



YOUR LEGAL RIGHTS ON THE JOB

It's helpful for an organizer to know what protections you have under U.S. labor law. Enforcing your basic rights can be a good way to show your co-workers that the boss isn't all-powerful. And often you don't have to go to court to enforce the law. Simply knowing and asserting your rights can have a powerful effect.

Who is covered? Postal workers and most private sector workers.

- Not covered: agricultural workers, domestic workers, independent contractors, or supervisors. Airline and railroad workers are covered by a similar law, the Railway Labor Act.
- Most public employees are covered by similar laws. You can find the law for federal employees at flra.gov/statute, and the state laws at bit.ly/StateUnionLaws.

Concerted activity. Whether or not there's a union at your workplace, you have the right to engage in "concerted activities for the purpose of collective bargaining or other mutual aid or protection."

For instance, **you have the right to:**

- file grievances
- complain about contract violations
- hold rank-and-file meetings
- visit the boss in a group on non-work time
- petition
- wear buttons
- pressure the boss in other ways

Management or union officials may not retaliate against you for exercising your rights, for instance by:

- harassing you
- spying on you
- disciplining you
- firing you
- interrogating you

Distributing literature. You may:

- distribute leaflets at work on non-work time, in non-work areas—such as the parking lot, time clock, cafeteria, or break room
- solicit signatures on a petition on non-work time, even in working areas
- use company-provided, general-use bulletin boards. The employer may not forbid posting union literature if they allow things like cartoons, event flyers, or order forms for Girl Scout cookies.

Online. Conversations between co-workers on the Internet—such as Facebook posts, tweets, or blogs—get the same protections as face-to-face conversations.

Bargaining and strikes.

In a union workplace:

- The employer must bargain with the union and answer information requests
- Your contract probably bars you from striking until the contract is up

In a non-union workplace:

- The employer is not required to bargain or answer information requests
- You have the right to strike at will—though this is taking a big risk

If your rights are violated, you may file a charge at the National Labor Relations Board. If the Regional Office decides your case has merit, it will schedule a hearing and provide a lawyer to prosecute it. Your charge must be filed within six months of the date your rights are violated.