

DANGER AHEAD?

Leadership Fact Sheet from the Southern Workers' Assembly

The recent legislation pushed by reactionary North Carolina state legislators (and now copied by some of our neighboring state legislatures) supposedly concerned with 'bathroom issues' raises important and dangerous issues for all working people. Our Union along with other Unions and working class activists in the Southern Workers' Assembly suggest that we take the offensive to protect ourselves from discriminatory action by our employers against any one of us, for whatever reason.

Please consider the following:

We should ONLY be judged by our Job Performance

Race, skin color, religion, nationality, gender, age and physical capacities have NO BEARING on our job performance, and cannot be the reason for employer discipline or discharge. Our sexual orientation and gender identification and expression also have no bearing on our job performance. Such matters are not the concern of our employer or of the state legislators.

BUT by making HB2 state law, the NC legislature has reinforced the reality that employers may 'legally' discriminate and discharge any one of us – by using the excuse of sexual orientation or gender identification – whether true or not true, and regardless of our job performance.

What can we do about this?

Expand the Definition of Forbidden Discrimination

Let's look to our employer's company handbook/policy and make sure that ALL non-job performance forms of discrimination are clearly listed as forbidden. If 'sexual orientation, gender identification and expression' is not listed, we propose to ask that the handbook be amended to include it.

Provide for Effective Enforcement of our Employer's Anti-Discrimination Policy

The NC legislators went a step further to restrict workers' rights – in the same HB 2 they did away with our right to sue in state court if we feel that we have suffered from discrimination. The only recourse left to us now is federal court – a long and expensive process. We propose to discuss with our employer adding a fair procedure to handle cases when one of us feels that we have suffered from discrimination – representation of our own choosing during any internal grievance, 'open door', appeals or other procedure AND the right to appeal our case to an impartial third party independent of the employer.

Until we gain Collective Bargaining Rights we are 'at will' employees subject to unilateral discipline and even discharge. HB 2 makes each of us even more vulnerable.

WE NEED TO TAKE NECESSARY STEPS TO PROTECT OURSELVES.