



Illinois
Department of Commerce
& Economic Opportunity

Illinois Youth Career Pathway Grant Opportunity



Technical Assistance Session

Illinois Department of Commerce and Economic Opportunity

Moderator & Technology Support



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icsps impacting
educational
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Illinois Center for Specialized Professional Support,
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Access and Participation Guidelines

Meeting Access

- Select the “Call Me” option on Zoom to use your phone for audio while using the video option, if you choose.
- This webinar will be recorded and posted to IWN.

Meeting Participation

- Everyone will be muted for this webinar.
- A FAQs Page has been created to track questions raised during the webinar.
- Materials shared during the meeting will be available on workNet.

Workers' Rights and Young Workers in the Age of COVID-19

February 11, 2021

DCEO Professional Development Committee

I ILLINOIS
School of Labor &
Employment Relations
Labor Education Program



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Agenda

- Google drive resource folder
- Connecting workers' rights to job training programs
- Workers' rights 101 preview: Wage theft, minimum wages differences, discrimination...
- Documenting strategies
- Next steps:

As you are listening today, write down a...

1. **Quotation** (something I've said) that stands out
 2. **Question(s)** you have
 3. **Talking point** that you might want to bring up with a colleague later
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RESOURCE FOLDER

You will be sent a link with to a Google Drive folder containing fact sheets and resource guides related to workers' rights and young workers



Why teach workers' rights?

→ **Epidemic of wage theft**

\$7.3 million/week stolen from low-wage workers in Cook County (2009)

→ **Lack of education**

Workers do not learn this information anywhere else - not in high school, not on the job - only when they have a problem

→ **Confusing patchwork of laws**

Different minimum wages, paid sick leave and anti-discrimination laws based on where you work



Why connect with workforce development?

- **Job readiness**
Part of being “job ready” is knowing your rights as a worker
- **Financial literacy**
Protecting against wage theft and other workplace violations helps workers earn more \$ and better support their families
- **Perfect partnership**
Low-wage workers + mission-driven CBOs + career focused education

For a lot more information:

Illinois workers' rights
curriculum for FREE
download!

3rd edition available for download!!

<https://cjc.net/frontline-focus/tools-frontline-staff/>

Workers' Rights for Workforce Development

A Practical Guide for Instructors and Job Seekers
ILLINOIS EDITION

By **Alison Dickson,**
Suzanne Davenport
and **Marsha Love**



Curriculum Structure:

8 units with pick and choose modules:

1. Methods
2. Intro to workers' rights on the job
3. Wage & hours laws and protections
4. Getting hired, disciplined & getting fired
5. Leaves of absence
6. Discrimination on the job
7. Worker health & safety
8. Organizing workers

Connecting WR to existing job training programs...

Skills	Workers' Rights Curriculum
Interviewing	Recognizing illegal discrimination in hiring
Communication	Talking with a supervisor or coworker about a problem on the job
Reading	Understanding and comparing employee manuals and union contracts
Math	Reading paychecks, calculating OT and shift differentials and identifying illegal deductions
Writing	Journal is kept, recording who/what/where information about incidents/problems

Activity: Practicing math skills and reading a check stub.

What's wrong here?

EARNINGS STATEMENT-RETAIN FOR YOUR RECORDS						DEDUCTIONS		
DESCRIPTION	CURRENT HOURS	RATE	CURRENT EARNINGS	Y-T-D HOURS	Y-T-D EARNINGS	DESCRIPTION	CURR. AMT	Y-T-D AMT
REGULAR	96.000	22.0000	2112.00	718.000	15796.00			
TOTAL GROSS			2112.00		15796.00			
NET PAY			1665.44		12653.56			
TAXES WITHHELD								
DESCRIPTION	CURR TXBL	CURR TAX	YTD TXBL	YTD TAX				
FEDERAL W/H TAX	2112.00	187.57	15796.00	1217.68				
MEDICARE W/H TA	2112.00	30.62	15796.00	229.05				
EE SOCIAL SECUR	2112.00	130.94	15796.00	979.35				
IL STATE TAX	2112.00	97.43	15796.00	716.36				

Workers' Rights 101

Let's explore strategies for protecting yourself on the job...

Assume the workers in every scenario work in Illinois, are at least 16 years old, and are non-union (at-will)

—
Jeremy waits tables at an Olive Italiano restaurant in Peoria. His shifts starts at 11:00 am, but his manager insists he arrive by 10:45 am so that his station is ready for the lunch service.

Is Olive Garden required to pay Jeremy for this extra 15 minutes?

YES

Issue areas

Wage theft (off-the-clock work)

- Wage theft, or non-payment of wages, is illegal.
 - If your employer refuses to pay you the wages you are owed, s/he is violating federal and state wage laws.
-

Common forms of wage theft...

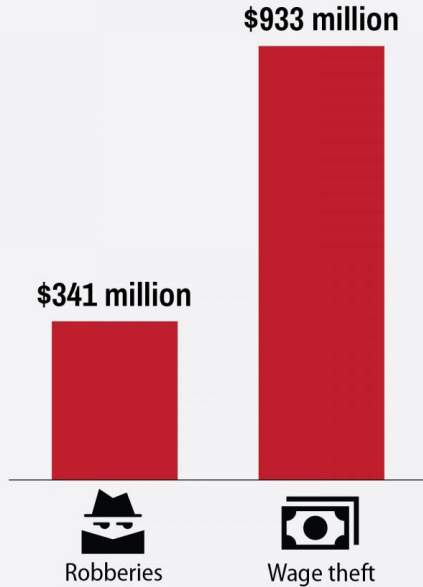
- Fail to pay overtime
 - Violate minimum wage laws
 - Misclassify employees
 - Take illegal deductions from paychecks
 - Require workers to work for no pay, or “off the clock”
 - Steal workers’ tips
 - Not pay workers for training
 - Not pay out or allow accrued vacation/sick time
 - Pay with checks that bounce
 - Suddenly close a business without paying a final check
-

At-risk for wage theft...

- Young workers
 - Immigrant workers, especially those who are undocumented
 - Returning citizens/ex-offenders
 - POC in general
 - Women; working mothers
 - Certain industries maintain a culture of wage theft (car washes, temp work, non-union construction, domestic work).
-

Wage theft is a much bigger problem than robbery

Value of wages earned but not received, compared with value of property stolen in robberies, 2012



Source: Analysis by Brady Meikell and Ross Eisenbrey in *An Epidemic of Wage Theft is Costing Workers Hundreds of Millions of Dollars a Year* (EPI 2014), using FBI crime data and data on wage-and-hour violation settlements (dollars recovered for workers) from federal and state departments of labor, attorneys general, and NERA Economic Consulting.

ECONOMIC POLICY INSTITUTE

Jeremy's documenting strategies...

- Record of work hours (CALENDAR)
 - Check stubs (FOLDER)
 - Journal of tips received (JOURNAL)
 - Collecting coworkers contact info (JOURNAL/PHONE)
-

—
A global pandemic plus polar vortex mean that most of Olive Italiano's business has switched to take-out orders. Jeremy no longer has tables to wait and is helping package customer orders .

Before the pandemic, Jeremy was paid a tipped sub-minimum wage in addition to his tips. Can his employer continue doing this now?

Depends

Issue areas

Minimum wage differences

Wage theft

Minimum wages

- Minimum wage is the lowest amount per hour an employer can pay a worker. The federal minimum wage is \$7.25 and sets the floor for US workers.
 - Minimum wage levels vary by state, county, city, and even by occupation. Local and state governments have passed their own minimum wage laws.
 - There are also sub-minimum wages for workers under 18, tipped workers, and some workers with disabilities.
-

2021 Minimum wages

CITY OF CHICAGO

\$14.00/hour (\$15 after 7/1/21)

\$21.00/overtime hours

\$8.40/tipped wage

\$10.00/YOUTH*

COOK COUNTY

\$13.00/hour**

\$19.50/overtime hours

\$6.60/tipped wage

ILLINOIS (outside Cook)

\$11.00/hour (after 1/1/21)

\$6.60/tipped wage

\$8.50/YOUTH

INDIANA

\$7.25/hour

\$2.13/tipped wage

WISCONSIN

\$7.25/hour

\$2.13/tipped wage

IOWA

\$7.25/hour

\$4.35/tipped wage

***Beginning, January 1, 2020, if a worker under 18 works more than 650 hours for the employer during any calendar year, they must be paid the regular (over 18 wage).**

***Many Cook County municipalities have opted-out of the minimum wage increase. They are still subject to the Illinois minimum wage increases.*

Jeremy's documenting strategies...

- Record of work hours
 - Check stubs
 - Journal of tips received
 - Collecting coworkers contact info
-

Brianna is 7-months pregnant and works as a cashier at Dollar Commander in Kankakee. Her OB/GYN says she cannot be on her feet for an 8-hour shift.

Can she be fired for not being able to stand and operate her cash register?

NO

Potential issue areas

Discrimination

Accommodations

- An accommodation is a change in a working situation to improve a worker's ability to do job.
 - *Examples: making aisles on work floor wide enough for a worker in a wheelchair, changing work schedule for a worker over 40 years old (age related), or enabling a pregnant worker to have more seated work time to avoid back stress.*
 - Under the Illinois Pregnancy Accommodation Law (Public Law 098-1050), employers must allow pregnant women who want to work during pregnancy reasonable job accommodations, such as to take more frequent bathroom breaks or to get help with heavy work or limit lifting.
-

Illegal discrimination

- Brianna must be accommodated and given a chair/have her register lowered. Alternatively, she could rotate her work with another position where she does not need to be on her feet for 8 hours (Equal Employment Opportunity Commission; Illinois Department of Human Rights).
 - <https://www.youtube.com/watch?v=zBljVXHl1aA>
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Briana's documenting strategies...

- Record of work hours
 - Personnel file/past incidents
 - Journaling incidents with discriminatory behavior/comments (DATE, TIMES, EVENT with factual info, WITNESSES)
 - Collecting coworkers contact info to prove different treatment
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Thank you!

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