract.

- 5.** Distribute **Student Handout #3-C: What Rights Do I Have? (Part 2)** as homework. In discussing the homework, possible questions are:
 - Are there particular rights that you expect to have that you don't have or that are more limited in workplaces?
 - We've seen that the same person has fewer rights inside the workplace, as a worker, than outside. Does that surprise you? If it doesn't surprise you, why not? Does it seem natural? Who benefits from these restrictions on rights?
 - In some countries people have more rights in the workplace than they do here; in other countries less. Imagine a workplace in which you had all your rights as a citizen. What would be the advantages and disadvantages?
 - In your job now, if you are working, are there rights you don't have that you would like?
 - In your experience at work, have people ever gotten into trouble for trying to exercise rights they thought they had?

STUDENT HANDOUT #3-A



LABOR MOVEMENT What We Do and Don't Yet Know

1. How long have there been unions or similar forms of worker organization?
 - (a) Since the different craftspeople built Noah's ark
 - (b) Since the time of the great Egyptian pyramids
 - (c) Since the brewers and weavers in the Middle Ages
 - (d) Since railroads were built in the nineteenth century
 - (e) Since the sit-down strikes of the 1930s

2. What do unions do? List all the important things you can think of.

3. Most public school teachers in the United States are represented by a union: true or false?

4. Imagine a large and complex workplace, say a factory that builds trucks. There are people doing many kinds of jobs: operators of metal-cutting machines, electricians, painters, workers to assemble the trucks, maintenance workers, office workers, etc. If this were a union workplace, how many unions would you be likely to find?

5. Which of the following were created as a result of workers' struggles or organizing?
 - (a) Social Security
 - (b) Workers' compensation (for people injured on the job)
 - (c) Unemployment benefits
 - (d) Minimum wage
 - (e) Cure for the common cold
 - (f) Child labor laws (protecting children from heavy work and long hours)
 - (g) Public education
 - (h) The Cincinnati Redstockings (the first professional baseball team)

(a) Do you have a right to a hearing at which you can defend yourself?

(b) Do you have the right to be represented by someone at a hearing?

3. You print a leaflet about the unsafe working conditions. When you post one on the bulletin board, the supervisor tears it down. When you try to hand out the leaflet in your office, the supervisor confiscates all your copies. "I thought this was a free country!" you say.

(a) Do you have a right to do what you did? What *are* your rights of free speech in the workplace?



(b) Should you have a right to do what you did with the leaflets?

4. You go to a meeting of the union for your office and ask the union to call a strike because of your suspension and because of unsafe working conditions.

(a) Does the union have a right to strike for these reasons?

(b) Should it have that right?

