



Right to be Paid

You have a right to receive a paycheck for the job you do. There are laws that guarantee migrant and seasonal farm workers their rights. These rights also make sure that the correct deductions are listed on your paycheck stub.

This lesson has information about your right to be paid. This is not legal advice. If you have complaints, you should speak to your employer or crew leader first. If the problems continue, you can make a formal complaint.



Vocabulary

- Minimum Wage
- Paycheck
- Deductions
- Gross Pay
- Net Pay

LEGAL RIGHTS

The Law

The **Migrant and Seasonal Agricultural Worker Protection Act** gives job-related protection to migrant and seasonal agricultural workers. This law states what the employer must pay his/her workers. It says what he/she may deduct from a worker's pay. It states what must be listed on a paycheck stub.

Minimum Wage

The minimum wage is the lowest amount of money per hour that an employer can pay. There are two types of minimum wage – **Federal** and **State**:

- *Federal*: The **federal minimum wage** is \$7.25 per hour.
- *State*: The **state minimum wage** is different depending on state law. For example, in Illinois, it is \$8.25 per hour. In New Mexico, it is \$7.50.

Your employer must pay you the highest minimum wage that is available. This means that if you live in Illinois, your employer must pay you at least \$8.25. If you live in a state with no minimum wage, you must be paid at least the federal minimum wage of \$7.25. Make sure you know what the minimum wage is where you work. (See Student Handout.)

Paycheck

Every worker has a right to have a paycheck and a paystub with a listing of the deductions. Your paycheck stub can be typed or hand-written. It should include:

- The proper **deductions** (the amount of money taken out of your paycheck, usually taxes)
- How many hours you have worked
- The **gross pay** (the amount you earn)
- The **net pay** (the amount you take home after deductions)
- The name and address of the employer



Hours Worked

You have the right to be paid, on time, for every hour that you work – even if you are paid by the piece. If your earnings per piece do not add up to the hourly minimum wage, your employer must pay the hourly minimum wage. This will become more clear to you after you have done Activity 1.

In some states, employers calculate how much it costs to pay workers per piece versus the hourly minimum wage. In those states, you must be paid the higher amount. Find out if this is the case where you work.

You should always keep a count of how many hours you work. Check your paycheck to make sure you got paid for every hour. Keeping track of how many hours you work and when you get paid will help in case you have a problem.

Deductions

Your check will include deductions (money taken out for government or other expenses).

- FICA - Social Security (7.65%)
- FICA - Medicare
- State tax (Some states have this tax, but others do not.)
- Federal tax (This amount will be different for each person.)

Other Deductions

WRITTEN PERMISSION IS REQUIRED FOR ANY OTHER DEDUCTIONS

LIKE: Rent and living expenses (food, transportation, utilities).

Contact

If you are not paid, or do not receive the correct amount, please contact: Wage and Hour Division (WHD)
 Tel: 1-866-4USWAGE (1-866-487-9243)
 8:00 A.M – 5:00 P.M.

123 – Juan Rodriguez				Required Deductions	
Social Security Number: XXX-XX-1234				This Period	YTD
Pay Period: 10/10/2011 to 10/16/2011				Federal Income Tax	45.00 90.00
Earnings				Medicare Tax	6.53 13.05
Hours	Rate	This Period	YTD	IL State Income Tax	18.00 36.00
50	9.00	450.00	900.00	Social Security Tax	34.43 68.86
Gross Pay		450.00	900.00		
				Other Deductions	
				Net Pay	346.04 692.08

Your Farm
 1234 Farm St.
 Farm Town, IL 99999

Check Number: XXXXXXXXX
Pay Date: 10/16/2011

Pay *****Three hundred forty six and 04 cents*****\$346.04

To the order of:
 Juan Rodriguez
 555 Your St
 Your Town, IL 99998

Vocabulary & Definitions

- Minimum wage:** The smallest amount of money an employer can pay. There are two types: Federal and State.
- Paycheck:** A bank check given as a salary or wages.
- Deductions:** State and federal taxes taken out of each paycheck. Other deductions may include Social Security and Medicare.
- Gross pay:** The total amount of pay with no deductions.
- Net pay:** The amount of pay, after deductions.

Right to be Paid

Lesson Plan

Objective: To teach migrant and seasonal agricultural workers:

1. their legal rights of earning a minimum wage
2. the proper deductions that should be included in each paycheck stub
3. the importance of keeping track of their hours

Goals:

- Students will know the meaning of state and federal minimum wage.
- Students will know the definition and differences of legal deductions.
- Students will learn one way of keeping track of their hours.
- Students will compare two paychecks, one which includes the proper deductions and one that has unnecessary deductions.

Essential Questions: What is my legal hourly wage? What legal deductions will be applied to my paycheck? How can I find out what are proper deductions?

Materials needed		Estimated time
<ul style="list-style-type: none"> • Worksheet #1 with two scenarios • Worksheet #2 with two types of paycheck stubs: one paycheck stub that has the proper state and federal deductions and one paycheck stub that shows both proper and improper deductions • Pre and Post Assessments • Student Handout 		1 Hour
Elements	Activities	Notes
Preparation	<ul style="list-style-type: none"> • Introduce the topic – “Right to be Paid” Time: 5 minutes • Review the Pre-Assessment Time: 5 minutes 	<ul style="list-style-type: none"> • Have students take the Pre-Assessment • Ask for volunteers to share their answers
Instructions	<ul style="list-style-type: none"> • Distribute and read together the student lesson, “Right to be Paid.” Time: 15 minutes • The teacher will distribute Skills Practice Worksheet #1 for students. Time: 15 minutes • The teacher will distribute Skills Practice Worksheet #2 with sample paychecks with the proper and improper deductions taken out of it. Time: 10 minutes • Students will receive a proper paycheck stub. Time: 10 minutes 	<ul style="list-style-type: none"> • The teacher will explain the meanings of the bold faced words as they appear and give examples of each word. • The teacher will lead a discussion about the scenarios, asking students to explain how the tables were completed. • The teacher will write a list of these deductions on the board. • The teacher and the students will review the paycheck and find each of these deductions together to highlight them. • Students will circle the proper deductions and underline the improper deductions. • Students will share their responses.
Concept Check	<ul style="list-style-type: none"> • Students will take the Post-Assessment. Time: 5 minutes 	<ul style="list-style-type: none"> • The teacher will go over the answers and close the lesson by giving each student a list of basic rights and contact information.



Activity 1: Fill in the hours.

Scenario 1:

Jose works cleaning the field five days of the week. He starts work every day at 7:00 in the morning. On Mondays and Tuesdays, he stops working at 3:00 P.M. Wednesdays he gets out at 3:30 P.M. Thursdays and Fridays he gets out a little later, at 4:00 P.M. Every day Jose takes a 30-minute lunch break from 12:00–12:30 P.M. Jose’s crew leader does not reduce money for his lunch. Jose gets paid \$8.25 each hour. Can you fill in the hours in the table below?

On Mondays, Jose cleans six (6) areas of field. From Tuesday to Friday he cleans seven (7) areas each day. For each area that he cleans he gets paid \$10. Can you fill in the count for the pieces in the table below?

Day	Date	Start Time	Lunch	Stop Time	Hourly			By Piece		
					Total Hours Worked	Pay Per Hour	Total Pay for Hours	# of Pieces	Pay by Piece Rate	Total Pay for Pieces
Monday	6/10									
Tuesday	6/11									
Wednesday	6/12									
Thursday	6/13									
Friday	6/14									
Saturday	Off									
Sunday	Off									
Totals:										

Scenario 2:

Maria works 45 hours each week. During the week of August 12th to the 18th, she worked from Monday to Saturday. From Monday to Friday, she starts work at 6:00 in the morning and gets out at 2:00 in the afternoon. Saturday she starts work at 7:00 A.M. and gets out at 12:00 noon. Her lunch break is from 10:00-10:30 A.M. She gets paid \$10.00 per hour. Can you fill in the count for the hours in the table below?

When she gets out, Maria can also work picking peppers. She gets paid at \$4.00 per box (pieces). She picks five (5) boxes every day that she works. Can you fill in the count for the pieces in the table below?

Day	Date	Start Time	Lunch	Stop Time	Hourly			By Piece		
					Total Hours Worked	Pay Per Hour	Total Pay for Hours	# of Pieces	Pay by Piece Rate	Total Pay for Pieces
Monday	8/12									
Tuesday	8/13									
Wednesday	8/14									
Thursday	8/15									
Friday	8/16									
Saturday	8/17									
Sunday	8/18									
Totals:										



Right to be Paid

Skills Practice Worksheet #2

Name: _____

Date: _____

Activity 2: Find the proper and improper deductions on the paystub.

Paystub A

123 – Juan Rodriguez				Required Deductions	
Social Security Number: XXX-XX-1234				This Period	YTD
Pay Period: 10/10/2011 to 10/16/2011				Federal Income Tax	45.00 90.00
Earnings				Medicare Tax	6.53 13.05
Hours	Rate	This Period	YTD	IL State Income Tax	18.00 36.00
50	9.00	450.00	900.00	Social Security Tax	34.43 68.86
Gross Pay					
				Other Deductions	
				Net Pay	346.04 692.08

PAY STUB

Your Farm
1234 Farm St.
Farm Town, IL 99999

Check Number: XXXXXXXXXX
Pay Date: 10/16/2011

Pay *****Three hundred forty six and 04 cents*****\$346.04

To the order of:
Juan Rodriguez
555 Your St
Your Town, IL 99998

PAYCHECK

Directions: Work with your teacher to compare Paystub A and Paystub B. Underline the *proper* parts of the paycheck and paystub. Circle the *improper* parts of the paycheck and paystub. Explain why these parts are *improper*.

Paystub B

123 – Juan Rodriguez				Required Deductions	
Social Security Number: XXX-XX-1234				This Period	YTD
Pay Period: 10/10/2011 to 10/16/2011				Federal Income Tax	45.00 90.00
Earnings				Medicare Tax	6.53 13.05
Hours	Rate	This Period	YTD	IL State Income Tax	18.00 36.00
50	9.00	450.00	900.00	Social Security Tax	34.43 68.86
Gross Pay					
				Other Deductions	
				Tax:	20.00 40.00
				Other Tax:	15.00 30.00
				Using the bathroom:	5.00 10.00
				Drinking Water:	10.00 20.00
				Net Pay	296.04 592.08

PAY STUB

Your Farm
1234 Farm St.
Farm Town, IL 99999

Check Number: XXXXXXXXXX
Pay Date: 10/16/2011

Pay *****Two hundred ninety six and 04 cents*****\$296.04

To the order of:
Juan Rodriguez
555 Your St
Your Town, IL 99998

PAYCHECK



Activity 1: Fill in the hours.

Scenario 1:

Day	Date	Start Time	Lunch	Stop Time	Hourly			By Piece		
					Total Hours Worked	Pay per Hour	Total pay for Hours	# of Pieces	Pay by Piece Rate	Total Pay for Pieces
Monday	6/10	7:00	12-12:30	3:00	8	8.25	66	6	10	60
Tuesday	6/11	7:00	12-12:30	3:00	8	8.25	66	7	10	70
Wednesday	6/12	7:00	12-12:30	3:30	8.5	8.25	70.13	7	10	70
Thursday	6/13	7:00	12-12:30	4:00	9	8.25	74.52	7	10	70
Friday	6/14	7:00	12-12:30	4:00	9	8.25	74.52	7	10	70
Saturday	Off	--	--	--	--	--	--	--	--	--
Sunday	Off	--	--	--	--	--	--	--	--	--
Totals:					42.5	8.25	351.17	34	10	340

Scenario 2:

Day	Date	Start Time	Lunch	Stop Time	Hourly			By Piece		
					Total Hours Worked	Pay per Hour	Total pay for Hours	# of Pieces	Pay by Piece Rate	Total Pay for Pieces
Monday	8/12	6:00	10-10:30	2:00	8	10	80	5	4	20
Tuesday	8/13	6:00	10-10:30	2:00	8	10	80	5	4	20
Wednesday	8/14	6:00	10-10:30	2:00	8	10	80	5	4	20
Thursday	8/15	6:00	10-10:30	2:00	8	10	80	5	4	20
Friday	8/16	6:00	10-10:30	2:00	8	10	80	5	4	20
Saturday	8/17	7:00	10-10:30	12:00	5	10	50	5	4	20
Sunday	8/18	Off	--	--	--	--	--	--	--	--
Totals:					45	10	450	30	4	120



Activity 2: Find the proper and improper deductions on the paystub.

123 – Juan Rodriguez				Required Deductions				
Social Security Number: XXX-XX-1234					This Period	YTD		
Pay Period: 10/10/2011 to 10/16/2011				Federal Income Tax	<u>45.00</u>	<u>90.00</u>		
Earnings				Medicare Tax	<u>6.53</u>	<u>13.05</u>		
Hours	Rate	This Period	YTD	IL State Income Tax	<u>18.00</u>	<u>36.00</u>		
	9.00	450.00	900.00	Social Security Tax	<u>34.43</u>	<u>68.86</u>		
No hours		No Gross Pay	900.00	Other Deductions				
Gross Pay				Tax:	20.00	40.00		
<div style="border: 1px solid red; border-radius: 50%; padding: 20px; width: fit-content; margin: auto;"> No explanations on these deductions → </div>				Other tax:	15.00	30.00		
				Using the bathroom:	5.00	10.00		
				Drinking water:	10.00	20.00		
				Net Pay			296.04	592.08

Your Farm

No address

Check Number: XXXXXXXXX

Pay Date: 10/16/2011

Pay *****Two hundred ninety six and 04 cents*****\$296.04

To the order of:

Juan Rodriguez
555 Your St
Your Town, IL 99998



Right to be Paid

1. I have the right to earn the state or federal minimum wage, whichever is higher.
2. I have the right to receive a paycheck and a paystub listing my deductions.
3. My employer must ask me, in writing, if he/she plans on deducting my rent, transportation costs, or any other living expenses from my paycheck.
4. I have the right to contact the Wage and Labor Department if I believe my paycheck contains unlawful deductions.

Contact Information:

If you are not paid, or do not receive the correct amount, please contact:



Wage and Hour Division (WHD)
 Tel: 1-866-4USWAGE
 (1-866-487-9243)
 8:00 A.M – 5:00 P.M.

I can use this table to help me keep track of my hours.

Day	Date	Start Time	Lunch	Stop Time	Hourly			By Piece		
					Total Hours Worked	Pay Per Hour	Total Pay for Hours	# of Pieces	Pay by Piece Rate	Total Pay for Pieces
Monday										
Tuesday										
Wednesday										
Thursday										
Friday										
Saturday										
Sunday										
Totals:										

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Right to be Paid
Pre-Assessment

Date: _____

Name: _____

1. Do you have a right to be paid for work you do?

Circle the correct answer.

Yes

No

2. When you receive a paycheck from an employer which of the following will be included on your pay stub?

- a. the hours you worked
- b. your gross pay amount
- c. your net pay amount
- d. all of the above

3. Which of the following is a deduction taken from your paycheck?

state tax

spending
money

4. *FICA* is a tax for social security and medicare.

True

False

5. Should you talk to your employer or crew leader if you have a work problem?

Yes

No

Total Correct: _____



Right to be Paid
Post-Assessment

Date: _____

Name: _____

1. Do you have a right to be paid for work you do?

Yes

No

2. When you receive a paycheck from an employer which of the following will be included on your pay stub?

- a. the hours you worked
- b. your gross pay amount
- c. your net pay amount
- d. all of the above

3. Which of the following is a deduction taken from your paycheck?

state tax

spending
money

4. *FICA* is a tax for social security and medicare.

True

False

5. Should you talk to your employer or crew leader if you have a work problem?

Yes

No

Circle the correct answer.

Total Correct: _____

What would you do if your crew leader did not listen to your concerns? (not scored) _____