

Know your rights: an
essay on employee
rights in the
workplace essay
sample



**ASSIGN
BUSTER**

While some employees may find it unnecessary to know their rights in the workplace, it is a must that employees know their rights and their legal protection. Employees should know their rights so as to be able to get the most of their employment; to be more confident in presenting and discussing to concerned individuals and authorities workplace- related problems; and more importantly, to be able to create a workplace that upholds respect, harmony and value for all.

Such that many employees are not aware of their rights and the laws that protect them, many become victims of workplace harassment, discrimination, unlawful termination and other work related illegal practices. Because many employees do not even know their rights in the workplace, they oftentimes resort to being quiet on issues that affect them. They also become prey to unfair policies and treatment of their employers and even of fellow workers. Many other detrimental consequences also happen. As such, it is important for any employee or anyone who plans to be employed to know employee rights in the workplace.

There are policies and laws that are considered legal protections of an employee. Nevertheless, these laws may depend on the size of the employer, the place where the employee lives in, and the kind of employee's profession.

These " legal protections" in the workplace include the right against discrimination because of race, national origin, skin color, gender, pregnancy, religious beliefs, disability, age, marital status and sexual orientation although " discrimination" based on some of these characteristics

does not apply in other states; the right to a harassment-free workplace; the right to receive fair pay which should be at least the minimum wage, plus an overtime premium for any hours worked over the prescribed working hours in a week or in a day (working hours and wages vary in different states); the right to a safe workplace; the right to take leave because of one's illness or to care for a family member's serious illness or following the birth or adoption of a child; and the right to some privacy in personal matters.

The basic rights of an employee regardless of profession, location and the size of the employer include the rights to be treated fairly and equitably; to have a safe environment in which to work; to be free from discrimination; to be free from harassment; to be compensated equitably which means same pay for same work done; to be free from retaliation for filing complaints against a company and to be free from invasion of privacy (Winning, 1999). It is from these basic rights that employees should gain understanding of their value in the workplace and from such understanding, be able to stand up for their rights and privileges.

Employees have the right to be free from discrimination. Employees should know that they have to fight against discrimination most especially when the bases are on sex and ethnicity. Labor demographers forecast that by the year 2000, working women's representation in the labor force would increase to 47% (of the labor force); African-Americans to 12%; Hispanics to 10% and Asians to 4% (Schreiber, Price & Morrison, 1993). As such, there is an increase in labor force participation for what is previously considered the under-represented demographic groups that include most especially women and people of color. Given this trend, employees belonging to these

<https://assignbuster.com/know-your-rights-an-essay-on-employee-rights-in-the-workplace-essay-sample/>

demographic groups should be aware that they are not to be discriminated as the society sees their contribution and importance in the country's labor force.

President Lyndon Johnson and President John Kennedy themselves acknowledged the importance of different ethnic groups by declaring discrimination in employment illegal and codifying affirmative action which ensures that applicants are treated equally without regard to race, color, religion, sex, or national origin, an objective of which is to expand job opportunities for the minorities ("Demanding Equality as a," 2003, p. B05).

In addition to this, US law prohibits discrimination against employees on the basis of race, sex, religion, color, or national origin (U. S. Department of Labor). Equal opportunity in the workplace must be given to all. When employees know that they have the right to be free from discrimination, they can excel more knowing that being a woman or an atheist or a foreigner does not hinder one from working and excelling well in a chosen work environment.

Employees have the right to be free from harassment. To harass means to annoy persistently and to create an unpleasant or hostile situation for, especially by uninvited and unwelcome verbal or physical conduct (Merriam Webster Dictionary, 2006). Both employees and employers should, as a matter of fact, be aware that any form of harassment is not acceptable. This allows the employees to protect themselves by having an awareness and sensitivity to abusive interactions in the workplace and for the employers to protect themselves from monetary damages and other losses that may arise

due to issues of harassment in their company. This also enables the victims to file for complaints and have the due remedies given them. Corresponding discipline for perpetrators of the harassment can also be sought.

One of the most popular forms of harassment in the workplace is sexual harassment. The frequency of sexual harassment lawsuits is increasing the same as the monetary damages awarded to winning plaintiffs (Acken, St. Pierre & Veglahn, 1991). Employees, especially women, should be aware that they have the right against sexual harassment. Women who understand their legal protection from sexual harassment can thereby tell offending parties to stop the harassment or file a complaint to the supervisor, employer or other uninvolved authorities. Not understanding the concept of this protection may make employees vulnerable to physical, moral and sexual abuse.

Employees have the right to be compensated equitably. Fair compensation means just pay for a corresponding work done. This also means that employees should at least receive the minimum wage due them as declared by law. Employees should know their right for a fair and just compensation so as not to be shortchanged for the services and works they have done for their employer or the company.

Understanding this right will help employees protect what is rightfully due them. Adopting a “let’s make a deal” attitude regarding employment contract, benefits package and job responsibilities can also help shape the conditions under which employees work (Baskerville, 1993). An employee that enjoys a fair compensation is able to assess his level of skills and more

importantly his morale is boosted knowing the true value of his work and accomplishment.

Employees have the right to be free from retaliation for filing complaints against a company. Knowing this right allows employees to enjoy more their freedom of speech. It is in a way also beneficial to the employer such that employees who are able to air their views even negative ones on the malpractices of the company allows the latter to improve itself. An employee who does not distinguish this right is vulnerable to unjust and illegal termination for airing his complaints against his employer.

An employee should know that he has the right to be treated fairly and equitably. This right goes with the rights against harassment and against discrimination in the workplace. Employees who do not understand that they have the right to be treated fairly and equitably are vulnerable to physical and moral abuse from the employers or fellow workers. These kinds of employees also become targets of workplace bullies. Knowing this right allows employees to protect themselves from moral and physical damages.

Employees have the right to have a safe environment in which to work. Employees should know that their employers are to provide them safe and healthy workplaces that are free from recognized dangers and hazards. Having the knowledge of this right will protect employees from unfair termination or punishment when complaining about unsafe and unhealthy working conditions. Moreover, they can also file complaints against employers who do not recognize the value of safety among employees

Employees have the right to be free from an invasion of privacy. Although the extent of privacy in the workplace has been the object of many arguments such that some personal information like health and efficacy of workers are vital for some companies (Losey, 1994), employees must be able to differentiate the extent of personal privacy that they are willing to disclose. These “ private matters” may be those personal information that has no relevant connection to the job. For example, an employee working in a restaurant cannot be pressured by the employer to disclose information on the reasons for her divorce with an ex- husband.

Employees should know their rights. It is a requirement to get the most of their employment and to be able to have a workplace that upholds respect, harmony and value for all.

References

Acken, B. T., St. Pierre, K., & Veglahn, P. (1991). Limiting Sexual Harassment Liability; the Best Defense Is an Effective Policy against Harassment. *Journal of Accountancy*, 171 (6), 42+. Retrieved August 4, 2006, from Questia database: [http://www. questia. com/PM. qst? a= o&d= 5000127913](http://www.questia.com/PM.qst?a=o&d=5000127913)

Baskerville, D. M. (1993, June). 10 Things Your Employer Might Not Tell You. *Black Enterprise* , 23 , 298+. Retrieved August 4, 2006, from Questia database: [http://www. questia. com/PM. qst? a= o&d= 5001668537](http://www.questia.com/PM.qst?a=o&d=5001668537)

Compliance Assistance- Executive Order 11246 (2006). Retrieved August 4, 2006, from the US Department of Labor Website: [http://www. dol. gov/esa/regs/compliance/ofccp/ca_11246. htm](http://www.dol.gov/esa/regs/compliance/ofccp/ca_11246.htm) .

<https://assignbuster.com/know-your-rights-an-essay-on-employee-rights-in-the-workplace-essay-sample/>

Demanding Equality as a Result. (2003, July 13). *The Washington Times*, p. B05. Retrieved August 4, 2006, from Questia database: [http://www. questia. com/PM. qst? a= o&d= 5001960690](http://www.questia.com/PM.qst?a=o&d=5001960690)

Losey, M. R. (1994, September). Workplace Privacy: Issues and Implications. *USA Today (Society for the Advancement of Education)*, 123, 76+. Retrieved August 4, 2006, from Questia database: <http://www. questia. com/PM. qst? a= o&d= 5002211263>

Merriam- Webster Online Dictionary (2006). Retrieved August 4, 2006, from <http://www. m-w. com/cgi-bin/dictionary? va= harassment>

Schreiber, C. T., Price, K. F., & Morrison, A. (1993). Workforce Diversity and the Glass Ceiling: Practices, Barriers, Possibilities. *Human Resource Planning*, 16 (2), 51+. Retrieved August 4, 2006, from Questia database: <http://www. questia. com/PM. qst? a= o&d= 5000256073>

Winning, Ethan A. (1999). Employees' Rights in the Workplace. Retrieved August 4, 2006, from <http://www. ewin. com/articles/rights. htm>