

Workers' Rights in America

**What Workers Think
About Their Jobs
and Employers**

AFL-CIO

Based on a survey by Peter D. Hart Research Associates

September 2001

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Overview

On Labor Day 2001, what do working Americans think about their rights on the job? Do they take basic workplace rights for granted? Has a changing economy and the uncertain promise of “labor market flexibility” made workers’ rights a concern of the past? Do employees understand their legal rights at work? And when it comes to their employers, do workers trust them to respect workers’ rights amid the quest for a bigger bottom line?

They do not, according to a major new national survey by Peter D. Hart Research Associates, conducted on behalf of the 13 million-member AFL-CIO. It is the most exhaustive study ever conducted on workers’ rights.

More than two-thirds of working Americans—68 percent—say workplace rights need more protection today. Most workers feel improvements are needed in their own job situations. For nearly two-thirds of today’s workers, employers inspire little or no trust that they will treat workers fairly—corporations, workers say, are more concerned with profits than people and have too much power. As a result, 56 percent of workers surveyed say new laws are needed to hold corporations responsible for the way they treat employees, a number that has risen sharply. The survey documents a 10 percentage point increase in the past five years alone in workers’ view that management has too much power and a 12 point increase in those saying new laws are needed.

The Hart survey reveals stark differences between the importance workers place on workplace rights and how they say employers treat those rights.

Workers fervently support rights to protect economic security, equal opportunity and reasonable working conditions. They say they should be able to earn a decent wage and work free from discrimination, harassment and health and safety hazards.

But they express acute, widespread dissatisfaction with workplace injustice and employer behavior. One-third to one-half of workers give employers mediocre to failing grades on key worker protections. Working women are particularly supportive of workers’ rights and critical of employers.

Alarming, almost half of black workers and nearly one-fifth of workers of all races say they have experienced workplace discrimination based on race or ethnicity. And nearly a quarter of women say they have been sexually harassed on the job.

Key Findings

Workers who say...

Workers need “much more” or “somewhat more” protection for rights	68%
Rights already are protected enough	14%
They have “just some” or “not much” trust in employers to treat employees fairly	63%
“Some” or “a lot” of improvements are needed in their job situations	56%
They have experienced race-based job discrimination	18%
African Americans	47%
They have been sexually harassed (women)	23%
“Management generally has too much power compared with workers”	57%
New laws are needed to hold corporations to a higher standard of responsibility in the way they treat workers	56%

Economic Security

Across the board, workers consider rights affecting their economic security “essential” or “very important” to protect. Yet more than half give employers a C, D or F grade in protecting the right to a living wage that provides a full-time worker an income above the poverty line. Four in 10 give employers poor grades on protecting the right to job security unless there is good cause for termination.

Equal Opportunity

Workers are nearly unanimous in supporting the right to equal treatment on the job. Nearly 100 percent label as “essential” or “very important” the right to equal treatment regardless of race or ethnicity, the right not to be sexually harassed and the right to equal pay for working women.

But nearly half of African American workers say they have experienced discrimination, and roughly four in 10 workers overall give employers poor grades on protecting against racial and ethnic discrimination.

Nearly one-quarter of working women say they have been sexually harassed at work. And more than one-quarter of workers overall grade employers poorly on preventing sexual harassment.

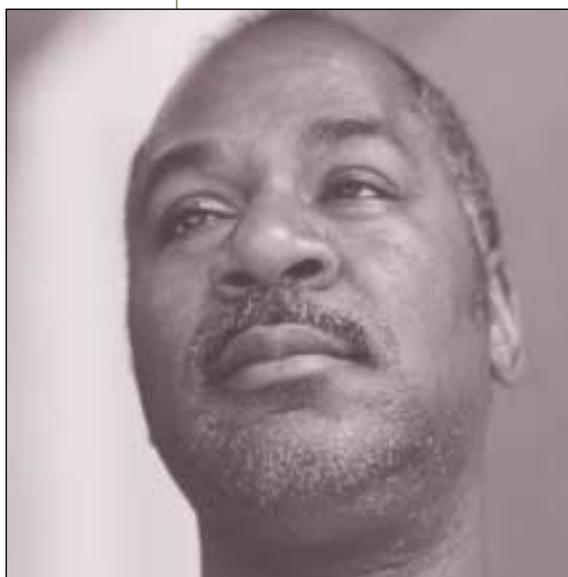
Women of all races, age groups and income levels agree that a “glass ceiling” continues to limit advancement of women on the job, and nearly half of all workers give employers poor grades for protecting the right to equal pay for women.

Immigrant workers especially are likely to say rights at work need more protection, and to place great importance on the right to equal treatment on the job.

Almost half of workers also grade employers poorly on protecting workers against age discrimination, and nearly four in 10 give employers poor grades on making reasonable accommodations so people with disabilities can work.

Reasonable Working Conditions

A full 98 percent of workers say the right to a safe and healthy workplace is essential or very important, but more than one-third give employers mediocre to failing grades on protecting this right. Large minorities of workers also give poor marks to employers on protecting the right to be treated with respect, to take sick leave, to take time off to care for a loved one and to personal privacy on the job—all of which are considered key rights by 80 to 90 percent of workers.



Corporate Power

Growing majorities of workers say management has too much power today relative to workers, and new laws should be passed to hold corporations to higher standards in the way they treat workers.

In 1996, less than half of workers said management had too much power—a figure that has risen 10 percentage points, to 57 percent, in 2001. Similarly, 56 percent of workers now support new laws to hold corporations accountable on their behavior toward workers, compared with 44 percent in 1996.

Phantom Protections

While U.S. workers are calling for more laws, they mistakenly think they have more legal rights in the workplace than they actually do. Many “rights” they consider essential—such as sick leave, protection from being fired without cause and personal privacy on the job—are not rights protected by the law at all.

In two areas workers are clear that laws protect workers’ rights: They know workers cannot legally be discriminated against because of race or ethnicity, and it is illegal to fire workers for supporting a union.

The Freedom to Choose a Union

Workers across the board say protecting the right to join unions is essential or very important, and more than nine in 10 consider firing a worker for union support “unacceptable.” The freedom to join a union is particularly important to African Americans and Latinos.

About This Report

The Hart Research telephone survey of 1,792 adults, conducted July 5-9, 2001, finds U.S. workers hungering for changes in the workplace. The survey was commissioned by the AFL-CIO to capture opinions about work and the economy from a representative cross-section of adults in the U.S. workforce, as well as oversamples of several demographic groups: African Americans, Latinos, Asians, high-tech workers and union members. To ensure an accurate representation of adults nationwide, weights were applied to some responses. The margin of error is plus or minus 3.5 percent.

In Chapter 1 this report examines what workers say about their rights, and how important a variety of workplace protections are to them. Chapter 2 reports on workers’ assessments of how well—or how poorly—employers are doing at protecting key rights at work, based on an A-F grade scale. Chapter 3 discusses workers’ feelings about the balance of power between workers and management and the extent to which workers trust employers to protect their interests.

All quotes come from interviews with workers who were surveyed.

One

Workers
Want Their
Rights
Protected



“When you go to work, you ought to be able to expect that if you do a good job, you won’t get fired. That’s just being fair.”

Store clerk, 37, California

America was born of a passion for rights—such fundamental rights as liberty, free speech and freedom of worship, which were embodied in our nation’s Declaration of Independence and Bill of Rights and define our relationship with our government.

Americans also believe in—and have fought for—important workplace rights, which define our relationships with employers, creating responsibilities for and limiting the power of employers.

This survey explores what workers in 2001 consider their rights at work and how well—or how poorly—these rights are being protected by employers.

It reveals that more than two-thirds of working men and women—68 percent—say they need more protection of their rights at work.

TABLE 1-1 WORKPLACE RIGHTS NEED MORE PROTECTION

Workers who say workplace rights need “much more” or “somewhat more” protection

All workers	68%
Men	65%
Women	72%
Black	81%
Latino	76%
Asian	71%
Workers making \$20,000–\$40,000	73%
Workers making more than \$40,000	59%
Blue collar	73%
White collar	65%
High school or less	73%
College graduates	60%
Latino immigrants	78%
Asian immigrants	73%

The desire for more protection of rights at work is particularly strong among workers of color, immigrants, low-income workers and those with less than a college education. Only 14 percent of workers overall think workplace rights are protected enough already.

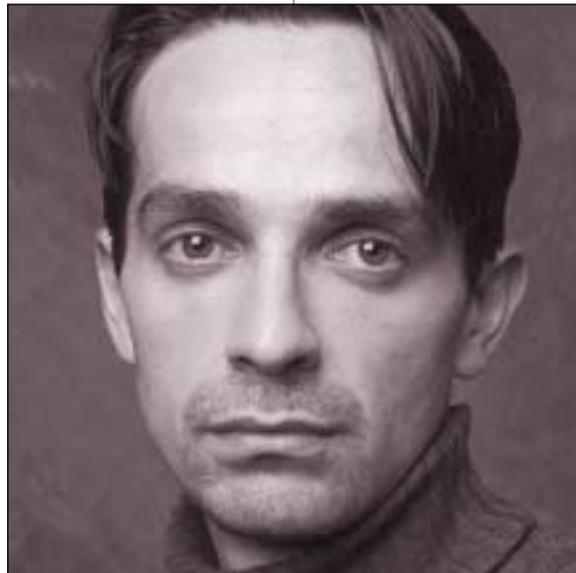
Workers are nearly unanimous in saying it is “essential” or “very important” to protect a wide range of rights on the job.

They want economic security—a decent wage, job protection, overtime pay, educational opportunities and help if companies move jobs abroad.

They want equal opportunity, but many women and African Americans say they experience sexual harassment and discrimination—and say bias is a difficult problem to address on the job.

Workers say they want reasonable working conditions, including a safe and healthy workplace, respect from employers, the ability to take sick leave and time off to care for a new baby or sick family member without losing their job and the right to personal privacy at work.

At the same time, large majorities of workers completely misunderstand which rights they do have at work, substantially overestimating the amount of protection they have against unfair employer practices.



Immigrant Workers

Immigrant workers are particularly likely to say more protection is needed for rights at work. Seventy-eight percent of Latino immigrants and 73 percent of Asian immigrants—compared with 68 percent of workers overall—say “much more” or “somewhat more” protection is necessary.

Employers take advantage of recent immigrants, according to 65 percent of black workers, 66 percent of Asians and 74 percent of Latinos. And 85 percent of black workers, 83 percent of Asians and 86 percent of Latinos say immigrants are more likely than others to be treated unfairly by employers.

Immigrants also are more likely than workers overall to say they have experienced discrimination at work. Thirty-one percent of Latino immigrants and 25 percent of Asian immigrants say they have experienced discrimination based on race or ethnicity.

Immigrant workers feel more strongly than workers overall about the importance of protecting the right to a living wage above the poverty line, equal treatment regardless of race or ethnicity and education and training to improve skills.

The survey shows significant disparities between immigrants and workers overall in employer-provided workplace benefits. Only 31 percent of Latino immigrants and 42 percent of Asian immigrants say they have pensions to which their employers contribute, compared with 51 percent of all workers, 40 percent of all Latino workers and 40 percent of all Asian workers. Forty-four percent of Latino immigrants and 51 percent of Asian immigrants say they are covered by their employer’s health plans, compared with 60 percent of workers overall, and 51 percent of all Latino and all Asian workers.

While Asian immigrants’ views on their own economic situations parallel those of workers overall (with 55 percent rating their conditions “good” or “excellent” and 44 percent choosing “fair,” “not so good” or “poor”), Latino immigrants have a far less positive reaction. Only 37 percent of Latino immigrants say their own economic situations are “good” or “excellent,” with 63 percent labeling their conditions only fair or worse.

(Note: The sample sizes of immigrants other than Latinos and Asians are too small to analyze.)

TABLE 1-2 IMMIGRANTS VALUE KEY RIGHTS

Percentage saying these rights are “essential” or “very important”

	Latino Immigrants	Asian Immigrants	All Workers
A living wage that provides an income above the poverty line for a full-time worker	94%	93%	87%
Education and training to improve skills	94%	90%	82%

Section 1: Economic Security

Working women and men strongly think that workers who play by the rules deserve to stay employed in jobs that pay the bills. Large majorities say it is essential or very important to protect the right to a living wage that provides an income above the poverty line for a full-time worker. They place high value on the right to job security unless an employer has good reason for termination, as well as the right to overtime pay for employees who work more than 40 hours a week. The right to opportunities for education and training that improve one's skills and the right to receive training and assistance if jobs move to another country are key, today's workers say.

Taken together, these results paint a picture of a workforce that robustly supports economic security for workers.

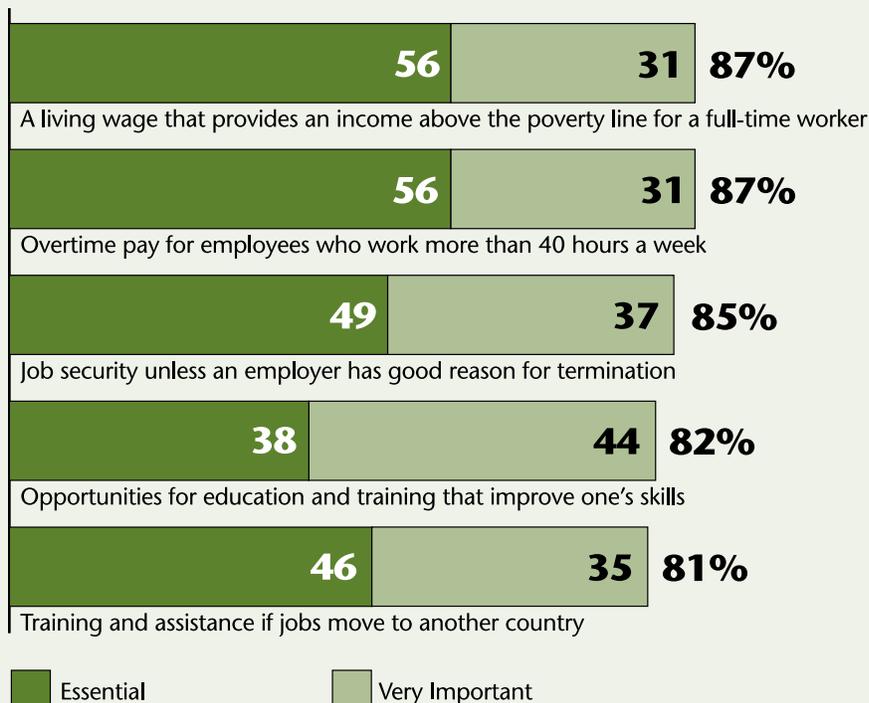
A full 87 percent of workers say the right to a living wage that provides an income above the poverty line for a full-time worker is essential or very important, a level of support sadly in conflict with the reality that one working family in 10 lives in poverty, according to the Economic Policy Institute.

"It makes no sense to work all the time and be paid so little that you can't afford a decent place to live and have a healthy environment for your family. If you work, you ought to be making enough to keep above the poverty line."

Nurse and working mother, 25, North Carolina

FIGURE 1-1 OVERWHELMING SUPPORT FOR ECONOMIC RIGHTS

Percentages of workers who say it is "essential" or "very important" to protect these rights...



Percentages may not equal total due to rounding.

“What’s the point of working if you don’t make enough to live on? I have two kids to feed and send to school. I need a decent wage.”

Secretary, 34, Wisconsin

Although workers in all racial groups and income levels think a living wage is key, a higher proportion of women than men—93 percent compared with 83 percent—say paychecks big enough to keep their families out of poverty are a key worker right. Ninety-four percent each of working mothers and women making less than \$30,000 say protecting the right to a living wage is essential or very important.

Nearly 90 percent of workers also say overtime pay for more than 40 hours of work a week is an essential or very important right at work. Protecting an employee’s right to overtime pay rates highest among lower-wage men (97 percent) and union members (95 percent). At least 90 percent of African Americans and Latinos also rate protecting this right as essential or very important.

A huge proportion of workers—85 percent—say the right to job security unless an employer has good reason for termination is essential or very important. Protecting this right rates highest among blacks (91 percent), especially black women (97 percent), as well as among



High-Tech Workers

After the crash of dot-com companies over the past 15 months, high-tech workers are more concerned about job security than other workers. While 32 percent of workers overall say they have less job security than in recent years, 41 percent of high-tech workers say they are less secure in their jobs today.

This sense of insecurity persists even though high-tech workers report having more education than workers in general, getting better benefits and having a higher degree of optimism about the economy. Sixty-eight percent have college or post-college degrees, more than twice the 31 percent rate in the general workforce. Nine

of 10 are employed full-time, while only 75 percent of all workers say they work full-time. And 72 percent of high-tech workers see their economic situation as excellent or good, way above the 54 percent of workers overall.

The same proportion of high-tech workers and union members—86 percent—say they are covered by their employer’s health plans, compared with 60 percent of all workers. Perhaps because they are more insecure about their jobs, high-tech workers also are more insecure about their health benefits. One in three (34 percent) cites loss of health care coverage as a great concern on the job, compared with 24 percent of workers overall.

lower-paid men (92 percent), union members (90 percent) and Latino immigrants (95 percent).

More than eight in 10 workers—82 percent—say it is essential or very important to protect workers’ right to education and training to improve their skills. This is especially important to African Americans (90 percent), Latinos (90 percent), workers with high school or less education (87 percent), women (87 percent) and young workers (86 percent). A strong majority of workers ages 50 and older (81 percent) also rates education and training as essential or very important.

Perhaps reflecting the surge of job flight to low-wage countries—an estimated 766,030 U.S. jobs have been lost to the North American Free Trade Agreement (NAFTA) alone—protecting the right to receive training and assistance when jobs move to another country is key to 81 percent of workers. The highest proportions are found among union members (91 percent), workers with some college (90 percent) and low-wage men (89 percent).

Section 2: Equal Opportunity

American workers feel strongly that everyone should be treated equally on the job. Large majorities of men and women in all age groups, races, incomes and education levels say employers should protect the right to equal treatment at the workplace, regardless of race, age or disability. Similar majorities say women should receive pay equal to men’s for the same work.

It’s clear that workers are not responding out of direct self-interest: White workers value protecting workers of color from discrimination, men support women’s right to equal pay and younger workers say protection against age discrimination is key.

Workers are nearly unanimous in supporting equal treatment regardless of race, gender or age. Almost nine in 10 workers (88 percent) also say providing people with disabilities with reasonable accommodations to enable them to work is an “essential” or “very important” right. Workplace accommodations for people with disabilities are ranked especially important by workers making less than \$20,000 a year (94 percent), black workers (93 percent), women (93 percent) and 18- to 34-year-olds (92 percent).

“All I need is a chance to prove myself. I deserve that. Everybody deserves that chance. The law says you can’t discriminate and they ought to obey the law.”

Asian medical lab technician,
57, Texas





Choosing a Union

Across the board, workers in every demographic group support workers' right to choose a union. When asked about protecting the right to select representation by a union or employees' association, 68 percent say it is essential or very important—a significant majority, given that only 20 percent of the workers surveyed live in union households. Among all workers, 94 percent say firing an employee for supporting union representation is an “unacceptable action.”

These findings are consistent with those from a January 2001 Hart Research survey, which documents positive public attitudes toward unions at a 20-year high.

This survey finds that African Americans 35 and older are among the strongest supporters for the right to choose a union, backing the right to collective bargaining by 93 percent, with all blacks at 85 percent, public-sector employees at 80 percent, men earning less than \$30,000 at 78 percent, workers with high school or less education at 77 percent and Latinos at 73 percent.

Solid majorities of other demographic groups also support the right to choose a union, including white workers at 66 percent, younger workers at 64 percent, Southern workers at 63 percent, white men at 63 percent, workers making more than \$40,000 at 62 percent and workers in nonunion households at 65 percent.

This across-the-board support for workers' right to choose for themselves whether to become part of a union is in sharp contrast to the realities they face when trying to do so. According to Cornell University's Kate Bronfenbrenner:

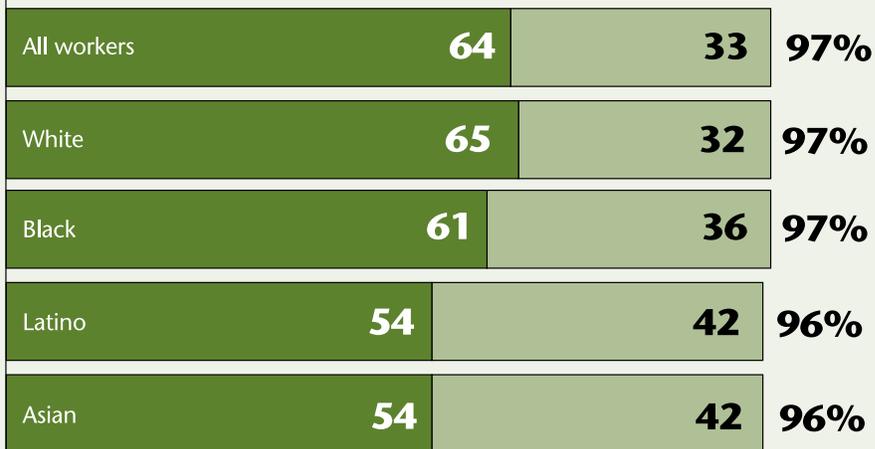
- Employers illegally fire union supporters in 31 percent of organizing campaigns.
- Ninety-one percent of employers force employees trying to organize unions to attend closed-door meetings to hear anti-union propaganda.
- Seventy-nine percent direct supervisors to deliver anti-union messages to workers they oversee.
- Eighty percent hire outside consultants to run anti-union campaigns.
- Half of employers threaten to shut down if employees join together in a union.

Federal laws governing workers' right to join unions and bargain collectively with their employers are too lax to prevent employer attacks on workers who are organizing unions, according to the 2000 Human Rights Watch study *Unfair Advantage* and a related report in the Aug. 1, 2001, *Scientific American*. Financial penalties for firing workers are small and often not paid until after years of litigation. In certain cases, employers may legally replace striking workers. And employers can bar unions from contacting workers at their workplaces to discuss the advantages of union membership but have virtually unlimited access to deluge workers with anti-union messages. Further, according to the reports, an estimated 20 million U.S. workers—farm laborers, domestic employees and managers, for example—fall outside even the weak protection of federal labor laws.

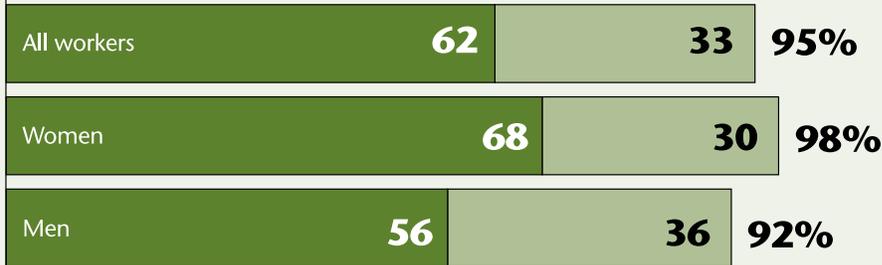
TABLE 1-3 EQUAL TREATMENT AT WORK IS A KEY RIGHT

Percentage of workers who say the following rights are “essential” or “very important” to protect

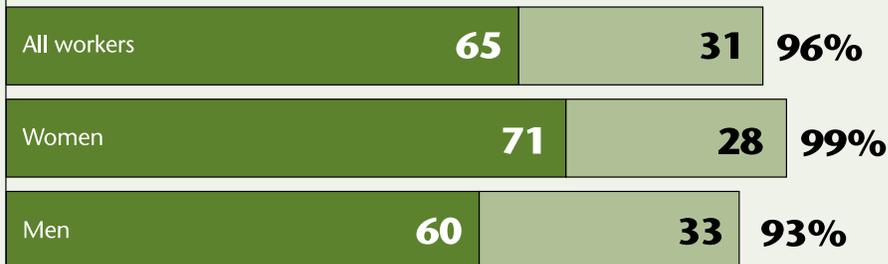
Equal treatment regardless of race or ethnicity



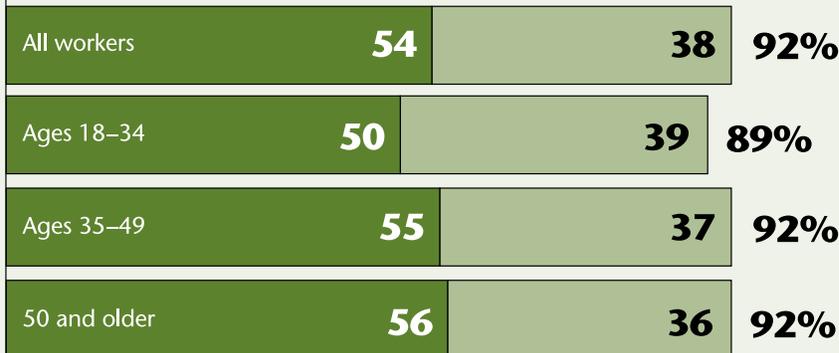
Equal pay for women



Not to be sexually harassed



Equal treatment regardless of age



Essential
 Very Important

“It’s a shame that in 2001, we still have people who see your race before they see how good a worker you are.”

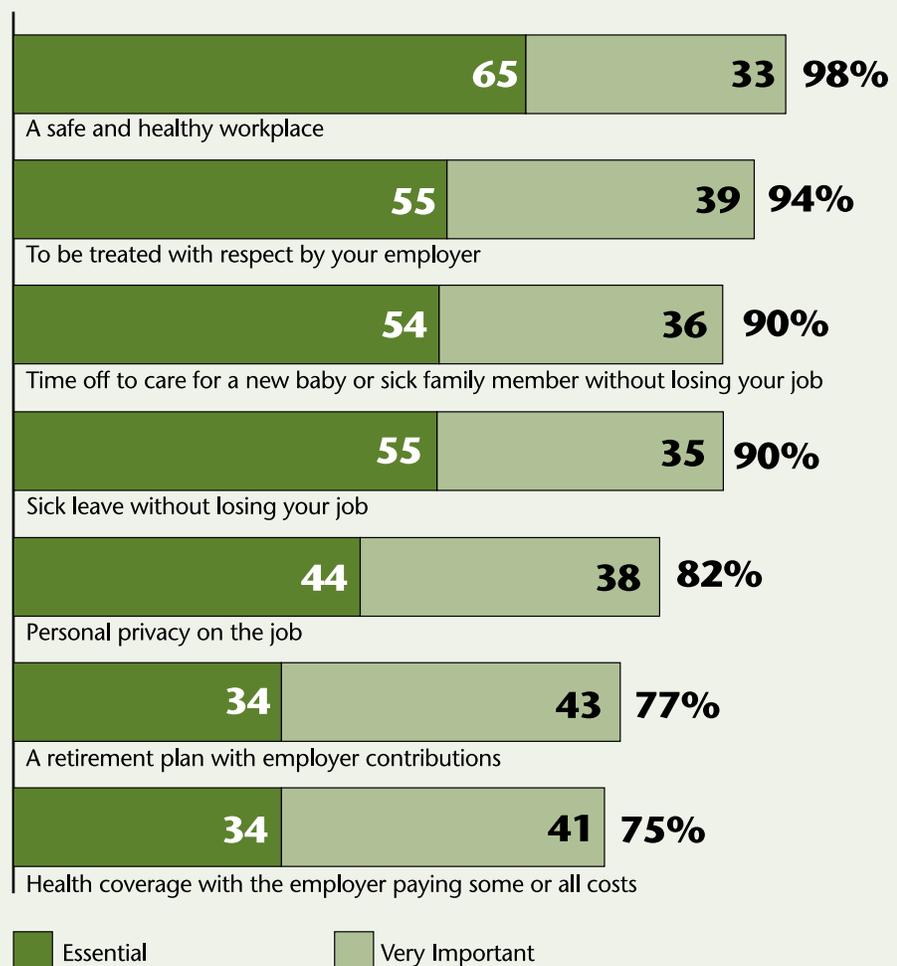
Black teacher, 52, Pennsylvania

Section 3: Reasonable Working Conditions

By huge margins, workers value the right to certain conditions that, taken together, create a reasonable and safe work environment. Three-quarters to nearly all workers say it is essential or very important to protect each of these rights at work:

FIGURE 1-2 THE RIGHT TO REASONABLE WORKING CONDITIONS

Percentages of workers who say it is “essential” or “very important” to protect these rights...



While more than eight in 10 workers say the right to personal privacy at work is key, even larger proportions label specific employer privacy incursions as “unacceptable.” Ninety-three percent say listening in on an employee’s personal phone calls without the employee’s knowledge is unacceptable, and 84 percent feel the same way about an employer using video cameras and tape recorders to monitor employees without their knowledge.

Section 4: Phantom Protections

Workers strongly support rights at work—but most workers erroneously think they have more legal rights at work than they do.

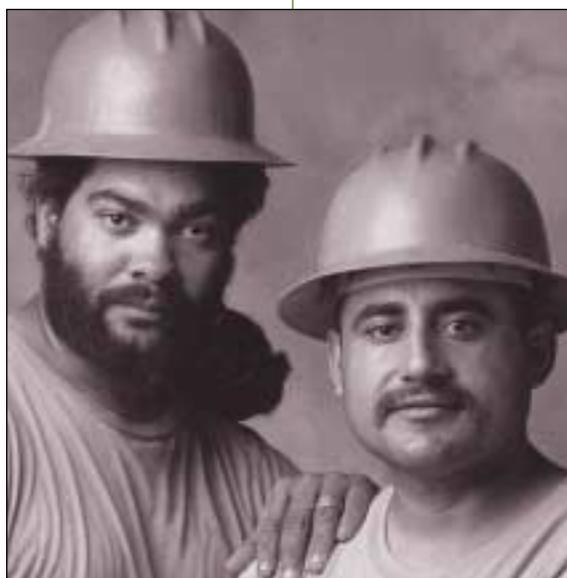
Nearly two-thirds of workers think an employer cannot legally fire an employee with a good performance record without a good reason. Three of five say an employer cannot legally refuse to provide sick leave. But without a union collective bargaining agreement specifically addressing such issues, in general employers legally can fire someone with a good performance record and have no obligation to provide sick leave.

These are just two of the “phantom protections” workers think exist on the job. Workers, it appears, assume in many cases that what they consider “unacceptable” employer behavior is legally—as well as morally—wrong.

Workers also think it is illegal for employers to listen in on employees’ personal phone calls and videotape employees without their knowledge, fire an employee for expressing political views the employer disagrees with and refuse to hire someone for a job because of results revealed by genetic testing. But in reality, such employer actions are, with limited exceptions, legal. In fact, a recent American Management Association survey found the percentage of U.S. firms that record and review employee communications and activities on the job—including phone calls, e-mail, Internet connections and computer files—has doubled to 78 percent since 1997.

“ We have rights. This is still America. When I started work, I didn’t give up my right not to have people snoop into my business for no reason.”

City administrator, 47, Arizona



Older Workers

Labor Day 2001 finds workers 50 and older concerned about their economic future—and highly critical of corporate America.

Although older workers are more likely than others to be covered by job benefits such as health care (89 percent) and pension coverage (71 percent), nearly half (46 percent) say they are worried about being able to achieve their financial and economic goals in the next five years, compared with 34 percent of all workers.

As America's population ages, age discrimination on the job is a mounting problem. While a large minority of workers in all categories are critical of employers' failure to protect workers against age discrimination, a higher proportion of older workers (51 percent) grades employers poorly on protecting this basic right. This critique corresponds with a soaring increase in age-discrimination complaints in the past year. In 2000, 16,000 age-discrimination charges were filed with the Equal Employment Opportunity Commission, up 2,000 from the year before and the highest number since 1995. Complaints for the first six months of fiscal 2001 have increased by 15 percent from the same period last year, according to the EEOC.

Older workers' insecurity about the future may relate to their view of who has the upper hand in today's economy. If the economy was to slow down or become weaker, nearly nine in 10 older workers (88 percent) say they believe employees,

rather than employers or stockholders, would be forced to sacrifice the most.

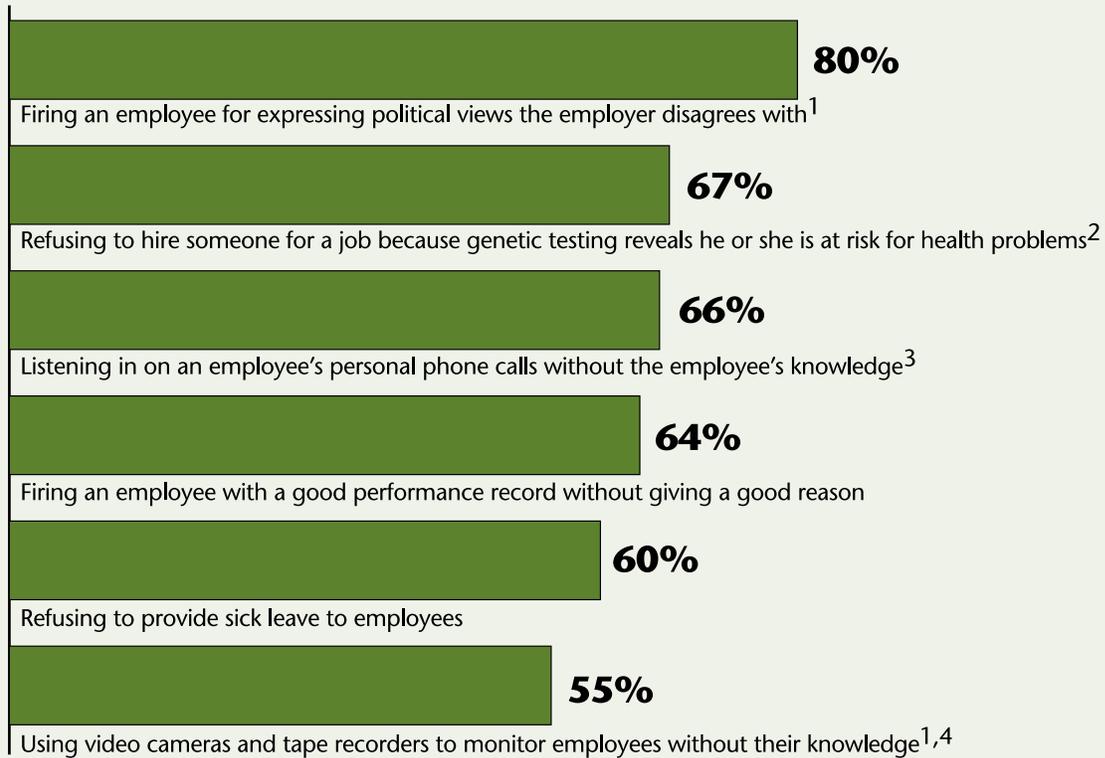
Older workers are among the harshest critics when it comes to employers protecting workers' interests. A full three-fourths (75 percent) say large corporations do just a fair or poor job of protecting the interests of working people. Almost the same proportion of older workers (72 percent) believes corporations pursue profits at the expense of loyalty to employees, compared with 63 percent of workers in all age groups.

In identifying key rights at work, older workers agree with those in other age groups that it is very important or essential to protect rights to a living wage, overtime pay and job security.

How do older and younger workers' perceptions compare? Contrary to widespread opinion that young workers prefer "labor market flexibility" and don't expect or value job security, 18- to 34-year-olds rank security nearly as high as older workers. Eighty-four percent of younger workers say the right to job security unless an employer has a good reason for termination is "essential" or "very important," as do 85 percent of 35- to 49-year-olds and 87 percent of workers 50 and older. Only on the issue of whether employers protect a worker's right to job security is there an "age gap." Workers old enough to have spent more years in the workforce are more likely (51 percent) than younger workers (35 percent) to give employers C, D, or F grades in protecting that right.

FIGURE 1-3 MISTAKEN ABOUT "RIGHTS"

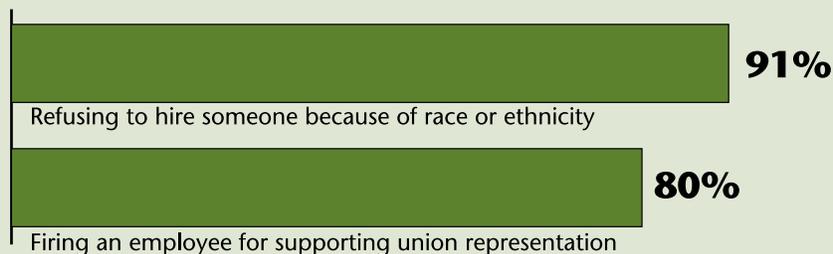
Percentage who incorrectly say employers cannot legally take these actions:



In two areas, workers correctly identify rights at work: The right to be hired regardless of race or ethnicity and the right not to be fired for supporting union representation.

FIGURE 1-4 WORKERS HAVE IT RIGHT

Percentage who correctly say employers cannot legally take these actions:



1: If the employer is a government entity, the employee has certain privacy and free speech rights, but these constitutional protections do not restrict private employers.

2: Iowa, New Hampshire, New York, Oregon, Rhode Island and Wisconsin have some form of law prohibiting employers from requiring genetic tests or using genetic health predictions in employment decisions.

3: Federal law allows unannounced monitoring of phone calls if they are business-related; the employer is allowed to listen long enough to determine whether they are business-related.

4: Connecticut law prohibits video monitoring "in areas designated for the health or personal comfort of employees or for safeguarding their possessions or contract negotiations."

In general, better-educated and better-paid workers have a more accurate understanding of their rights at work. However, a high percentage of these groups still overestimate the protections workers have on the job. For example, 53 percent of those making more than \$40,000, compared with 69 percent of workers who earn less than \$20,000, erroneously think it is illegal for an employer to fire an employee with a good performance record without giving a good reason. Similarly, 65 percent of workers with a high school diploma or less think it is illegal for employers to refuse to provide sick leave, while 53 percent of college graduates hold this inaccurate view.

Legal or not, workers feel strongly that such employer actions are not acceptable:

TABLE 1-4 **THAT'S UNACCEPTABLE!**

Percentage of workers who say employer actions are "unacceptable"

Firing an employee for expressing political views with which the employer disagrees	96%
Refusing to provide sick leave to workers	95%
Firing a worker with a good record without a good reason	95%
Listening in on employees' personal phone calls	93%
Monitoring employees with video or tape recorders	84%
Refusing to hire someone because genetic testing reveals health risks	83%

Two

Employers
Are Not
Making the
Grade



“It’s all about the money—work faster, do more with fewer people. I see it every day. Sometimes I feel like a machine, not a person.”

Nurse, 25, North Carolina

If U.S. employers were children coming home from school with report cards, many of their parents wouldn’t be very happy. Workers report a high level of discontent with employers and corporations, with many saying their rights on the job are not being protected adequately, and pointing the finger at employers more concerned with profits than people.

Overall, more than two-thirds of workers—68 percent—say rights today need “much more” or “somewhat more” protection than they receive. Most adamant about the need for greater protection are workers of color, blue-collar workers, workers without college degrees and workers making \$40,000 or less.

Similarly, 56 percent of workers say “some” or “a lot of” improvements are needed in their own job situations, including such matters as wages, benefits and working conditions. And 54 percent rate conditions for working people overall as fair or bad.

TABLE 2-1 MAJORITY SAYS JOB IMPROVEMENTS NEEDED

Workers who say “some” or “a lot of” improvements are needed in their own job situations

All workers	56%
Black	72%
Latino	60%
White	54%
Asian	48%
Latino immigrants	77%
Asian immigrants	73%
Women	59%
Men	53%
With no college	61%
Blue collar	59%
White collar	55%

Almost across the board, one-third to one-half of workers give employers low grades for protecting key rights on the job. Asked to use an A–F scale to grade employers on how well they protect workers’ rights, fully 41 percent of workers on average give them overall grades of C, D or F.

Workers are especially critical of employers’ failures to provide a living wage, share the profits when the company does well, protect workers against age discrimination and provide equal pay for women.

More than half of workers give employers poor grades in protecting workers’ right to a living wage and sharing company profits when the firm does well. Nearly half issue poor grades for honoring workers’ right to equal treatment regardless of age, workers’ right to choose to join a union and providing health insurance coverage paid fully or in part by the employer.

More than one-third of workers rate employers poorly on protecting a broad range of workplace rights and needs: sick leave without worry about job loss, time off to care for a new baby or sick family member, equal treatment regardless of race or ethnicity, equal pay for women, personal privacy on the job, freedom of speech on the job, respect on the job, education and training to improve skills, a retirement plan with employer contributions, reasonable accommodations for workers with disabilities and job security unless the employer has a good reason for firing.

Section 1: Economic Security

Workers are most likely to give poor grades to employers for failing to provide a living wage—and rate employers only marginally better in protecting workers’ job security, equal pay for women and training and education, with 41 to 43 percent of workers giving employers grades of C, D or F in these areas.

More than half of workers—53 percent—give employers the lowest grades for providing wages above the poverty level for full-time workers. Women and low-wage workers are particularly critical of employers when it comes to providing a living wage. Even more workers—56 percent of all—grade employers poorly on sharing the profits when the firm does well.

A sizable portion of workers also say employers are not protecting the right to job security, with at least half of workers in some significant categories giving employers low grades. Older workers and women who make \$30,000 or more per year are among the most critical of employers on job security.

Meanwhile, nearly half of workers grade employers poorly on providing workers with training and assistance if jobs move to another country and on providing workers opportunities for education and training to improve their skills. And although overtime pay is the law, 28 percent of workers rate employers poorly on protecting this right.

REPORT CARD

TABLE 2-2 WORKERS GRADE EMPLOYERS ON ECONOMIC SECURITY

The percentage of workers who say rights are “essential” or “very important,” compared with the percentage who give employers low grades in protecting those rights.

	Workers who say it's “essential” or “very important”	Workers who give employers C,D or F
A living wage that provides an income above the poverty line for a full-time worker	87%	53%
Training and assistance if a job moves to another country	81%	45%
Job security unless an employer has good cause for termination	85%	42%
Opportunities for education and training that improve skills	82%	41%
Overtime pay for employees who work more than 40 hours a week	87%	28%

Section 2: Equal Opportunity

Discrimination based on race and ethnicity

Nearly one in five workers—18 percent—and nearly half of African American workers say they have experienced discrimination at work based on their race or ethnicity. So it is not surprising that more than half of African American workers—53 percent—and 37 percent of workers overall say employers are failing to prevent racial and ethnic discrimination at work. Thirty-nine percent of Latinos and 34 percent of Asians concur.

African Americans are most likely to say they've experienced discrimination—an alarming 47 percent of black workers say they have faced job bias. Among other workers of color, sizable percentages also report discrimination: 30 percent of Latinos and 24 percent of Asians report they have experienced race- or ethnicity-based bias.

Most workers who have been discriminated against say they have experienced bias in promotions and raises.

TABLE 2-3 DISCRIMINATION IS STILL PERVASIVE

Percentage of workers who say they experienced discrimination in the workplace based on their race or ethnic background:

Workers in general	18%
Blacks	47%
Latinos	30%
Asians	24%

In a national workforce of some 142 million workers, 28,945 race discrimination charges were filed with the EEOC in fiscal year 2000, reflecting the extent to which workers feel they have been discriminated against.

Sexual harassment

More than one-fourth of workers (27 percent, including 30 percent of women) say employers also are falling short when it comes to preventing sexual harassment—and it appears they are correct.

Nearly one-quarter of working women—23 percent—say they have been sexually harassed on the job. According to official EEOC statistics, 15,836 sexual harassment charges were filed with the agency in fiscal year 2000—a 50 percent increase since 1992.

Working Women

Working women are particularly strong supporters of workplace rights. Women were more likely than men to place an “essential” or “very important” label on nearly every right on which workers were surveyed.

Although more women are entering the workforce every year, women still are struggling to gain respect at work. Working women cite lack of equal pay and a “glass ceiling” that keeps them from advancing. And a large percentage of women find themselves in a hostile work environment, with nearly one-quarter of women workers saying they have been sexually harassed at the workplace. No wonder nearly three-quarters (72 percent) say improvements are needed on the job, compared with 65 percent of men.

Women who make \$30,000 a year or more are the most likely to say they have been sexually harassed. When they seek workplace solutions to sexual harassment or any form of discrimination, two-thirds of women who have been sexually harassed or discriminated against say it is difficult to successfully address such problems, including 64 percent of white women.

Ninety-three percent of women, compared with 83 percent of men, say decent pay is a key

worker right. And 40 percent of women say not being paid a living wage is a top personal concern. Eighty-seven percent of women—and 97 percent of African American women—say protecting the right to job security is very important or essential. And nearly all women—98 percent—say the right to equal pay for the same work as men is very important or essential.

Yet, in significantly higher percentages than men, women workers say employers are failing to protect each of those rights. On equal pay, 48 percent of women give employers poor grades, compared with 37 percent of men. The percentage is greater among higher-paid women (at 53 percent). It is not surprising, then, that most women (51 percent) say their current economic situation is just fair or poor. For working mothers, the percentage is higher (55 percent).

Along with a lack of equal pay, women say a glass ceiling prevents women from advancing on the job. An astounding 74 percent of working women say a glass ceiling exists at the workplace, compared with 54 percent of men. Higher-paid women—one group that has had the opportunity to bump up against the ceiling—are most likely to say a glass ceiling limits women’s ability to advance.

Higher-paid women are especially likely to say they've suffered sexual harassment—30 percent of women making more than \$30,000 a year report harassment. Twenty-six percent of working mothers say they have been sexually harassed.

TABLE 2-4 WHO SAYS THEY HAVE BEEN SEXUALLY HARASSED?

Percentage of workers who say they have been sexually harassed on the job:

All women	23%
Working mothers	26%
Women making more than \$30,000	30%
Women making less than \$30,000	22%

Equal pay and the “glass ceiling”

Although workers are nearly unanimous in saying women ought to receive the same pay as men for the same work, a whopping 43 percent give employers low grades for protecting this right—including nearly half of women (48 percent) and more than one-third (37 percent) of men. Fully 53 percent of higher-paid women believe employers are not making the grade on equal pay, along with 48 percent of both working mothers and low-wage women. Among all races, women are more likely than men to say the right to equal pay is not being protected. While 49 percent of white women say employers are not respecting the right to equal pay, only 38 percent of white men concur. Among African Americans and Latinos, the gender gap is even wider.

Workers also believe women still face gender-based barriers in the workplace. Three-quarters of women—74 percent—say women come up against a glass ceiling that limits advancement; 54 percent of men agree.

Women across all races and income levels agree there is a glass ceiling, but the most likely to say so are women who earn more than \$30,000 (83 percent, compared with 71 percent among working women making less than \$30,000 a year). Three-quarters of white women and 74 percent of African American women testify to the existence of the glass ceiling. Among women and men workers,

“I’ve been doing my job for six years and they hire men right off the floor for more than I’m making now. One of them was my son. He was hired to do the same job I’ve been doing and they started him off at \$2,000 more than I’m making.”

Female supervisor in auto parts plant, 50, Indiana

“I know there’s a glass ceiling. Whenever a woman tries to move up, the first questions they ask are ‘who’s going to take care of your children’ or something like that. We’re supposed to do the family thing, but not be able to try and move up so we can give a better life. That’s crazy.”

Female attorney, 29, Florida

those who are 50 and older (72 percent), who have had some college education (69 percent), who are in professional/managerial jobs (67 percent) and white-collar jobs (65 percent)—in other words, workers who have had more opportunities to witness the glass ceiling’s effects—are far more likely than others to say the ceiling limits women workers’ advancement.

TABLE 2-5 WHO SAYS THERE IS A “GLASS CEILING” FOR WOMEN IN THE WORKPLACE?

Percentage of workers who say women face a glass ceiling that limits their advancement at work:

All workers	64%
Women	74%
Men	54%
Women making \$30,000 or more	83%
Men and women 50 and older	72%
Men and women with some college	69%
Men and women ages 18–34	54%

“Some employers just think of the bottom line and see an older worker as somebody who’s about to retire and get a pension and they try to get rid of them. It’s just greed, pure and simple.”

Bank supervisor, 56, Utah

Overall, the EEOC received 25,194 charges of discrimination based on gender in fiscal year 2000, a 16 percent increase since 1992.

Age discrimination

Workers give some of the lowest marks to employers for failing to protect the rights of workers from discrimination based on age. Nearly half of workers 50 and older, along with 47 percent of workers ages 35 to 49 and 41 percent of workers 34 and younger, give employers grades of C, D or F.

Their views are backed up by an increase in age discrimination complaints, which reached 16,000 in 2000 and surged by 15 percent during the first six months of 2001, according to the Equal Employment Opportunity Commission.

Accommodating people with disabilities

Nearly four in 10 workers (39 percent) give employers poor grades on protecting the right of people with disabilities to have reasonable accommodations that enable them to work. Most likely to give poor grades are rural workers (54 percent), blacks (46 percent), workers making less than \$20,000 a year (46 percent), women (43 percent) and workers 50 and older (41 percent).

REPORT CARD

TABLE 2-6 WORKERS GRADE EMPLOYERS ON EQUAL OPPORTUNITY

The percentage of workers who say rights are “essential” or “very important,” compared with the percentage who give employers low grades in protecting those rights.

	Workers who say it's “essential” or “very important”	Workers who give employers C,D or F
Equal treatment, regardless of age	92%	45%
Equal pay for women	95%	43%
Reasonable accommodations to allow people with disabilities to work	88%	39%
Equal treatment on the job regardless of race or ethnicity	97%	37%
Not to be sexually harassed	96%	27%

African American Workers

Almost 40 years after federal civil rights legislation was passed, black workers today say racial discrimination is still a fact of life at work. Nearly half of African Americans (47 percent) say they have faced bias in the workplace. More than half think employers are failing to protect their right not to be discriminated against because of their race.

Black workers record the lowest level of trust in employers, who earn “just some” or “not much at all” trust from four of five African American workers. Black women (at 41 percent) are especially critical of employers’ failure to treat workers with respect and to protect workers’ right to take sick leave without fear of losing their jobs (53 percent). And of all groups surveyed, black women (41 percent) are most likely to give employers low grades in providing adequate time off to care for a new baby or sick family members.

Hand in hand with African Americans’ low level of trust of employers is the high level of support among blacks for workers’ right to join a union.

African Americans older than 35, who are old enough to have been part of the civil rights revolution of the 1960s and 1970s, are the strongest backers of unions, with a resounding 93 percent saying it is essential or very important to protect the right to join a union. Support for the right to join a union is strong among black workers overall as well, ranking just behind that of union members.

A high percentage of African American workers cite other rights at work as essential or very important to protect, including health and pension coverage, the right to overtime pay, job security and education and training to improve skills.

African American workers express concerns about their financial futures. Only 39 percent rate their economic and financial situation today as excellent or good, compared with 54 percent of all workers and 58 percent of white workers. Black workers (at 37 percent) are more likely than others to say they are more worried and concerned than confident about being able to achieve their economic goals in the next five years.

Bias on the job is hard to address

Workers who have been discriminated against say it is hard to resolve the problem. Almost two-thirds of workers who say they have experienced discrimination or harassment in the workplace say it is difficult for workers to successfully address these problems.

The difficulty extends across all demographic groups but is particularly notable among women who make \$30,000 a year or more (82 percent) and college graduates (75 percent), who say they find it difficult to successfully address bias on the job.

The difference between men and women is sizable on this issue, with women being more likely to say addressing discrimination is difficult.

TABLE 2-7 BIAS IS HARD TO ADDRESS

Percentage of workers who say it is “very” or “somewhat” difficult to address successfully such problems as discrimination and harassment when they face these problems on the job:

All workers	62%
Women	66%
College graduates	75%
Blue collar	61%
White collar	56%
Latinos	66%
Blacks	64%
White women	64%

“On my last job I was sexually harassed and I tried to get something done, but they laid me off before anything was done. Now I just try to stay to myself.”

Waitress, 32, Florida

“I guess [employers] think it costs too much to provide things like day care or to let you off to take care of a sick kid. But they can afford it. The thing is if my kid is sick, I should be able to go see about her.”

Clerk, 43, Alabama

Section 3: Reasonable Working Conditions

Large minorities of workers grade employers as not doing well at protecting the rights at work employees consider important, such as personal privacy and being treated with respect. Two in five—41 percent—say employers are not doing what they should to protect personal privacy. Some 37 percent overall give employers low grades when it comes to treating workers with respect. White women and African American women are most critical of employers, with 41 percent of each group giving poor grades for respect.

Employers also received poor grades from sizable minorities when it comes to creating a family-friendly workplace. On providing adequate time off to care for a new baby or sick family member, one-third of workers give employers poor grades, especially black women (41 percent) and residents of the Northeast (43 percent), who grade employers with the highest percentage of C, D or F marks. African American women also were the most likely to say employers are not protecting the right to take time off when sick, without fear of losing their job.

REPORT CARD

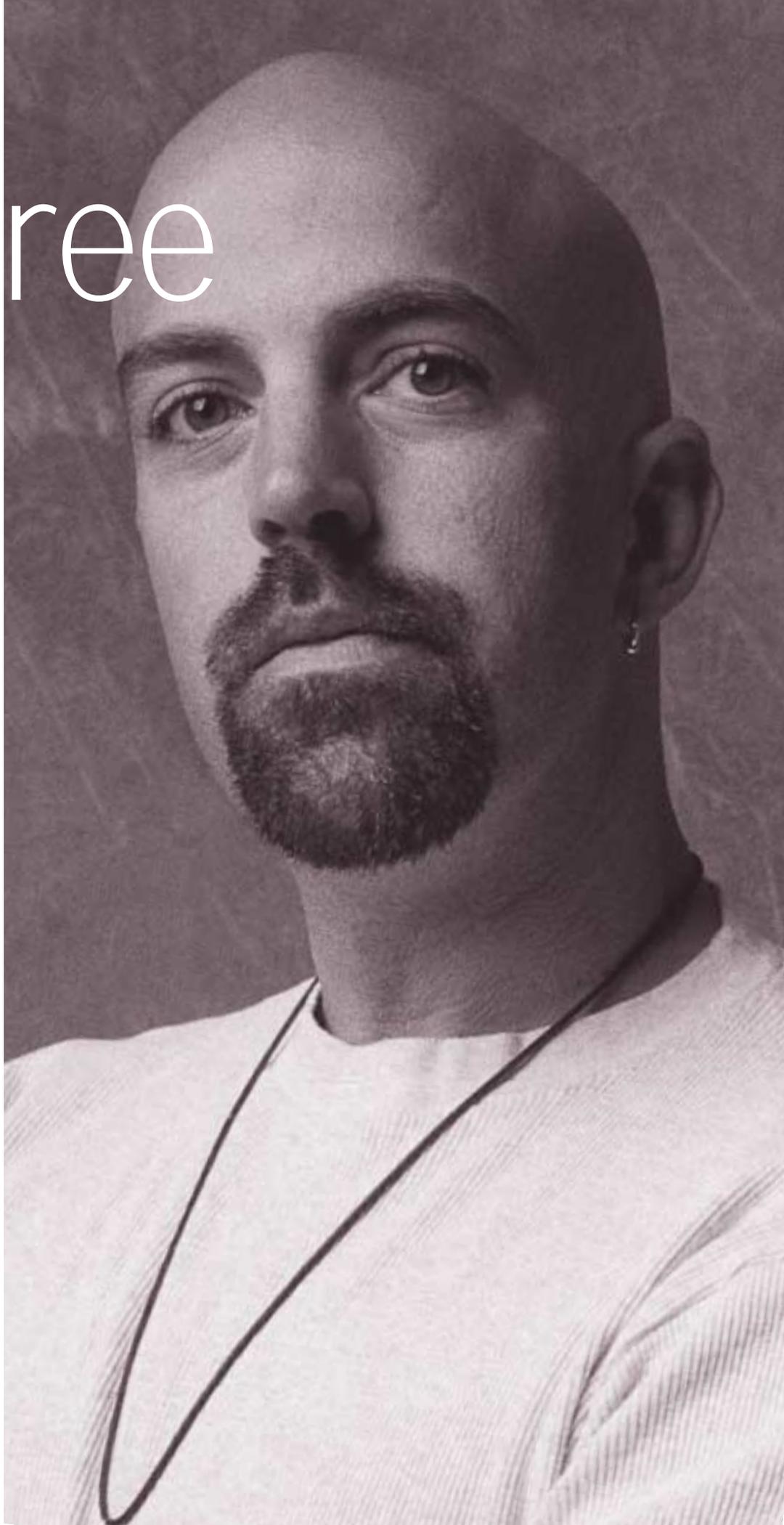
TABLE 2-8 WORKERS GRADE EMPLOYERS ON REASONABLE WORKING CONDITIONS

The percentage of workers who say rights are “essential” or “very important,” compared with the percentage who give employers low grades in protecting those rights.

	Workers who say it's “essential” or “very important”	Workers who give employers C,D or F
Personal privacy on the job	82%	41%
Respect from one’s employer	94%	37%
Sick leave without losing one’s job	90%	35%
Time off to care for a new baby or sick family member without losing one’s job	90%	34%
A safe and healthy workplace	98%	30%

Three

Little Trust in Corporations



Almost two-thirds of American workers—63 percent—say they have little trust in employers when it comes to treating employees fairly. Just 23 percent say large corporations are doing a good or excellent job of looking out for the interests of working people. Further, large majorities say corporations put profits ahead of people and that management has too much power, a view that has risen sharply.

Together, the figures paint a picture of corporate America in 2001 that is generating deep dissatisfaction and distrust from ordinary working Americans. It is no surprise, then, that workers strongly desire new laws to hold corporations responsible for the way they treat employees.

“My job is dangerous. We get shot at and buses have wrecks. I want to know that the company I work for is doing all it can to keep me safe.”

Bus driver, 45, California

TABLE 3-1 EMPLOYERS NOT TRUSTED

Workers who have little or no trust that employers will treat workers fairly

All workers	63%
African American	79%
White	61%
Latino	59%
Asian	57%
Working parents	67%
Women who make \$30,000 or more	70%
Men who make \$30,000 or more	72%
Women who make \$30,000 or less	61%
Men who make \$30,000 or less	66%
Ages 18–34	59%
Ages 35–49	70%
50 and older	59%

TABLE 3-2 WORKERS' VIEWS OF EMPLOYERS WORSENING

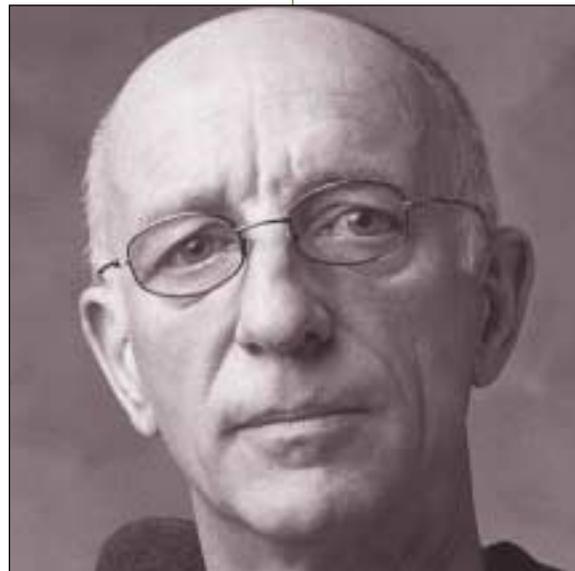
The percentage of workers saying employers have too much power, and that the balance of power tilting in management's favor requires new laws to protect workers, has grown sharply.

The Boss Has Too Much Power	2001	1996
Management has too much power	57%	47%
Workers have too much power	4%	7%
There's a pretty fair balance of power	36%	41%

More Laws Are Needed to Protect Workers' Rights	2001	1996
Percent who say new laws should be passed to hold corporations to a higher standard in the way they treat workers	56%	44%

African American workers are most likely to say employers have not earned their trust, with 79 percent saying they trust employers just some or not much at all, compared with 61 percent of whites, 59 percent of Latinos and 57 percent of Asians.

And among women who make \$30,000 or more, 70 percent do not place much trust in employers treating workers fairly, a sense shared by 68 percent of working mothers and 67 percent of working parents overall.



Latino Workers

Latino workers make up one of the fastest-growing segments of the workforce, according to the U.S. Bureau of Labor Statistics. But for many Latinos, discrimination is all too often part of the job.

Thirty percent of Latinos say they have been discriminated against in the workplace, second only to black workers (47 percent). Seventeen percent of Latinas say they have been sexually harassed at work. And nearly 40 percent of Latino workers think employers are not doing their job when it comes to providing workplace protections against racial bias. Two-thirds of Latino workers who have faced discrimination or sexual harassment on the job say it is very difficult to address successfully.

It's not surprising, then, that most Latino workers say they don't trust employers to treat workers fairly—three of five say they trust employers only some or not at all. Only African American workers, at 79 percent, express less trust in their employers to treat them fairly.

Neither do Latino workers see employers as treating immigrant workers fairly. Eighty-six percent

of Latinos say recent immigrants are somewhat or much more likely than other workers to be treated unfairly by their employers, as do 85 percent of black workers and 83 percent of Asians. A sizable percentage of Latino workers (45 percent) say employers often violate labor laws when dealing with recent immigrants because employers think immigrants will not stand up for their legal rights. Almost half of blacks (48 percent) and one-third of Asians (35 percent) agree.

Many Latino workers (56 percent) rate their economic and financial situation today as "fair," "not so good" or "poor"—and 60 percent say some or a lot of improvements are needed at work.

Latino workers (at 73 percent), as all groups surveyed, strongly support workers' right to join a union, and say other rights at work that are very important or essential to protect include overtime pay and the opportunity to gain education and training to improve skills.

(Note: The term "Latino" denotes ethnic background; Latinos may be of any race.)

Workers Don't Trust the Bush Administration, Either

Saying the administration of President George W. Bush cares more about protecting the rights of businesses than those of workers, American workers profess little trust in the administration on important workplace issues, such as a reasonable minimum wage, equal pay for women, privacy protections on the job and workplace safety and job discrimination. Forty-nine percent say the Bush administration is biased in favor of business and employer interests over workers' rights, while just 4 percent say the Bush White House places workers' rights over employers' interests.

When asked how much trust they place in the Bush administration to protect workers' rights on the job, a large majority—67 percent—say they don't at all, or trust it only somewhat, compared

with 28 percent who trust the administration quite a bit or a great deal.

Sixty-three percent of workers say they have just some or no trust at all that the Bush administration would favor workers' interests for a reasonable minimum wage. Fifty-six percent say they don't trust the Bush administration at all or trust it just somewhat to take a position in workers' interest on equal pay for women. Other issues about which the Bush administration gets little or no trust from workers include trade agreements with other nations (55 percent), privacy protections on the job (54 percent), workplace health and safety protections (51 percent) and protections against discrimination (50 percent).

FIGURE 3-1 BUSH ADMINISTRATION NOT TRUSTED ON WORKERS' RIGHTS

How much trust workers place in the Bush administration to protect workers' rights on the job

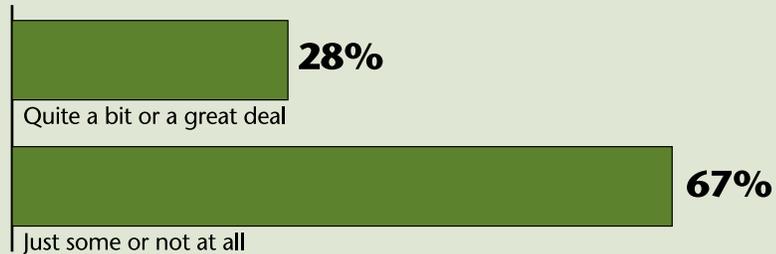


FIGURE 3-2 BUSH ADMINISTRATION FAVORS BUSINESS OVER RIGHTS OF WORKERS

Bush administration cares more about protecting the rights of:



Asian Workers

Among workers of color, Asians are the most likely to rate their economic and financial situation as excellent or good (56 percent) and to be confident about achieving their goals in the next five years (64 percent).

But Asian workers do want improvements in their rights at work. Nearly half of Asian workers (48 percent) say some or a lot of improvements are needed on the job. A majority gives employers poor grades for respecting the right to a decent wage (52 percent). More than one-third (38 percent) also give poor grades to employers when it comes to providing health care coverage and equal pay for women, two of the rights Asian workers are most likely to say are essential or very important to protect.

Among workers of color, Asian workers are the least likely to say they have faced discrimination because of their race—at 28 percent, compared with 47 percent of black workers and 39 percent of Latino workers. Nevertheless, one-third say employers are doing a fair to poor job of preventing workplace discrimination.

As with every group of workers surveyed, a sizable percentage of Asian workers does not trust employers to treat them fairly. Corporations merit some or not much trust by almost three of five Asian workers (57 percent), slightly less than Latinos (59 percent) and much less than blacks (79 percent).

Moreover, workers view corporations as willing to trade workers' rights for ever-bigger profits. For instance, 63 percent of workers say corporations generally pursue profits at the expense of loyalty to employees, while only 27 percent say corporations do a good job of balancing these interests.

Many workers also think corporations pocketed the bulk of the benefits from the strong economy of the past decade and left little for employees—but that employees will suffer most if the economy takes a dive.

Some 76 percent say management or stockholders benefited the most from the recent economic boom; only 9 percent say the benefits went to employees. That position is shared by union and nonunion households. Working mothers and low-wage women especially see management as the winners in the growing economy.

But in an economic slowdown, an overwhelming 81 percent of workers say employees would have to sacrifice the most; only 6 percent say corporate management would sacrifice the most.

TABLE 3-3 NEW LAWS ARE NEEDED

Percentage of workers who say new laws are needed to hold corporations to a higher standard of responsibility in the way they treat workers

All workers	56%
Men	49%
Women	62%
White	52%
Black	68%
Latino	58%
Asian	49%
Union members	64%
Workers who make less than \$20,000	64%
Workers who make more than \$40,000	47%

“When we tried to start a union where I work, the boss treated us better until the vote. Then when most people voted ‘no,’ things went right back to the way they were before [the union effort]. Now everybody is saying we should have voted for the union.”

Hotel worker, 46, California

“ You have to have employer-paid health coverage. Hospitals and doctors are expensive. If you have a family, it’s almost like playing Russian roulette with your children’s health if you don’t have insurance. If one of them gets real sick, what can you do without insurance?”

Truck driver, 38, Wisconsin

Increasingly, workers view corporations as amassing too much power: 57 percent of workers say corporations have too much power today in comparison with employees, a figure that has jumped significantly since 1996, when 47 percent said corporations had too much power.

Given this level of mistrust, it is clear why a strong majority of the public—56 percent—says new laws should be passed to hold corporations responsible for their treatment of employees, up from 1996, when 44 percent of workers said they felt that way. Support for new laws today extends to workers who call themselves political Independents. Workers supporting new laws include 71 percent of Democrats, 58 percent of Independents and 37 percent of Republicans. Especially strong support for new laws comes from women, African Americans and low-wage workers.



Conclusion

On Labor Day 2001, working Americans have a strong message for corporations and elected officials.

Workers have issued a report card to Corporate America and stamped it “UNSATISFACTORY.” They say employers have not lived up to their expectations and have lost their trust.

While 54 percent of workers rate their own financial situation as “good” or “excellent,” a figure that has remained stable since 1997, a vast disconnect exists between economic attitudes and attitudes toward employers. Large proportions of American workers say they are not getting the fair wages, fair treatment and respect they deserve at work. Alarming levels of workers say they have been discriminated against because of race or ethnicity or subjected to sexual harassment on the job. More than two-thirds of working men and women say workplace rights need more protection today.

Corporate America, workers say, is growing too powerful and is consumed by the quest for profits at the expense of employees’ rights—rights to safe workplaces, freedom from discrimination and sexual harassment, family-supporting wages, equal treatment and respect.

These views emerge at a time when corporations and their congressional allies claim there are too many laws already and the Bush administration’s Labor Department wants to focus more on education than enforcement. Workers themselves, however, want more protections and say new laws are in order.

To our president and lawmakers, working Americans say it’s time for action. In this nation that holds itself up as a beacon of democracy and opportunity to the world, employees should not lose their rights when they walk through the workplace door. Our government should be responsive to working Americans—not beholden to corporate special interests.

With dramatically increasing intensity, workers say they want new laws to protect their rights at work and hold employers accountable.

This report is a loud wake-up call to Corporate America and the public officials working families have elected to represent them: Workplace rights need real protection. Now.

