



Following is a quick chronological compilation of strategies that have worked in some of the centers that are part of the network.

Toolkit for Workers' Rights Advocates

- 1. Workers ask employer for permission to attend rally and present letter stating their legal rights to do so. (see attachment 1)**
- 2. Workers attend May 1st march and employer terminates employment unjustly.**
- 3. Terminated workers come together to draft letter to company detailing the events and wrongful termination. (see attachment 2)**
- 4. A press release is then sent out followed by a press conference held with various members of the community including: clergy, union leaders elected officials. (see attachment 3)**
- 5. The workers and the Workers' Center then file complaints with government agencies and possibly a lawsuit. (See attachment 4)**
- 6. With pressure from the workers as an organized unit, the media, and complaints filed to government agencies, the company should be willing to sit down and negotiate a safe return to work for terminated workers.**
- 7. An Ethical Employment Covenant is signed between company and workers. (see attachment 5)**

ATTACHMENT 1

Date: *[Insert Date]*

To: *[Insert Owner or Manager's name]*
[Insert name of company]

Re: May 1, 2006 Immigrant Worker Rights Rally

By this letter, we, the undersigned employees, hereby request permission to miss work on Monday, May 1, 2006 from *[insert times]* in order to attend the rally in downtown Chicago against legislation that would marginalize us and our communities as workers and for legislation that would give us full rights through a legalization process.

Our communities make an invaluable contribution to this country's economy and to the success of business across America and we make an important contribution here at *[Insert name of company]*. The recent efforts by some legislators to strip us of some basic workplace rights will have a terrible impact on us, our families and our working conditions. Creating a class of workers without rights will force this company to compete with unscrupulous employers who would exploit the situation to pay their workers less than the minimum wage and violate basic health and safety rules knowing their employees cannot complain.

We, the undersigned employees, therefore join together to take this collective and concerted activity to defend and protect our workplace rights and those of our community. We further ask that you permit all other employees in the company to participate as well if they wish and invite you to join us in this historic event.

Sincerely,

[Workers sign and keep a copy]

ATTACHMENT 2

March 15, 2006

President Thomas Fahey
Universal Form Clamp Co.
840 25th Avenue
Bellwood, IL 60104

Dear Mr. Thomas Fahey,

We are writing to you concerning the 28 Latino workers that were unjustly terminated on March 13, 2006 from your facility at 840 25th Avenue Bellwood, IL 60104. We are workers from distinct departments, including 21, 23, 24, 29, who have been employed by your company, some for up to ten years. We were terminated for taking collective action and supporting immigrant rights.

As of Monday, March 6, 2006 we gathered and collectively chose to attend an immigrant rights rally on Friday, March 10, 2006 in Chicago. Due to the amount of workers interested in attending, most of us relayed this message to Supervisor Jose Ruvalcaba asking for permission to miss a day of work. On Thursday, March 9, 2006 Mr. Ruvalcaba as well as Supervisor Wesley [last name unknown] at 6:30 P.M. held a meeting with all employees in the second shift regarding the next day's rally. Mr. Ruvalcaba stated that if the majority of the us decided to attend the rally and miss the following day of work, the company would grant us permission without retaliation. Approximately 50 workers signed the participation list stating we would be attending the rally; the meeting was adjourned shortly after.

At around 9:00 P.M. that night, Mr. Ruvalcaba began to speak to those of us attending the rally one by one. He threatened each of us with termination if we attended the rally and did not show up to work the next day. At 9:20 P.M. a group of 30 of us gathered inside the cafeteria to talk about Mr. Ruvalcaba's actions and the decisions made at the initial meeting. When Mr. Ruvalcaba witnessed this gathering he immediately insulted us and continued to threaten us with termination if we missed the next day of work. He also told us that we were terminated as of that time and to punch out because we were gathering.

According to Section 7 of the U.S. National Labor Relations Act as workers we have the right to act collectively to improve conditions in our workplace. We feel strongly that we were unjustly fired. We appreciate our work with your company and would like to continue this relationship. We would like to meet with you to discuss this matter further. Please contact Lupita Aguila at 773-728-8400 ext. 48. Thank you.

Sincerely,

ATTACHMENT 3



FOR IMMEDIATE RELEASE
March 15, 2006

Contact: José Oliva Cell 773-612-2559
joliva@iwj.org 773-728-8400 Ext 25.

Universal “Clamps Down” on Immigrant Rights Workers Fired for Attending Pro-immigrant Rally

On Monday, March 12th Universal Form Clamp, a Bellwood, IL based company unjustly fired twenty-eight workers for attending a rally. The company sited the workers participation in a pro-immigrant rally as the reason for the termination. The pro-immigrant event brought together over 100,000 people in downtown Chicago last Friday.

Workers will file a retaliation claim with the National Labor Relations Board and a discrimination charge with the Equal Employment Opportunity Commission tomorrow at 11AM through the Interfaith Workers’ Rights Center. Workers will be available to speak to press at this time.

The company was aware and had given permission to workers to attend the rally. However when workers returned to work on Monday, March 13, they were told they were fired. When workers attempted to speak to the owner Thomas Fahey, they were denied entrance to the plant. Mr. Rubalcaba then threatened workers with physical harm if they not vacate the premises. “I was treated like a criminal, even though I worked for that company for 7 years, they said they would call the police if I didn’t leave immediately” said Fernando Virgen a former employee of the Universal Clamp Form.

Workers also claim the company has routinely discriminated against Latinos, by giving them the most dangerous jobs and paying them significantly less than other employees.

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ATTACHMENT 4



United States Government
NATIONAL LABOR RELATIONS BOARD
Region 13
209 South LaSalle Street – 9th Floor
Chicago, Illinois 60604
Telephone (312) 353-7570 Fax (312) 886-1341

March 16, 2006

Jose Oliva, Dir.
Workers' Rights Center
1020 West Bryn Mawr
Chicago, IL 606604627

Re Universal Form Clamp Co.
Case 13-CA-43245

Dear Mr. Oliva:

You have filed a charge with this office. It will be assigned for investigation to a Board agent, and you will be contacted by that agent shortly. It is essential that you promptly submit all evidence relevant to and in support of your charge. The Board agent will contact you to arrange for the presentation of such evidence. Failure to submit evidence promptly may subject the charge to dismissal without further investigation. Enclosed is a copy of Form NLRB-4541 pertaining to our investigation and voluntary adjustment procedures.

If you or witnesses that you wish to present during the investigation have limited English proficiency, you may request translation assistance. Any such request should be made to the assigned Board agent as early in the investigation as possible.

Attention is called to your right, and the right of any party, to be represented by counsel or other representative in any proceeding before the National Labor Relations Board and the courts. In the event that you choose to have a representative appear on your behalf, please have your representative complete Form NLRB-4701, "Notice of Appearance," and forward it promptly to this office.

Please be advised that, under the Freedom of Information Act, unfair labor practice charges and representation petitions are subject to prompt disclosure to members of the public upon request. In this regard, you may have received a solicitation by organizations or persons who have obtained public information concerning this matter, through viewing the public docket in our office, and who seek to represent you before our Agency. You may be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board; their information regarding this matter is only that which must be made available to any member of the public.

Customer service standards concerning the processing of unfair labor practice cases have been published by the Agency and are available from the Agency's website at www.nlr.gov.

Sincerely,

A handwritten signature in cursive script that reads "Roberto G. Chavarry".

Roberto G. Chavarry
Regional Director

Enclosures
dg



ETHICAL EMPLOYER COVENANT
Between Interfaith Workers' Rights Center
And
Universal Form Clamp Co.

WHEREAS, due to a misunderstanding the undersigned 28 workers from Universal Form Clamp were absent from work from Friday, March 10th through Friday, March 17th;

WHEREAS, the Chicago Interfaith Worker Rights Center a project of the Chicago Interfaith Committee on Worker Issues was contacted by the undersigned 28 workers to help them clear this misunderstanding;

WHEREAS, Universal Form Clamp Co. needs the labor provided by the undersigned 28 workers;

Be it therefore resolved that **Universal Form Clamp Co. and Worker Rights Center of the Chicago Interfaith Committee on Worker Issues:**

1. Agree to allow workers to return to work as of Monday, March 20th at their regularly scheduled times;
2. Agree to jointly monitor that no physical, psychological or other form of intimidation or retaliation occur;
3. Agree to weekly check-in calls so as to assess the progress of the agreement for at least six-months after the signing of this agreement;

This agreement may be revoked, in writing, by either party at any time.

Company
 Universal Form Clamp Co.

Agency/Program
 Chicago Interfaith Committee on Worker Issues
 Worker Rights Center

Name Jose Oliva
 Signature [Signature]
 Title Director
 Date 3/17/06

Name H. Eugene Lester
 Signature [Signature]
 Title CFO
 Date 3/17/06