

Rolando's Rights

José: Rolando.

Rolando: José, I didn't get paid for my last two weeks on the job. I need that money. I worked for it.

José: I'm sorry. I told you on the phone, I want to help but there's nothing I can do. You got sick. You lost your job. You lost your pay.

Rolando: I'm talking about *before* I was sick. I didn't get paid for two weeks.

José: The owner said he doesn't owe you anything.

Marco: Why are you so late?

Rolando: I had some business I had to take care of.

Marco: Well you have to take care of it on your own time. You need to be back from lunch on time.

Rolando: Okay, sorry.

Marco: Got it?

Rolando: Yes.

Marco: Good.

Janus: What's going on?

Rolando: Have you ever been ripped off on a job?

Janus: Tell me about it. What happened?

Rolando: The place where I used to work ripped me off. They fired me because I was sick and they didn't pay me for two weeks I worked before I got sick.

Janus: They can't do that.
Rolando: Well, they did. I went back there to ask for my money. ... Let's just get back to work. I just got this job. I don't want to lose it.

Rolando: Silvia? ... They said no.
Silvia: There must be something else you can do.

Rolando: What do you have there?
Lionel: Nothing.
Rolando: Let me see, let me see, let me see! It looks like a big cat. It's a lion, is that right?
Lionel: That's right, lion! King of the animals!
Rolando: Can you show me how to roar like a lion?
Lionel: ROAR!!!
Silvia: Rolando.
Rolando: Thanks, honey.
Rolando: We are going to figure this out.
Silvia: Okay.
Rolando: Bye.

(Rolando is daydreaming at his part-time parking garage job.)

José: Rolando, I've got something for you. Your money!

Rolando: *Gracias!*

Janus: Yeah, we lay the concrete, then we're finished. Hey, you ever read any of these signs? *To anonymously report unsafe conditions at this worksite, call 311.*

Rolando: Anonymously... that means you don't have to give your name, right? What if you want to report that your boss didn't pay you? Can you call 311 anonymously?

Janus: You asked me if I ever got ripped off on a job? The company we work for right now ripped me off.

(A coworker, Cecilia, appears.)

Cecilia: Me too. I was sick for a few days. I asked for sick leave, but the company didn't give it to me.

Janus: Me too.

Rolando: Sick leave, what's that?

Janus: In New York City, if you're sick, you don't have to go to work, but you still get paid. It's called *paid sick leave*. I don't know all the rules but my friend told me it's for workers without a union contract like us.

Cecilia: But what if your company doesn't give you paid sick leave? What do you do?

Janus: Let's call that number. 311.

Rolando: You guys try it... Tell me what you find out. I have to pick up my son at school.

Janus: Okay.

Cecilia: Okay.

Lionel: I'm king of the animals!Roar

Baby Elephant: Excuse me, mister lion? Could you be a little quieter?

Lionel: Why? I'm a lion. That's how I talk. Loud!

Baby Elephant: I... I forgot my words.

Teacher: Your line is "I have a voice too." Let's practice it.

Baby Elephant: I have a voice too.

(Rolando enters the classroom and the teacher greets him.)

Teacher: They're practicing their lines. Lionel is one of our stars. Let's continue.

Baby Elephant: I have a voice too.

Baby Giraffe: I have a voice too.

Baby Zebra: Me too.

Baby Raccoon: Me three.

Lionel: Let me hear your voices!

Rolando: So, what did they tell you?

Cecilia: They said we can get help from DCA, the Department of Consumer Affairs. They have a special office for worker rights.

Rolando: They told me the same thing. They said we could file a complaint online or do it on the phone.

Janus: They said we can go to the DCA office too. And you don't need an appointment.

Cecilia: Maybe going there is a good idea. We can speak to somebody face-to-face.

Rolando: But when?

Janus: Next Wednesday, our construction site will be

closed for an inspection.

Rolando: Let's go then.

DCA

Representative: We'll work together to solve your problem and if you want an interpreter in your language, let me know. In New York City, workers in companies with five or more employees have the right to paid sick leave.

Cecilia: That's us.

DCA

Representative: You can start using your sick leave after four months. And if someone in your family is sick, for example, your wife or your child or your parent, you can use your sick leave. You can stay home and take care of them and still get paid.

Janus: Our company didn't give us paid sick leave.

DCA

Representative: We'll help you get it. The company owes you that money.

Cecilia: We don't have a union contract. Are we protected? We don't want to lose our jobs.

DCA

Representative: The company is not allowed to fire you for getting help from DCA. It's against the law.

Rolando: I have another problem. My old company didn't pay me for the last two weeks that I worked there. They ripped me off two full weeks of pay.

DCA

Representative: That is called *wage theft*. The company is required by law to pay you for every hour that you work.

Omar: I have another question. My wife wears a hijab.

She's starting a new job. Is that a problem?

DCA

Representative: No. It is not. It is illegal for employers to discriminate against workers because of religion, and workers like your wife -- or anyone -- have the right to wear their religious clothing.

Rolando: The Workers' Bill of Rights?

DCA

Representative: That's right. Workers in New York City have rights and it doesn't matter if you have immigration papers or not.

Rolando: This is good. This is what I need.

DCA

Representative: Do you want to file a complaint? We'll contact the company to get your money.

Cecilia: We should file a complaint.

(The workers look at each other, thinking.)

DCA

Representative: If you want to talk it over and decide, that's fine. When you are ready, we are here to help.

Janus: So, what do you guys think? Do you want to file a complaint or speak with Marco?

Cecilia: I think we should file a complaint.

Marco: I think we should speak to Marco first. Maybe the company doesn't know the rules.

Janus: I think they know the rules.

Omar: What do you think about speaking to some other workers? If more of us tell Marco what we know, maybe he'd tell the owner.

Janus: What do you think, Rolando?

Rolando: Yeah... Paid sick leave is for home health aides like you too.

Silvia: I see. Also nannies, housecleaners, all domestic workers.

Rolando: Yep.

Silvia: The rules are a little different. Let's see what this says.

Rolando: I mean... you sound sick, man. You should be at home resting.

Patel: I cannot afford it.

Janus: With paid sick leave you can stay home and you still get paid.

Patel: I don't want to make any trouble. My wife is pregnant. I don't want to lose my job.

Rolando: It's your right, Patel.

Bing: You mean if someone in my family is sick, paid sick leave covers that too?

Cecilia: That's right.

Bing: I think speaking as a group is a good idea.

Silvia: Why aren't you dressed for work?

Rolando: Silvia, do you ever think about leaving?

Silvia: Leaving?

Rolando: Going back

Silvia: We made a decision. We came here,

worked hard, built a family. This is our home now.

Rolando: I love you.

Janus: What did you decide?

Rolando: I'm going to show the documents we got from DCA to my old foreman.

Janus: What are you going to say to him?

Rolando: Let's practice it.

Janus: What?

Rolando: You be the boss and I'll play myself, Rolando.

Janus: Okay. I've never been a boss before.

Rolando: You'd be a good one.

Janus: Thanks. Go ahead... I'm listening.

(Rolando and Janus start role-playing.)

Janus: What do you want, Rolando? I've already listened to you. I'm a very busy man.

Rolando: I only need a couple minutes of your time and I won't bother you anymore.

Janus: Okay, you have two minutes. Talk to me.

Rolando: Look, it's my money. I worked for it, and you can't take it.

Janus: You were sick. I needed a worker. I had no choice.

Rolando: I had the flu. You can't fire me for that. I have the right to paid sick leave, and I have the right to all the money that I earned before I got sick too.

Janus: I'm not the boss of this company. I only work here and I do what I'm told. (*Janus whispers to Rolando.*) Rolando, the foreman is here.

José: You can break earlier today.

Construction Worker:

Great, thanks.

Rolando: José, I need to talk to you for a minute.

José: Rolando, you don't work here anymore.

Rolando: I worked for this company for five months. I have a right to paid sick leave, and I have the right to receive all of the money that I worked for.

José: Look... Rolando. I'd like to help you but there's nothing I can do. I'm not the boss.

Rolando: Can you talk to him again?

José: I'll try. Can't guarantee anything. I'll give you a call.

Rolando: Thank you.

Cecilia: Marco, we want to tell you that we know about paid sick leave.

Janus: That's right. We don't want to cause trouble. We just want to take care of ourselves.

Bing: And our families.

Marco: Don't waste your time. The boss doesn't care.

Cecilia: Maybe he would care if he knows we could file a complaint with DCA.

Omar: Then he would have to pay us. Plus fines,

penalties.

Patel: And we know he is not allowed to fire us. We're protected by the law.

Rolando: That's right, Marco. We know our rights.

Marco: All right. I will show this to the boss. But I don't think he cares.

Rolando: Silvia?

Silvia: Hi.

Rolando: Hey. So, the foreman at the old job said he would talk to the boss.

Silvia: That's a good sign, but it's good to have another plan.

Rolando: I'll wait a few days. If they don't do anything, I know what to do.

Janus: Rolando. We've decided that we are going to file complaints with DCA. We're tired of waiting.

Rolando: I haven't heard anything from my old foreman either.

Janus: You should file a complaint too.

Rolando: I already have.

Lionel: Roar. I can't roar.

Rolando: Don't worry, Lionel. You'll get your voice back soon.

Silvia: Dear, I'm going to stay with you. I called my



agency and they said it's fine. I've been working there a long time, so they said I can stay home and I'll get paid.

Rolando: Next time it'll be my turn, after I've been with the company longer and we win our fight.

Marco: Listen everybody. Before you leave I have something important to tell you. You were right. Everyone who works for this company 120 days or more, gets paid sick leave. In New York City, it's the law.

Cecilia: And it's good for the company to have healthy workers.

Marco: I have this information about paid sick leave. I'm going to post it by the entrance and outside my office.

Omar: We deserve it.

Janus: Yeah, it's our right.

Rolando: We build this city!

We Speak NYC is a production of the City of New York.

