

THE

WORKPLACE PROTECTION PLAYBOOK

Know Your Rights. Document Everything. Protect Yourself.

Presented by MyHRProof
myhrproof.com

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SECTION 01

A Note to You — You're Not Alone

Every year, more than 75,000 workplace discrimination charges are filed with the EEOC. Millions more incidents go unreported — not because they didn't happen, but because employees didn't know what to do, didn't have proof, or were afraid of making things worse.

If you're reading this, something has likely happened to you at work — or you're smart enough to prepare before it does. Either way, this playbook gives you the same foundation an employment attorney would help you build — for free.

***"The single biggest mistake employees make is waiting too long to start documenting. By the time they come to us, critical evidence is already gone."
— Employment Attorney insight***

This guide won't give you legal advice — no guide can replace an attorney. But it will give you clarity on your rights, a system to document what's happening, and a plan to protect yourself from day one.

SECTION 02

Your 5 Federal Rights HR Hopes You Don't Know

1

Title VII — Civil Rights Act (1964)

Prohibits discrimination based on race, color, religion, sex, or national origin. This covers hiring, firing, promotions, pay, job assignments, and any other term or condition of employment. Sexual harassment is a form of sex discrimination under Title VII.

2

ADA — Americans with Disabilities Act (1990)

If you have a physical or mental impairment that substantially limits a major life activity, your employer must provide reasonable accommodations — unless it causes undue hardship. They cannot fire or demote you simply because of your disability.

3

ADEA — Age Discrimination in Employment Act (1967)

Protects workers 40 and older from discrimination based on age. Employers cannot force early retirement, pass over qualified older workers for promotions, or create a hostile environment because of age.

4

FLSA — Fair Labor Standards Act (1938)

Establishes minimum wage, overtime pay (1.5x after 40 hrs/week for non-exempt workers), recordkeeping requirements, and child labor standards. If you're being underpaid or denied overtime, this is your federal protection.

5

Anti-Retaliation Protection (All Major Federal Laws)

This is the one employers most frequently violate. It is ILLEGAL to fire, demote, harass, cut hours, reassign, or take any adverse action against you for: reporting discrimination, filing a complaint, participating in an investigation, or exercising any federally protected right. Period.

IMPORTANT: State laws often provide STRONGER protections than federal law. Check your state's fair employment laws — many cover smaller employers, more protected classes, and higher damages than federal statutes.

SECTION 03

The 3 Types of Incidents You Must Document

Not all workplace incidents are equal in the eyes of the law. Employment attorneys organize evidence into three categories — and you need all three to build a strong case.

TYPE 1 Direct Discriminatory Acts

- Written or verbal statements referencing a protected class (race, gender, age, etc.)
- Unequal treatment compared to similarly situated coworkers outside your protected class
- Being passed over for promotion/raise while less qualified others advance
- Disciplinary actions that apply only to you, not to others doing the same thing

TYPE 2 Hostile Work Environment Conduct

- Repeated offensive comments, jokes, or slurs — even if called 'just joking'
- Physical conduct or unwanted touching of any kind
- Display of offensive images, materials, or messages
- Exclusion from meetings, communications, or team activities based on who you are

TYPE 3 Retaliation Events

- Any adverse action following a complaint, report, or exercise of a protected right
- Sudden negative performance reviews after years of positive ones
- Shift changes, demotion, reassignment, or schedule cuts after reporting
- Increased scrutiny, micromanagement, or being placed on a PIP post-complaint

SECTION 04

Your 24-Hour Action Plan

The first 24 hours after an incident are the most critical. Memory fades, evidence disappears, and witnesses move on. Here's exactly what to do:

0-2
HRS

Write Everything Down — Right Now

Open a notes app, a journal, or an email to yourself. Write: the exact date and time, where it happened, exactly what was said or done (verbatim if possible), who was present, and how you responded. Do this while it's fresh. Exact words matter enormously in legal proceedings.

2-4
HRS

Preserve All Evidence

Screenshot emails, texts, Slack messages, or any digital communication related to the incident. If there are physical documents, photograph them. Forward relevant emails to a personal account. Do NOT delete anything — even communications you think hurt you.

4-8
HRS

Identify Witnesses

Write down the names of everyone who witnessed or may have witnessed the incident. Note what their perspective likely was. Do not coach them or ask them to lie — simply document who was there. Their testimony may be critical later.

8-16
HRS

Review Your Company's Internal Policies

Locate your employee handbook, HR policies, code of conduct, and any anti-harassment or anti-discrimination policies. Note the complaint procedures. These policies create obligations your employer must follow — and deviations from them are significant.

16-24
HRS

Consider Your Internal Reporting Options

Filing an internal HR complaint creates a paper trail and is often legally required before certain claims. Decide whether to report now or wait. If you report, do it in WRITING — not verbally. Email creates a timestamp and record that a conversation does not.

***CRITICAL: Never document on a work computer, work phone, or work email.
Use personal devices only. Your employer can access company devices.***

SECTION 05

What HR Won't Tell You When You File a Complaint

This is the section most employees wish they'd read before walking into HR. Understanding HR's role — and its limits — can save you from costly mistakes.

1. HR works for the company — not for you.

HR's primary legal obligation is to protect the company from liability. When you report an incident, HR's job is to investigate in a way that limits the company's exposure — not necessarily to achieve justice for you. This doesn't make them adversaries, but it means you should never assume they're on your side.

2. 'Confidential' complaints are rarely fully confidential.

HR is legally required to investigate complaints, which means they must speak with the accused and often with witnesses. Your name will almost certainly come up. Prepare yourself for this — and document any changes in treatment after your report.

3. Your complaint starts a legal clock.

Filing an EEOC charge has strict deadlines: 180 days in most states, 300 days in states with their own agencies. Missing these deadlines can permanently bar you from legal action. Internal HR complaints do NOT substitute for EEOC filing.

4. Everything you say in HR meetings can be used against you.

Go into every HR meeting prepared. Bring notes. Ask to have someone present if permitted. Request written summaries of meetings. Do not make statements you're not certain of — inconsistencies in your account can be used to undermine your credibility later.

5. You have the right to request a copy of any investigation findings.

Many employees don't know they can (and should) ask HR for a written summary of investigation outcomes. While not always required to provide it, many companies will — and their response itself becomes part of your documentation.

SECTION 06

The Evidence Checklist Employment Lawyers Actually Use

When employment attorneys evaluate a case, this is the evidence they look for. Use this as your ongoing documentation checklist — the more boxes you can check, the stronger your position.

Written & Digital Evidence

- Emails referencing the incident, your protected class, or performance changes
- Text messages or chat logs (Slack, Teams, WhatsApp) from work contacts
- Screenshots of posts, comments, or messages from coworkers or supervisors
- Performance reviews — both before and after the incident
- Any written warnings, PIPs, or disciplinary notices
- Job postings for your role (if being pushed out)
- Pay stubs showing changes in compensation or hours

Witness Evidence

- Names and contact info of people who witnessed incidents
- Names of people who received better treatment in similar situations
- Anyone who heard discriminatory comments, even offhand
- Coworkers who experienced similar treatment (pattern evidence)

Your Own Records

- Personal journal or log of incidents with exact dates, times, and locations
- Records of verbal complaints you made (to whom, when, what was said)
- Medical records if the situation caused physical or mental health impacts
- Records of missed work, lost income, or job opportunities due to the situation
- Any changes in schedule, role, pay, or responsibilities after reporting

Company Policy Evidence

- Employee handbook and relevant policy sections
- Anti-harassment / anti-discrimination policies
- Documentation showing the company deviated from its own policies
- Comparator evidence showing different rules applied to different employees

SECTION 07

How to Protect Yourself Without Getting Fired

The goal isn't to go to war with your employer — at least not yet. The goal is to protect yourself, preserve evidence, and keep your options open while maintaining your professional standing.

DO	DON'T
✓ Continue performing your job duties at the highest level — make it impossible to justify adverse action on performance grounds	✗ Don't vent on social media — anything you post publicly can be used against you
✓ Document everything in real time — create a private log on personal devices with dates, times, and exact quotes	✗ Don't use company devices or email for personal documentation or attorney communication
✓ Keep communication professional and in writing whenever possible — email creates records	✗ Don't quit without legal advice — 'constructive dismissal' claims require specific conditions
✓ Build allies carefully — identify trustworthy coworkers who may have witnessed incidents	✗ Don't sign anything HR presents without reading it completely — and consider having an attorney review it
✓ Know your FMLA rights if the stress is affecting your health — medical leave is federally protected	✗ Don't exaggerate or embellish incidents — credibility is everything; stick to facts
✓ Consult an employment attorney EARLY — many offer free consultations and can advise before you take action	✗ Don't retaliate against the person who wronged you — it shifts focus away from their conduct
✓ File EEOC charges within deadlines if internal resolution fails — this preserves your legal options	✗ Don't miss work unnecessarily — attendance records are frequently used to undermine claims

SECTION 08

Your Next Step

You now have a framework. The question is: how do you actually execute it when every incident happens in real time, often without warning?

That's exactly what MyHRProof was built for.

- ✓ **Incident Logging**
Timestamp and geo-stamp every incident the moment it happens — from your phone. Courts accept app-generated timestamps as evidence.
- ✓ **Secure Evidence Vault**
Store screenshots, photos, audio notes, and documents in AES-256 encrypted storage that only you can access.
- ✓ **Timeline Builder**
Automatically organize every incident into a chronological timeline — the exact format attorneys and investigators use.
- ✓ **Guided Documentation**
Step-by-step prompts that ensure you capture every detail that matters legally, even when you're shaken or scared.
- ✓ **Export-Ready Reports**
Generate a professional incident report at any time, formatted for HR complaints, EEOC filings, or attorney review.

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This guide is for informational purposes only and does not constitute legal advice. For your specific situation, consult a licensed employment attorney in your state.