

Teaching Workers' Rights in New Mexico
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Research Question:

How are students learning about their rights in the workplace?

Rationale:

Every year in my Financial Literacy class, I teach a lesson to senior students about wage theft. During this lesson, at least one student responds that they have had wages stolen by their employer or seen this happen to someone else. Students are often surprised to learn that they have the ability to get their back wages and have other rights in the workplace. In New Mexico, The Department of Workforce Solutions can handle claims of abuse by employers such as wage theft. However, the Department is currently facing a backlog of cases. (McKay). This backlog shows that not only are workers' rights being abused in New Mexico, but that we cannot simply rely on the state to stand up for working people. Educating students about their rights in the workplace can help them advocate for themselves and others.

Literature Review:

The New Mexico's Department of Workforce Solutions has a website informing working people about their legal rights in the workplace. They have several pamphlets and sections of their webpage on topics such as Wage and Hours, Human Rights, "What to do if you didn't get paid", and many others. They have started working on lessons and power point presentations that can be used by teachers, though these are not yet readily available. It is unclear how this information is getting passed on to workers who need it.

The California Partnership for Young Worker Health and Safety created a website with educational resources for youth in California. Their website clearly lays out what rights students have in the workplace and how to deal with safety issues. It has a wealth of resources for young people, teachers, parents and employers. This curriculum could be modified to create New Mexico specific content for our students. (Young Workers Project)

During the 2020 regular legislative session Representative Trujillo introduced a memorial that would celebrate September as Labor History Month. While the memorial did not pass, it raises important questions. How are we teaching young people about their rights as workers? Do students understand why these rights and protections exist? Labor history could form a key component of a workplace rights curriculum for our students.

Study Design:

I surveyed teachers of upper classmen at an Albuquerque High School and students currently enrolled in Financial Literacy. I sent teachers a questionnaire about how they were teaching students about their rights. (See Appendix A) I also surveyed students about what they know about their rights and where they have learned these things. (See Appendix B)

Data Analysis and Findings:

A total of nine teachers completed the questionnaire. Over half of the teachers responded that they are currently teaching students about their workplace rights in some way. The way that teachers instruct students on this topic varied greatly. In social studies this instruction occurred in conjunction with lessons regarding civil liberty court cases, and labor history during different periods in US history. Another teacher responded that they talk to students about their experiences working in the fast food industry. Another respondent said they spend time discussing, “their rights as a teacher and the role of the teacher’s union.”

Among teachers there was a mixed response as to who should be teaching students about their rights. Respondents generally felt that the responsibility was shared between parents and teachers. Overall the staff responded in the questionnaire that this should be taught in school. Additionally, 4 of the 9 teachers responded that parents should teach it. Interviewed staff generally thought this topic needs to be taught in multiple ways. One teacher commented that, “[we] should not rely on their bosses in the workplace to keep them informed.”

Of the teachers surveyed only one third responded that they teach students about their right to join a union. As large employers continue to invest in union busting tactics this seems like an important topic to be discussing with students.

The student responses mirrored the results from the teacher survey. When asked about where they have learned about their workplace rights, students chose parents/families most (81%), followed by internet (70%) and teachers/school (56%). While it seems that students for the most part being taught about their workplace rights, they also overwhelmingly responded that they thought they should learn more. When asked “Do you think you should learn more about your workplace rights in school?” 88% of students responded yes.

A few weeks after the survey I taught a lesson to my in-person and virtual students about their rights in the workplace and the United Nation’s Universal Declaration of Human Rights. During the lesson I asked students if they thought the ideals laid out in section 23 of Universal Declaration of Human Rights were being followed. Section 23

states that workers should have “the right to equal pay for equal work,” and that working people have the right to “just and favorable remuneration” that can provide a dignified existence. (United Nations)

About a third of the student respondents said we live up to the standards. Another third said we sometimes do, and the rest said we did not. The most mentioned criticism was that we do not guarantee equal pay for equal work and some workers still face discrimination in their jobs. Other students said that pay for many workers was just too low. One student replied:

It feels like working class citizens put in a lot of work to receive the bare minimum. Yes, we do have the choice to work and the choice of employment but do we really have a choice? No. We really dont, its either work hard and receive a low income or dont work at all and be in a system of poverty.

At the conclusion I asked students what they learned, what questions they had, and what other rights they thought we should have. Responses to what was learned varied too much to draw any real conclusions. Some students asked salient questions about how unions are formed, or why employers who violate their employees’ rights are not held accountable. The most often mentioned rights that students thought we should have were paid parental leave and equal pay for equal work.

Recommendations and Next Steps:

As part of the teacher survey, I asked other teachers if there was interest in cross-curricular collaboration to create lessons about workplace rights. I had several teachers respond that they would be interested. One lesson, taught here or there in one class, is not enough to reinforce what students should know about their rights. A clear next step would be to develop cross curricular lessons to ensure that our students understand their rights in the workplace.

Teaching workers’ rights in a cross-curricular way will not only reach more students, but also serve to reinforce the lessons that students are learning. The hope is to make sure students are able to self-advocate and know how to get help if they find their rights at work are being abused. An additional goal would be to foster an understanding that the rights that they have on the job have come from a history of struggle by organized labor to win those rights. Workers’ rights can and should be something taught to secondary students so that they can advocate for themselves and their colleagues as they enter the workforce.

Bibliography:

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Appendix A:

Teacher Questionnaire:

1. Do you currently teach students about their rights in the workplace?

1a. If yes what do you teach them?

2. How important is it to teach students about their rights in the workplace?

1- 5 scale

3. In your opinion, who should be responsible for teaching students about their rights?

5. Do you ever discuss workers' rights to organize and collectively bargain in your classes?

6. How did you learn about your rights as a worker?

Coworkers

Union

Employer

Family

Internet Resources

7. Would you be interested in cross curricular collaboration to create lessons for our students about their rights in the workplace?

Appendix B:

Student Survey Questions:

1 How well do you think you understand your rights in each of the following categories:

School

2. How well do you know your rights in interactions with law enforcement?

3. How well do you know your rights in the workplace?

4. How well do you know your voting rights?

5. How well do you know your rights as a consumer?

6. Where have you learned about rights in the workplace? (check all that apply)

Parents

School

Employer

Coworkers

Peers

Internet

Union

Other:

7. Which of the following rights are guaranteed by law in New Mexico:

Paid sick leave

Minimum Wage

Safe working environment

Overtime Pay

Protection from wrongful termination

Right to form a union

Protection against discrimination

Right to bonuses/profit sharing if employer is doing well

Right to a job if you want one

Right to a workplace free of harassment

Right to parental leave

8. Do you think you should learn more about your workplace rights in school?

9. What are other rights you know you have in the United States of America?