
ESL Lesson Plan: Advocating for Yourself

<p>Objectives: By the end of this series of lessons, students should be able to....</p>	<ol style="list-style-type: none"> 1. Identify strategies for handling interpersonal conflict in the workplace. 2. Identify and understand common workplace issues, like wage theft and discrimination. 3. Understand the right to organize in the workplace.
<p>Vocabulary:</p>	<ol style="list-style-type: none"> 1. Understanding important vocabulary (Objectives 1, 2, 3)

There is a vocabulary section before each activity. It contains key words that will help students make better sense of each individual lesson and accomplish all three main objectives. Before you begin teaching each activity, give students time to work individually or in groups to look up the definitions of these words. Then, using the definitions provided below, go through the list word by word, answering students' questions. Make sure that the definition of each word is clear to the students before you begin.

Teacher's note: If your class is more at a beginning level, you may decide to turn this activity into a matching exercise, providing both the list of vocabulary words and the list of definitions. Students should still be able to use dictionaries and/or translation software to learn the meaning of the word but having a definition "match" that they are looking for may simplify this activity.

Activity: Roleplay (Objective 1)

Relevant Vocabulary:

<p>Right</p>	<p>Something people agree you can do or have, a rule about what is allowed of people or owed to people, according to some legal system. <i>Ex. In America, it is my <u>right</u> to receive a break during every eight-hour work shift.</i></p>
<p>Law</p>	<p>Rules created by government bodies to regulate people's actions and protect their rights in the workplace and elsewhere. <i>Ex. Congress passed a <u>law</u> that makes it mandatory for my employer to give me a break during my shift.</i></p>
<p>Conflict</p>	<p>A serious disagreement or argument. <i>Ex. I am having a <u>conflict</u> with my supervisor because we do not agree on how much time I should get for a break.</i></p>
<p>Advocacy</p>	<p>Recommendation of a particular cause or policy; standing up for oneself <i>Ex. Tom's effective <u>advocacy</u> for new protective equipment has convinced our supervisor to buy it.</i></p>

Roleplay

The main purpose of this activity is to identify and apply strategies for handling conflict in the workplace. Before you begin, have your class go over and define the different ways of handling conflict in the workplace. The class should become familiar with all five styles of handling conflict: avoiding, competing, compromising, accommodating, and consensus. When students have completed this, have them name some of the real conflicts they have faced at work with their employer. Write down the most common two or three on the board and divide students into groups. Assign an example situation to each group. Using the provided steps to handling conflict, have each group roleplay as the employer and employee, brainstorming ways to resolve the conflict and come to a solution that is beneficial to both parties.

Teacher's note: If your class is more at a beginning level, you may choose to complete this activity as one large group, following the eight steps to solving a conflict.

Example scenarios:

Rose works at a factory. Employees are required to work a rigid 9-5 schedule. Rose's daughter is in daycare, and Rose must pick her up every day by 5 PM. Because Rose is afraid to ask her boss for flexibility in her hours, she tries to sneak out every day around 4:50. If her supervisor is watching and Rose cannot leave early, she must rush to the daycare at 5 and apologize for picking up her daughter late. One day, Rose's supervisor catches her leaving her early and reprimands her.

Tom works at a clothing store. He is entitled to one hour-long break during each shift. He is often the only employee, besides his manager, at work during a shift. Sometimes, the store gets very busy and Tom is unable to take his hour-long break. His manager knows this is an issue, but simply says "Sometimes it gets too busy for a break." Tom thinks he deserves to be paid for working the extra hour.

Claire works at a construction site. She is skilled and confident in her job. Her supervisor asks her to complete a dangerous task that is not part of her job description. Claire does not want to complete this task, but she worries that refusing her supervisor's task could lead to her getting fired.

After all groups have presented the roleplay, ask students to share their thoughts:

Of the provided conflict resolution method examples, which is your preferred style of handling conflict?

In the scenario roleplay, what conflict resolution style did your group use? The other groups? Was it effective? Why or why not?

What steps can you take in your current workplace to handle conflict?

Activity: Making polite requests (Objective 1)

Relevant Vocabulary:

Wage	A fixed regular payment, typically paid on a daily or weekly basis, made by an employer to an employee, especially to a manual or unskilled worker. <i>Ex. Lana is paid a low <u>wage</u> at her job in the factory.</i>
Minimum wage	The set minimum hourly rate that employers in certain industries are required by law to pay their employees. <i>Ex. The <u>minimum wage</u> in Pennsylvania is \$7.25 per hour.</i>
Overtime	Time worked beyond one's scheduled working hours, often subject to a higher pay rate. <i>Ex. Because my co-worker was sick, my employer asked me to work <u>overtime</u> and paid me for time and a half.</i>

Successful conflict resolution involves learning to express your issues and politely making requests. This activity is designed to help students practice constructing phrases that can be used in the workplace to ask for the things they need. Using the phrases below, have students practice making polite requests to each other in groups, based on real situations in their workplaces.

1. I was wondering if it would be possible to...
2. Is there any chance that I could...
3. Would it be alright if I...
4. I believe I'm entitled to/I deserve... (a pay rise/a day off)
5. I would feel safer if...

Activity: Legal or illegal? (Objectives 2, 3)

Relevant Vocabulary:

<p>Discrimination</p>	<p>The unjust treatment of different categories of people based the grounds of race, age, or sex. <i>Ex. Lana was a victim of <u>discrimination</u> when she was not hired because her interviewer did not like women.</i></p>
<p>Protected category</p>	<p>A group of people with a common characteristic who are legally protected from employment discrimination on the basis of that characteristic. <i>Ex. Lana's gender is a <u>protected category</u>, so her interview's refusal to hire her based on gender was illegal.</i></p>
<p>At-will employment</p>	<p>Contractual relationships in which an employee can be dismissed by an employer for any reason, and without warning, as long as the reason is not illegal. <i>Ex. Even though Lana is a hard worker, it was legal when she was fired because she had been <u>hired at-will</u>.</i></p>
<p>Contract</p>	<p>A written or spoken agreement, especially one concerning employment, that is intended to be enforceable by law. <i>Ex. At her new job, Lana signed a <u>contract</u> stating that she would be hired for a year and eligible for 8 vacation days.</i></p>
<p>Concerted activity</p>	<p>Actions undertaken jointly by employees for the purpose of union organization, collective bargaining, or other mutual aid or protection, which is frequently protected under federal and state labor laws. <i>Ex. I was part of a <u>concerted activity</u> when I joined my co-workers in writing a letter to the employer, demanding that he supply us with hard hats.</i></p>

Union	A club, society, or association formed by people with a common interest or purpose. <i>Ex. When workers at the store were mistreated by their manager, they went to their labor <u>union</u> for help, who suggested for them to go on strike.</i>
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Legal or Illegal: Just because something seems wrong or unfair does not mean it is illegal. In this game, students will look at a series of situations, and go through them one by one, guessing which ones describe legal actions, and which ones do not. The main purpose of this activity is for students to understand the gray areas that exist within the law.

Using the statements prepared below, put them up on the board one by one. Have students guess whether the activity in question is legal or illegal. If there is disagreement among the students, have them explain their reasoning for why they chose their answer. When you are finished discussing each statement, put up the correct answer and explain why it is correct. Do this for each statement:

Scenario	Answer
An employer says that black people are not good workers and decides to pay them less than his white employees who do the same job.	Illegal
An employer fires one of his best employees because he wants to hire his daughter instead	Legal
Employer fires an employee because he wears Nikes and not Adidas shoes	Legal
A supervisor calls an employee stupid and treats her badly because he doesn't like her. After 6 months of mistreatment, he fires her.	Probably legal
Employer has a rule that no one can wear a hijab.	Probably illegal
A group of ten employees get together and write a letter to their boss complaining that their working conditions are too dangerous, and their boss fires them	Illegal
A supervisor calls an employee stupid and treats her badly because he doesn't like her. After 6 months of mistreatment, he fires her.	Probably legal



After you have discussed all the statements on the PowerPoint, ask students about their thoughts:

- Are you surprised by what is legal and illegal? Why or why not?
- What are the workplace rights in your country of origin? How are they the same compared to laws in the US? How are they different?
- If you could change the law, what would you propose?
- What are some ways you could do in your workplace to change the dynamic?

Vocabulary Activities

Write 3 sentences for each picture using vocabulary words in each sentence.





Read the sentences with your partner. What do you think the word means? Use context clues.

1. He won the Peace Prize for his **advocacy** of non-violent protest.
2. Martin Luther King Jr. Is remembered for his fight for the **right** of African Americans to be treated equally.
3. Right now, the **minimum wage** in Pennsylvania is \$7.25 an hour. Governor Wolf wants to nearly double it. **Minimum wage** hasn't gone up since 2009. Wolf wants it to be \$15 an hour by 2027. It would start by raising the **minimum wage** to \$12 an hour this summer.
4. Women earned roughly half the income of men in the United States over a 15-year period, (including time off for family or child care), according to a report released on Wednesday, which found the **wage** gap is far greater than we thought.
5. United States labor **law** sets the rights and duties for employees, **labor** unions, and employers in the United States
6. U.S. federal law protects individuals from discrimination or harassment based on the following nine **protected categories**: sex, race, age, disability, color, creed, national origin, religion, or genetic information (added in 2008). Many state laws also give certain protected groups special protection against harassment and discrimination, as do many employer policies.
7. Are you interested in working at a job where you'll belong to a labor **union**? Unions are found in every industry, and many [union jobs pay well](#). They strive to ensure higher wages, shorter work weeks, and safer work environments for their members. Joining a union gives members good wages and benefits, as well as some protection against arbitrary firing, so union positions are attractive to many workers.
8. The *contract* requires him to finish work by the end of the year.
9. If you are **employed at will**, your employer does not need good reason to fire you.
10. They're [working overtime](#) to get the [job](#) done on [time](#), but they aren't upset because they will make extra money.
11. Generally speaking, there is protected **concerted activity** when two or more employees act together to improve their terms and conditions of employment.
12. He sued the company for age **discrimination** because they let him go without good cause.
13. They're having serious **conflicts** in the workplace. Their human resources department will have to intervene.

Please write the word or phrase next to its definition.

1. _____ (): Something people agree you can do or have, a rule about what is allowed of people or owed to people, according to some legal system.
2. _____ (): Rules created by government bodies to regulate people's actions and protect their rights in the workplace and elsewhere.
3. _____ (): A serious disagreement or argument
4. _____ (): Recommendation of a particular cause or policy; standing up for oneself
5. _____ (): The unjust treatment of different categories of people based the grounds of race, age, or sex
6. _____ (): A group of people with a common characteristic who are legally protected from employment discrimination on the basis of that characteristic
7. _____ (): Contractual relationships in which an employee can be dismissed by an employer for any reason, and without warning, as long as the reason is not illegal
8. _____ (): A written or spoken agreement, especially one concerning employment, that is intended to be enforceable by law
9. _____ (): A fixed regular payment, typically paid on a daily or weekly basis, made by an employer to an employee, especially to a manual or unskilled worker
10. _____ (): The set minimum hourly rate that employers in certain industries are required by law to pay their employees
11. _____ (): Time worked beyond one's scheduled working hours, often subject to a higher pay rate
12. _____ (): Actions undertaken jointly by employees for the purpose of union or organization, collective bargaining, or other mutual aid or protection, which is frequently protected under federal and state labor laws.
13. _____ (): A club, society, or association formed by people with a common interest or purpose.

Appendix

1. Conflict and conflict resolution:

The information in this section should be used to satisfy **Objective 1** (Identify strategies for handling interpersonal conflict in the workplace.)

What is conflict? A condition that exists when 2 or more people disagree over a situation or issue.

- is a natural part of any team or relationship
- can be healthy or unhealthy depending on how it is handled.
- when handled well, can promote growth and problem solving

5 Styles of handling conflict

1. Avoiding

- dodges conflict at all costs

2. Competing

- win-at-all-costs

3. Compromising

- looks for mutually acceptable solution

4. Accommodating

- does what others want

5. Consensus

- both parties win the most important things to them; reveals new options for solutions

8 Steps to handling conflict

1. Know yourself; take care of yourself
2. Clarify personal needs that are threatened by the conflict
3. Find a safe space to deal with the conflict
4. Seek first to understand, then to be understood
5. Assert your needs clearly and specifically
6. Be flexible in your approach to problem-solving
7. Manage the hard moments with calm, patience, & respect
8. Build an agreement that works

Additional resources:

- <https://www.waldenu.edu/connect/newsroom/walden-news/2017/0530-whats-your-conflict-management-style>
- <https://www.talent.wisc.edu/onlinetraining/resolution/stepsoverview.htm>

2. Discrimination, wage theft, and other common workplace issues:

Information in this section will help meet **Objective 2** (Identify and understand common workplace issues, like wage theft and discrimination.)

Common workplace issues:

- Forcing workers to labor long hours without paying overtime

- Not paying minimum wage or failing to compensate for work that is done under the table
- Not offering job training or protective equipment for dangerous jobs
- Failing to let workers know of their legal rights
- Not allowing workers to unionize
- Engaging in racial discrimination or sexual harassment

What is wage theft?

Wage theft covers a variety of infractions that occur when workers do not receive their legally or contractually promised wages.

Common forms of wage theft are:

- Non-payment of overtime
- Not giving workers their last paycheck after a worker leaves a job
- Not paying for all the hours worked
- Not paying minimum wage
- Not paying a worker at all

Wage claim (unpaid hours, minimum wage, overtime, etc.)

- Write down the hours you worked and the pay you received (especially if paid in cash!)
- Dates/hours/breaks
- Overtime hours (hours over 40 in a week)
- Your notes can be used as evidence

Document incidents of discrimination, harassment, complaints about working conditions or pay, etc.

- Difficult to remember all of the details later
- Write down dates/times/names/witnesses
 - Write them down in a notebook
 - Audio recording on your phone
 - Take pictures
 - Use an app

Additional resources:

- <https://www.dol.gov/general/aboutdol/majorlaws>
- <https://www.eeoc.gov/eeoc/publications/immigrants-facts.cfm>

3. Unions and concerted activity:

Information in this section should be used for meeting **Objective 3** (Understand the right to organize in the workplace)

What is a union?

- A union is an organization of coworkers who join together to bargain with their employer as a group
- A union is not part of the government
- A union is not part of the company
- About 1 out of every 10 workers in the United States is part of a union.



- If you are part of a union, the rules of your workplace are governed by a **contract** that is an agreement between the workers and the employer
- If you are not part of a union, your employer decides almost all the rules of the workplace

What can you do now to protect your employment rights later?

General conflict at work or problems with pay, working conditions, hours, etc.

- Consider writing a letter (possibly with another coworker) to your employer explaining what those problems are. Keep a copy of the letter.
- Proof that you complained to your employer (in case of retaliation, etc.)
- If you complain with another co-worker, possibly protected concerted activity

Additional resources:

- <https://www.nlr.gov/rights-we-protect/enforcement-activity/protected-concerted-activity>
- <https://www.dol.gov/dol/fact-sheet/immigration/RetaliationBasedExerciseWorkplaceRightsUnlawful.htm>
- <https://employment.findlaw.com/legal-help-and-resources/protecting-the-rights-of-workers.html>

Further resources:

- [**Community Legal Services of Philadelphia**](#) handles cases for all low-income Philadelphians, regardless of immigration status. CLS provides advice and representation for civil legal problems relating to employment, access to health care, public benefits, SSI, debt and consumer problems, housing, utilities, criminal and child abuse records, long-term care, services for senior citizens, home ownership, DHS (parents only), language access, and other issues. CLS also works with policy makers and offers training and community education on legal issues affecting low-income clients. Contact them at clsphila.org.
- [**Justice at Work**](#) provides legal Services for eligible low income immigrants on matters related to employment. They also also run special projects relating to assisting victims of labor trafficking, victims of “notario” fraud, and women who have experienced workplace sexual harassment and assault. Justice at Work runs a twice-weekly legal clinic at Puentes de Salud medical clinic in South Philadelphia. Contact them at justiceatworklegallaid.org.
- [**National Immigration Law Center**](#) is one of the leading organizations in the U.S. exclusively dedicated to defending and advancing the rights of immigrants with low income. They provide information meant to help immigrants better navigate the existing social, political, and legal landscape.
- [**The U.S. Equal Employment Opportunity Commission \(EEOC\)**](#) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. The EEOC also has the authority to investigate charges of discrimination against employers who are covered by the law.