

Sample Letter: English-only Rule

You may wish to use the sample letter on the next page if you work in California and your employer makes you speak only English at work. This is commonly referred to as an “English-only” policy.

Legal Aid at Work cannot ensure the information in this sample letter is current, or be responsible for any use it is put to. It is always best to consult with an attorney about your particular situation to determine your rights and the best steps to take when you think your rights may have been violated. If you would like to speak to someone, you can contact our toll-free Language Rights Helpline (1-800-864-1664). You can also review our fact sheet on [language discrimination](#).

IMMIGRANT WORKERS

It is illegal for employers to retaliate against any worker because she asserts her workplace rights—for example, by contacting federal immigration authorities. Unfortunately, this type of retaliation does happen, and it can have serious consequences for immigrant workers. If you lack legal status or work authorization in the United States, you should consult with an immigration attorney about the risks employer retaliation could entail for you.

[DATE]

[EMPLOYER'S NAME]

[EMPLOYER'S ADDRESS]

Dear [Name of employer]:

I am writing you to express my concern about the “English-only” rule in our workplace. This rule adversely affects minority employees who, like me, speak a primary language other than English. I am asking that you seriously consider withdrawing the policy.

Because English-only rules burden only certain racial and ethnic groups, they are likely to violate Title VII of the Civil Rights Act of 1964 and the California Fair Employment and Housing Act (FEHA). The FEHA prohibits employers from requiring their employees to speak only in English without a valid business necessity, and without giving them adequate notice. **“Business necessity” means “an overriding legitimate business purpose” such that:**

1. **the English-only rule is *necessary* to the safe and efficient operation of the business;**
2. **the rule *effectively fulfills the business purpose* it is supposed to serve; and**
3. **there is *no alternative* to the rule that would accomplish the same purpose equally well with a less discriminatory impact.**

English-only rules are divisive and alienating for non-native English speakers. Situations where workers feel constantly monitored, nervous, and afraid to speak in languages other than English often lead to the type of “hostile work environment” that violates the law. The law requires employers to take effective steps to eliminate such harassment based on language and national origin.

Because of the kind of work that I, and others like me, perform at our workplace, I do not believe that an English-only rule is necessary. In fact, prohibiting us from speaking to each other in languages in which we can communicate more quickly and accurately actually makes our work less efficient.

To ensure a discrimination-free environment in our workplace, I respectfully ask that you promptly rescind the English-only rule and allow employees to speak to each other in any language.

I look forward to hearing from you at your earliest opportunity. Thank you very much for your consideration of my concerns.

Sincerely,
[YOUR NAME]