

Addressing problems at work: TIPS TO TALK TO YOUR EMPLOYER



If employers are not providing what is required or necessary to protect workers from COVID-19, there are different ways that workers can address these problems.

Often, the most direct way to resolve workplace problems is for workers to communicate directly with their supervisor, manager, or employer.

Plan ahead

To prepare for this conversation, it can be useful to be prepared by thinking about some of the questions below.

1. What is the problem?

Having specific information to share is helpful. This can include:

- What exactly is the problem? For example, when and where does it happen?
- Why is it happening?
- Can you or others document the problem with written notes, drawings, or photographs?

2. What is the impact of the problem?

- Who does this impact? How?
- What is the effect on the health and safety of workers?
- What is the effect on the business or workplace?
- What will happen if the problem is not addressed? Is there a cost?
- Is there a legal violation?

3. What are the best solutions?

- What would you like to see changed? What is the best solution for this problem?
- If the best solution can't be implemented right away, what is something that can be done now?
- If you know this, what is needed to implement your proposed solutions?
- Why is this solution good for the workers, the business or the workplace?



I'm concerned about _____. I'd like to share more information about why it's happening and ideas for how to address it so we can protect workers' health and safety and do a better job.

When you go talk to your employer

1. Go with other workers

Talk to other workers to see if they are experiencing similar problems. Make a plan to act together to talk to the supervisor, manager, or owner. This is helpful because:

- Workers have additional protection from retaliation when they join together (2 or more) to bring up problems. If only one person can go, the law provides more protection if that person explains that she is bringing up a group concern to the employer's attention.
- The employer may take the issue more seriously and be more responsive.



I'd like to bring up a problem that I and other workers are concerned about.

2. Request a meeting and a timely response

Ask for a time to talk with the person that has the authority to make decisions. During the meeting:

- Focus on the problem at hand
- Provide details and documentation
- Suggest solutions
- Ask questions to understand the employer's concerns
- Describe how the solutions help the workplace; for example, by ensuring the employer is complying with the law, preventing injuries and illnesses, increasing worker retention and morale, etc.
- Remain respectful and calm

If the person can't provide a response or solve the problem that day, request a time to meet again, or ask when you can expect a response or solution.



When can I expect an answer?

When can we meet again?

Follow up

1. Document the process

Make sure you keep written notes of your actions and the employer's response. This may include copies of emails or letters, and:

- The name of the workers and supervisors/managers involved in the communication
- When and where communication happened
- What was said in each communication
- What was done by workers, managers, supervisors or employers

This is helpful not only for your tracking, but is good information in case you need to get help from others or contact an agency.

Sometimes, employers do not respond well. Some employers even go so far as to punish their workers by cutting their hours or pay, switching their shifts, suspending them, or even firing them. If you have documented your communications, you will be in a better position to show that this action by the employer was directly related to you speaking with your employer about a problem in the workplace.

2. Be persistent

The problem may not be resolved on the first try. Don't give up! Follow up if needed. If the problem was not addressed or resolved, think about your next steps.

- Are there other workers who want to get involved?
- Who else should be informed?
- Who can help you advocate for the needed solution?



Workers are still concerned and we want to talk with you about next steps.

Get help from an organization

Workers may want to talk to a trusted organization to find out more about their options or workers' rights — before or after talking to the employer.

Look for a union, worker center, legal aid provider, or community organization that can support you in taking these steps. Different organizations may be able to provide you with:

- Information about your rights and the employers' responsibilities
- Information about best practices to solve the problem
- Ideas about steps you can take
- Meeting space or logistics
- Translation or interpretation
- Help with filling out forms or sending letters
- Help with communicating or following up with the employer
- Referrals for legal advice or representation
- Help with getting support from community members, media, policy-makers, or others

It is illegal for employers to retaliate if you speak up or take action for safety and health. The law says you are protected when you:

- Speak up about wages that are owed to you
- Report an injury or a health and safety hazard
- File a claim or complaint with a state agency
- Join together with other workers to ask for changes

If you experienced retaliation, you can file a claim with the Labor Commissioner at: <https://www.dir.ca.gov/dlse/HowToFileRetaliationComplaint.htm>