Workers Justice = Wage Justice!

THE SUGAR LAW CENTER FOR ECONOMIC & SOCIAL JUSTICE ADVOCATES FOR WORKERS AROUND THE COUNTRY WHO HAVE SUFFERED VARIOUS FORMS OF "WAGE THEFT" BY THEIR EMPLOYERS. SUGAR LAW PROVIDES REPRESENTATION, SUPPORTS ORGANIZING AND PROVIDES OTHER ASSISTANCE TO LOW WAGE, TEMPORARY, CONTINGENT, AND IMMIGRANT WORKERS SEEKING TO COMBAT WAGE THEFT. OUR OFFICE ALSO EDUCATES COMMUNITY GROUPS, ADVISES PROTESTORS, AND ADVOCATES FOR POLICY CHANGE WITH GOVERNMENT OFFICIALS ON WAGE ISSUES.

QUICK FACTS: Wage theft takes many forms, including:

- Not being paid minimum wage, prevailing wage, or living wage rates, under applicable laws
- Not being paid overtime when working over 40 in a week
- Not being paid for all hours worked
- Having illegal deductions taken out of your pay - for perceived errors, equipment, uniforms or for short breaks
- Being forced to work off-the-clock or to do work before punching in or after punching out of the time clock
- Having to work through unpaid meal breaks
- Being classified as a "independent contractor" or being classified as a salaried employee to avoid federal and state wage laws
- Being required to kick back a portion of your paycheck to your employer
- Being required to share your tips with supervisors and other ineligible employees
- Not being given your last paycheck

THE SUGAR LAW CENTER IS AFFILIATED WITH THE NATIONAL LAWYERS GUILD

The Sugar Law Center conducts all its work and produces all materials under contract with UAW Local 2320
Defending the rights of working people and their communities.

Sugar Law Center
WHAT WE DO

The Sugar Law Center for Economic and Social Justice is a national nonprofit organization dedicated to defending the rights of working people and their communities.

We work for economic and social justice by demanding accountability from corporations and government. Our legal advocacy raises the bar for corporate conduct and enforces laws protecting people’s rights.

The Sugar Law Center helps workers when employers fail to give the federally required 60 days’ notice for mass layoffs. Direct representation by Sugar Law, and technical assistance we provide to other attorneys, have led to recovery of millions of dollars for thousands of people across the US who lost their jobs in mass layoffs.

Through research, advocacy and technical assistance to grassroots groups, the Sugar Law Center has supported the movement to establish a Living Wage in US communities—a minimum wage that allows working families to live in dignity.

For workers anywhere in the US who suffer from abusive, illegal working conditions, Sugar Law and its broad network of cooperating attorneys provide representation to enforce their legal rights.

Sugar Law provides information on the rights of working people to workers themselves, the broader public and policymakers.

Only a minority of American workers have the protection of collective bargaining. The Sugar Law Center works with unions to support working people’s right and capacity to organize for better working conditions.

When big businesses ask for tax breaks from local communities on the basis that they will create new jobs, Sugar Law can make these corporate promises specific and enforceable. Sugar Law attorneys can negotiate and prepare agreements that require payback of tax subsidies when the community doesn’t receive the promised number of jobs.

Sugar Law helps ordinary citizens voice their concerns and get a seat at the table in community and state decision-making.
Where after all do universal human rights begin? In small places, close to home... the world of the individual person: The neighborhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination.

Unless these rights have meaning there, they have little meaning anywhere.

—Eleanor Roosevelt

The Sugar Law Center for Economic and Social Justice

The Sugar Law Center for Economic and Social Justice is a national organization based in Detroit that uses legal and other public advocacy to advance the rights of working people and their communities. Driven by the principle that economic, social and civil rights are inseparable, Sugar Law was founded in 1991 as a project of the National Lawyers Guild and remains closely affiliated with the Guild.

The Center is named for Maurice and Jane Sugar. A founding member of the National Lawyers Guild, Maurice was a towering figure in the history of the labor movement. Equally dedicated to public service, his wife Jane was a leader in struggles to strengthen public education.

Affiliated with the National Lawyers Guild

SUGAR LAW CENTER

4605 Cass Avenue • Detroit, MI 48201 • www.sugarlaw.org
313-993-4505 Phone • 313-887-8470 Fax • mail@sugarlaw.org

SUGAR LAW CAN HELP YOU
In Your Struggle for Justice

If you are...

• an individual fighting back against unfair policies or practices in the workplace;

• a community group fighting to make your voice heard in decisions about land use, tax abatements, local wage ordinances or other issues key to your quality of life;

• a union seeking to help working people on issues that may not be immediately bargained;

• working to build a fair society;

...contact the Sugar Law Center and discuss how your struggle can benefit from knowledgeable legal assistance.

Visit our website at www.sugarlaw.org to see the scope of our current and past work, or call (313) 993-4505 to talk about the issue you are taking on.

YOU CAN HELP SUGAR LAW
Advance Social Justice

Lawyers anywhere in the US who share our values are invited to join Sugar Law’s network. We work with cooperating counsel on many cases, and refer clients to attorneys when we are unable to take their cases ourselves.

Volunteers are always needed, including attorneys, law students and people without legal training. We find ways of maximizing the impact of time you contribute, whether in Detroit or elsewhere.

If you can make a donation of any size, it will be used to deliver direct service to people in need of advocacy. Visit our website at www.sugarlaw.org to donate online, or send a check directly to our office.

Gifts to the Sugar Law Center are tax-deductible as allowable by law. The Sugar Law Center for Economic and Social Justice is tax-exempt under Section 501(c)(3) of the Internal Revenue Code, classified as a publicly supported organization.

All photos on the inside top left panel and on the cover of this brochure are courtesy of Jim West, except the bottom left cover photo (Sugar Law files). We thank Jim for permission to use his photos. To see his work, visit jimwestphoto.com. Brochure design: Barbara Barelfield
DO YOU KNOW SOMEONE who fights for their rights in an unorganized workplace?
Are your neighborhood needs IGNORED?
Does your union want to connect with and serve WORKERS who are NOT YET MEMBERS?

Sugar Law Center for Economic & Social Justice is a national nonprofit organization based in Detroit dedicated to the rights of working people and their communities.

Sugar Law has recovered millions of dollars for workers who suffered wage theft, discrimination, mass layoffs and other crisis.

Working with the regional community-labor coalition Doing Development Differently in Metro Detroit (D4), Sugar Law helps disenfranchised communities get heard.

By reaching workers in abusive working conditions, Sugar Law helps unions support self-organizing.

313-993-4505 • www.sugarlaw.org

Sugar Law's national & local union partners include: AFSCME, IBEW, IUOE, AFL-CIO, Michigan Nurses Association, OPEIU, SEIU, UAW, UFCW, USWA.

Photos: JimWestPhoto.com
Design: Barbara Barefield

Affiliated with the National Lawyers Guild Local 2320
DO YOU NEED A PROBATE ATTORNEY?

PLEASE CALL

1-800-357-7090

FOR A FREE CONSULTATION WITH A PROBATE ATTORNEY

The Wayne County Probate Bar Association is a non-profit association of private attorneys that practice before the Wayne County Probate Court.

Members of the Lawyer Referral Service agree to be available for an initial free consultation for probate matters as a service to the general public.
Instructions:
1. Fold the document in half along the dotted line, so that the front cover is facing up.
2. Cut along the yellow edge on the left side (inside flap).
3. Cut along the yellow edge on the right side (cover).
4. Cut along the yellow edge on the bottom.
5. With the inside facing up, fold along the dotted line so the inside flap is facing up.
6. Fold along the dotted line so the cover is facing up.

Have been violate?
IF YOU FEEL YOUR RIGHTS

TIPS FOR SAFETY
- Stay calm and stay put, don't run or suddenly move.
- Keep your hands where the officer can see them and free of any objects if possible.
- Never touch any police officer.
- Follow instructions, you can always make a complaint later if you feel your rights were violated.

Inside Flap

ACLU Washington

Everyone has rights. These tips are meant to help you be safe and understand your rights under current Washington State law. It is the police officer's duty to respect your rights, but you may need additional resources.

WHAT TO DO IF YOU'RE STOPPED

BY THE POLICE

ACLU Washington

If you have the right to:
Everybody's got a right to live
WHAT TO DO IF YOU’RE STOPPED BY
POLICE, IMMIGRATION AGENTS OR THE FBI
We rely on the police to keep us safe and treat us all fairly, regardless of race, ethnicity, national origin or religion. This card provides tips for interacting with police and understanding your rights. Separate rules apply at checkpoints and when entering the U.S. (including at airports).

KNOW YOUR RIGHTS
- You have the right to remain silent. If you wish to exercise that right, say so out loud.
- You have the right to refuse to consent to a search of yourself, your car or your home.
- You have the right to calmly leave if you are not under arrest.
- You have the right to a lawyer if you are arrested. Ask for one immediately.
- You have constitutional rights regardless of your immigration or citizenship status.

KNOW YOUR RESPONSIBILITIES
- Do stay calm and be polite.
- Do not interfere with or obstruct the police.
- Do not lie or give false documents.
- Do prepare yourself and your family in case you are arrested.
- Do remember the details of the encounter.

If you feel your rights have been violated, contact the ACLU of Michigan to file a legal complaint.

ACLU of Michigan
2966 Woodward, Detroit MI
(313) 578-6800
www.aclumich.org

WHAT TO DO IF YOU’RE STOPPED BY
POLICE, IMMIGRATION AGENTS OR THE FBI

IF YOU ARE STOPPED FOR QUESTIONING
Stay calm. Don’t run. Don’t argue, resist or obstruct the police, even if you are innocent or police are violating your rights. Keep your hands where police can see them.

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Stay calm. Don’t run. Don’t argue, resist or obstruct the police, even if you are innocent or police are violating your rights. Keep your hands where police can see them.

Ask if you are free to leave. If the officer says yes, calmly and silently walk away. If you are under arrest, you have a right to know why.

You have the right to remain silent and cannot be punished for refusing to answer questions. If you wish to remain silent, tell the officer out loud.

In some states, you must give your name if asked to identify yourself.

You do not have to consent to a search of your vehicle, but police may “pat down” your clothing if they suspect a weapon. You should not physically resist, but you have the right to refuse consent for any further search. If you do consent, it can affect you later in court.

IF YOU ARE STOPPED IN YOUR CAR
Stop the car in a safe place as quickly as possible. Turn off the car, turn on the internal light, open the window part way and place your hands on the wheel.

Upon request, show police your driver’s license, registration and proof of insurance.

If an officer or immigration agent asks to look inside your car, you can refuse to consent to the search. But if police believe your car contains evidence of a crime, your car can be searched without your consent.

Both drivers and passengers have the right to remain silent. If you are a passenger, you can ask if you are free to leave. If the officer says yes, sit silently or calmly leave. Even if the officer says no, you have the right to remain silent.

IF YOU ARE ARRESTED
Do not resist arrest, even if you believe the arrest is unfair.

Say you wish to remain silent and ask for a lawyer immediately. If you can’t pay for a lawyer, you have the right to a free one. Don’t say anything, sign anything or make any decisions without a lawyer.

You have the right to make a local phone call. The police cannot listen if you call a lawyer.

Prepare yourself and your family in case you are arrested. Make emergency plans if you have children or take medication.

Special considerations for non-citizens:
• Ask your lawyer about the effect of a criminal conviction or plea on your immigration status.
• Don’t discuss your immigration status with anyone but your lawyer.
• Read all papers fully. If you do not understand or cannot read the papers, tell the officer you need an interpreter.

IF YOU ARE CONTACTED BY THE FBI
If an FBI agent comes to your home or workplace, you do not have to answer any questions. Tell the agent you want to speak to a lawyer first.

If you are asked to meet with FBI agents for an interview, you have the right to say you do not want to be interviewed. If you agree to an interview, have a lawyer present.

You do not have to answer any questions you feel uncomfortable answering, and can say that you will only answer questions on a specific topic.

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IF YOU FEEL YOUR RIGHTS WERE VIOLATED

Remember: police misconduct cannot be challenged on the street. Don’t physically resist officers or threaten to file a complaint.

Write down everything you remember, including officer’s badge number and patrol car numbers, which agency the officers were from, and other details. Get contact information for witnesses. If you are injured, seek medical attention first.

File a written complaint with the agency’s internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.

Contact the ACLU of Michigan at (313) 578-6800 or file a complaint online at www.aclumich.org

Since 1959, the ACLU of Michigan’s mission has been to preserve, protect, and advance the guarantees of the Bill of Rights and other civil liberties for all persons.

IF THE POLICE OR IMMIGRATION AGENTS COME TO YOUR HOME

If the police or immigration agents come to your home, you do not have to let them in unless they have certain kinds of warrants.

A search warrant allows police to enter the address listed on the warrant, but officers can only search the areas and for the items listed. An arrest warrant allows police to enter the home of the person listed on the warrant, if they believe the person is inside. A warrant of removal/deportation (ICE warrant) does not allow officers to enter a home without consent.

If officers have a warrant, you have the right to remain silent. If you choose to speak to the officers, step outside and close the door.

IF YOU ARE QUESTIONED ABOUT YOUR IMMIGRATION STATUS

You have the right to remain silent and do not have to discuss your immigration or citizenship status with police, immigration agents or any other officials.

You do not have to answer questions about where you were born, whether you are a U.S. citizen, or how you entered the country. Separate rules apply at international borders and airports, and for individuals on certain nonimmigrant visas.

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IF YOU ARE NOT A U.S. CITIZEN AND AN IMMIGRATION AGENT REQUESTS YOUR IMMIGRATION PAPERS, YOU MUST SHOW THEM IF YOU HAVE THEM WITH YOU. IF YOU ARE OVER 18, CARRY YOUR IMMIGRATION DOCUMENTS WITH YOU AT ALL TIMES. IF YOU DO NOT HAVE IMMIGRATION PAPERS, SAY YOU WANT TO REMAIN SILENT.

Do not lie about your citizenship status or provide fake documents.

IF YOU ARE TAKEN INTO IMMIGRATION OR “ICE” CUSTODY

You have the right to a lawyer, but the government does not have to provide one for you. If you do not have a lawyer, you can ask for a list of free or low-cost legal services.

You have the right to contact your consulate or have an officer inform the consulate of your arrest.

Tell the ICE agent you wish to remain silent. Do not discuss your immigration status with anyone but your lawyer.

Do not sign anything, such as a voluntary departure or stipulated removal, without talking to a lawyer. If you sign, you may be giving up your opportunity to stay in the U.S.

Remember your immigration number (‘A’ number) and give it to your family. It will help family members locate you.

Keep a copy of your immigration documents with someone you trust.
Know Your Rights: Protected Speech and Permits at Demonstrations and Protests in Michigan

The right to protest and express your opinions is one of the most basic and important rights in the United States. Peaceful protests play an important role in preserving democracy by raising awareness and bringing about change. Recognizing the historical and central importance of protests and demonstrations, the First Amendment of the U.S. Constitution protects your right to protest, assemble, and petition.

What types of protest are protected?

The First Amendment protects different forms of expression, including speech, participation in demonstrations and marches, music and other arts, distributing leaflets, picketing, and other forms of expressive speech such as carrying signs, a candlelight vigil or wearing T-shirts with messages. However, the Constitution does not protect civil disobedience that involves purposely violating a valid law to make a point.

For example, while sitting in a road may be expressing a political opinion, the act of blocking traffic is illegal and may lead to arrest and punishment. Also, although the Constitution protects a very wide range of speech—including offensive speech—there are certain narrow exceptions where speech is not constitutionally protected, for example, words likely to incite an immediate riot.

Do I need a permit before I engage in free speech activity?

Not usually. However, certain events may require a permit, depending on the size and location of the event, including:

- A march or parade that does not stay on the sidewalk, and other events that require blocking traffic or closing streets;
- A large rally requiring the use of sound amplifying devices; or
- A large rally at certain designated parks or plazas that require permits.

In some cases, cities ask that organizers apply for a permit weeks in advance of the event. However, if the protest is in response to an unforeseeable or recent event, the advance notice requirement cannot prevent the event from taking place.

Police or city officials may also seek to impose conditions on the event, such as the sound level or route of the march. These restrictions may violate the First Amendment if they are unnecessary for traffic control or public safety, or if they interfere significantly with effective communication. A permit cannot be denied because the event or views expressed will be controversial.

Where can I engage in free speech activity?

Your right to protest is strongest in traditional “public forums” such as parks, sidewalks and streets. The government may only place narrow, non-discriminatory “time, place and manner” restrictions on speech in such places. You may also be able to protest at other public locations that the government has opened up to free speech activities such as the plazas or steps in front of government buildings.

Can I participate in free speech activities on private property?

Yes, as long as the property owner consents. However, if property owners, including the owners of private shopping malls, ask you leave and you refuse, you could be charged with trespassing.

If the organizers did not obtain a permit, where can a march take place?

So long as marchers stay on the sidewalks and obey traffic and pedestrian signals, their activity is constitutionally protected, even without a permit. Marchers may be required to allow enough sidewalk space for pedestrians to pass by.

If you are organizing a protest or a march and want it to go smoothly, out of an abundance of caution, you may choose to inform the police ahead of time about the planned activity, even where a permit is not required.

Can I erect a temporary shelter and stay on public property overnight during (or as part of) free speech activity?

It’s generally up to city and state officials. Most courts have held that cities may choose to bar protesters from erecting temporary shelters such as tents in public forums, and may also stop people from staying in these shelters overnight in order to protect the security, safety, access and aesthetic appearance of the public space.

The restrictions must still be reasonable in time, place and manner, and cannot foreclose all avenues of free speech. Check local ordinances.
Know Your Rights: Interacting with Police at Demonstrations and Protests in Michigan

We rely on the police to keep us safe and treat us all fairly, regardless of race, ethnicity, national origin or religion. Knowing your rights in potentially tense situations is the best way to ensure that you are treated fairly.

Can the police search demonstrators or protesters?

No, the police are not permitted to search you unless they have reasonable suspicion that you were engaged in or about to commit a criminal act. If they do have reasonable suspicion, police officers are permitted to frisk your outer clothing to search for weapons.

Can the police search my backpack or purse?

Police officers may only search your bags if they have probable cause to believe that your bags contain weapons, contraband or evidence of illegal activity, such as drugs. In very limited circumstances, police may search your belongings if you are in a designated “secure area.” However, if the police mark out a secure area, they must allow you to refuse to have your bags/containers searched and must permit you to leave the area.

Do I have to show ID when the police demand it?

In general, no, you do not have to show ID if police demand it unless you are under arrest, being ticketed, or driving. You also have to identify yourself to police if (1) the police officers have reasonable suspicion to believe you violated the law and (2) there is a local law requiring that you show ID when the police have reasonable suspicion (as exists in Ann Arbor and East Lansing).

You can ask police officers why they are asking for your ID and what will happen if you decline to provide it. In general, we advise you to provide your ID if you have it. However, undocumented immigrants should be aware that showing your ID may result in detention by immigration enforcement authorities (ICE).

Can I record or photograph the police in public?

Yes, you can record or photograph police officers who are performing their official duties in public.

What should I do if police order a crowd to disperse?

Police officers can order a group to leave an area if it is violent or if it has gathered unlawfully—for example, if the size or location of the group required a permit and the group does not have one. Unless you want to be arrested, you should follow the order to disperse—even if you believe you are rightfully in a place where you are allowed to engage in free speech activities and/or that your activities are not creating a disturbance.

May I approach pedestrians with petitions, leaflets or other literature on public sidewalks?

Yes. You have the right to approach pedestrians on public sidewalks and distribute material without a permit. However, you do not have the right to purposely block the path of pedestrians or block the entrances to buildings.

Do counter-demonstrators have free speech rights?

Yes. While counter-demonstrators do not have a right to physically disrupt the event or drown out the speakers they are protesting, they do have the right to be present and to voice their displeasure within the vicinity of the demonstrators.

What should I do if my rights are being violated by a police officer?

It is rarely productive to aggressively confront or resist a police officer. You should ask to speak to a supervisor and explain your position to her or him that the First Amendment protects your actions.

We advise that you follow the police order and then write down what happened as soon as possible, including the names of police officers, any badge numbers or patrol car numbers you remember, any witness names and other potentially important information.

As the premier civil liberties organization in our state, the ACLU of Michigan’s mission remains realizing the promise of the Bill of Rights for all and expanding the reach of its guarantees to all areas and communities.

If you believe your rights were violated by the police, contact the ACLU of Michigan by calling 313-578-6800 or filling out a complaint form on our website at www.aclumich.org.

The ACLU of Michigan has also published a Know Your Rights pocket guide that explains your rights if you are stopped by the police, the FBI or immigration agents. The card is available at: http://www.aclumich.org/bustcard
FREE LEGAL HELP
For Low-Income People and Seniors (60+)

COUNSEL & ADVOCACY LAW LINE
Call Toll-Free: (888) 783-8190

VISIT US ONLINE AT
lakeshorelegalaid.org

OFFICE HOURS
Monday–Thursday
9 a.m. – 7 p.m.
Friday
9 a.m. – 3 p.m.

What Type of Legal Aid do We Provide?

Family matters, including:
- Domestic Violence Survivor Assistance
- Divorce
- Custody/Parenting Time/Support
- Guardianship/Conservatorship

Housing matters, including:
- Eviction Defense
- Tenants’ Rights
- Habitability/Home Repair
- Access to Adequate Housing
- Land Contract Forfeiture
- Utility Shut-Offs
- Mortgage & Tax Foreclosures

Income matters, including:
- Public Benefits
- Disability & Age-Related Benefits

Consumer matters, including:
- Bankruptcy
- Debt Collection
- Debt Counseling
- Unfair Sales Practices
- Credit Reporting/Repair
- Garnishment/Repossession

Miscellaneous matters, including:
- Wills
- Durable Powers of Attorney-Health
- Durable Powers of Attorney-Finance
- Expungements
- Driver’s License Restoration

We are unable to help with criminal law or traffic-related issues.