

FIGHTING for a **BETTER LIFE:**

**How Working People
Across America Are Organizing to**

RAISE WAGES and
IMPROVE WORK

JANUARY 2016

AFL-CIO

2015: A YEAR OF ACTION

ON JAN. 7, 2015, the AFL-CIO convened a national Summit on Wages to highlight the multiple fights working people are engaging in across the country to raise wages and improve working conditions. Rank-and-file workers told their stories of struggle and victory to an audience of more than 300 union leaders, faith leaders, organizers, national advocates and local economic justice activists.

Sen. Elizabeth Warren (D-Mass.) urged participants to elect political leaders who will “unrig” the rules and ensure our economy works for working people, not the wealthy and well-connected. The Economic Policy Institute reviewed the deliberate policy choices and development trends that have left us with 30 years of stagnant wages.

President Rich Trumka then ended the summit by calling for union activists and community allies to ramp up the pressure on elected officials and employers to create a more just, inclusive economy, and to hold politicians accountable for delivering on the promises they make during the campaign season.

This report highlights a range of post-summit actions taken across the country by unions, organizing groups, working people and ordinary citizens to raise wages and improve working conditions. From collective bargaining victories to organizing in new sectors of the economy and new regions to local legislative victories and executive action at the national level, 2015 was a year of working people rising.

Multiple Fronts in the Fight to Improve Work and Wages

In 2014, many reports and articles noted that the stock market and corporate profits were back to pre-Great Recession levels, and unemployment was falling, but wage growth remained flat. Pollsters reported growing

frustration among voters about the failure of the economy to improve the lives of ordinary families. A majority of the electorate was pessimistic that their children would have the same standard of living they had enjoyed. In 2015, this anxiety and anger was channeled into action.

In 2015, working people used whatever tools were available to them to push for higher wages and better work. Those with union representation at work used collective bargaining to demand higher wages and benefits. In 2015, union workers in contract negotiations challenged now-profitable corporations to share their gains with the employees who had made them successful, and who had made concessions during the tough times. They demanded more, and in some cases went on strike to win their demands.

Workers without union representation organized new collective bargaining units in a variety of sectors, from health care to higher education. Union organizing and activity even grew in the South—that region of the country traditionally most hostile to unions.

The energy behind the OURWalmart campaign and the fast food workers’ strikes fanned minimum wage fights across the country and resulted in pay increases for entry-level workers. The Fight for \$15 has become a rallying call in metropolitan areas across the country, and corporations are finding that paying workers low wages stains their brand.

Powerful alliances of community partners and labor unions are working together to raise labor market standards through legislative initiatives at the city and state levels—increasing minimum wage, prevailing wage and living wage standards; requiring employers to provide paid sick days and adequate notice of changes in work schedules; and setting up new penalties and protections against wage theft and discriminatory pay practices. (At the federal level, bills that would raise the

minimum wage and improve other labor protections have been introduced by Democratic legislators but stopped by the Republican leadership of the House and Senate.)

At the federal level in 2015, the Obama administration continued to propose new rules to help workers. One would raise wages for millions of workers by making more workers eligible for overtime, and another would require federal contractors to provide paid sick days to their employees. A third would prevent federal contractors from retaliating against employees who discuss their wages and benefits with each other, making it easier for women to learn whether they are receiving equal pay for equal work.

The National Labor Relations Board, whose mission is to protect workers' right to organize and bargain, took a step in 2015 to make it easier for workers to organize a union if they want one by eliminating delays in the process by which unions are recognized, and by determining that huge "branded" companies like McDonald's that operate through local franchises bear some responsibility for ensuring the rights of McDonald's employees are respected.

This grassroots activity across the country and continuing attention focused on wage levels and job quality led to a public dialogue in 2015 about the importance of improving wages and working conditions that the country hasn't seen in decades. President Obama and his top economic policy advisers, as well as the Board of Governors of the Federal Reserve and the regional Federal Reserve Banks, all have focused on the wages and working conditions of working people, not just unemployment rates.

This has been an extraordinary year of activism and engagement by working people. There are challenges ahead, but it is important to stop and recognize these victories—and then get back to work.

Working People Used Contract Negotiations to Win Real Improvements in Their Lives

In the trough of the Great Recession, unemployment soared and workers were asked to take wage and benefit cuts to help employers stay afloat. But by 2015, with corporate profits surging, union members demanded a fair share of the fruits of their labor in contract negotiations with employers.

According to a Bloomberg BNA analysis of contract settlements through the first three quarters of 2015, unions that bargained for new contracts received a weighted average first-year raise of 4% (with lump-sum payments included). This is a significant increase from last year's 2.9% first-year increase, a six-year high.¹ The final 2015 weighted average first-year wage increase could surpass 4.2%, the highest weighted average since 2001.

This optimistic estimate for a strong fourth quarter stems from developments in the auto and airline industries. First-year wage increases secured by auto workers at Ford, GM and Fiat-Chrysler ranged from 3% for those with more than eight years of service to a minimum of 7.7% and a maximum of 45.2% for those with less than eight years of service, putting more recent hires on a path to wage parity with their longer-tenured brothers and sisters. At Chrysler, about 40% of the workforce will be shifted toward the higher pay scale.

Meanwhile, passenger service and reservation workers at American Airlines will receive an average first-year wage increase of 30%. Combined, these units represent nearly 120,000 workers, many of whom will experience a dramatic enhancement to their household income and quality of life.

The year 2015 also saw workers making effective and creative use of their right to strike—building alliances with communities and customers, and reinventing the strike as a tool of the labor movement as a social movement, following the examples set in recent years by teachers and fast food and retail workers. 2015 began with 1,800

¹ Analysis of 591 agreements in BNA's Table of Contract Settlements, representing 643,000 workers from both the public and private sectors. BNA does not collect information on each and every contract, and BNA analysis is based exclusively on the sample it has collected.

Communications Workers (CWA) and Electrical Workers (IBEW) members reaching an agreement with FairPoint after a four-month strike. Thousands of union members at oil refineries went on strike in California, Kentucky, Texas and Washington in February and some 30,000 union members soon had new three-year contracts. At Kohler in Sheboygan, Wisconsin, 2,000 UAW members staged a successful monthlong strike that reversed company demands for greater inequality between first- and second-tier workers. Workers are rejecting calls for two-tier pay structures and lower benefits for new workers. They are standing in solidarity.

Several well-known corporations responded to the more militant mood in 2015 with pay increases. In February, Walmart announced raises for 500,000 entry-level workers after several years of strikes and protests timed to coincide with Black Friday holiday shopping. TJX—the parent company of T.J. Maxx, Marshall’s and Home Goods—also announced in February it would raise the minimum wage for all of its workers to \$9 in June and \$10 in 2016. In March, Target announced it would raise its minimum wage to \$9 for all employees. In advance of a wave of strikes planned for April 15, McDonald’s announced it would raise its average minimum wage. Several corporations also announced new policies on paid family leave: Netflix, Goldman Sachs, Adobe, Microsoft and Hilton.

Working People Organized in Key Growth Sectors and New Regions in 2015

Working people are standing up for their rights on the job in key sectors of the economy and in the South, and using new and innovative approaches to establish unions. With the economy improving but wages remaining relatively stagnant, increasing numbers of working people are looking to the labor movement as an agent of change. From the Fight for \$15 to successful organizing campaigns at digital media companies, 2015 was a year marked by success and a fighting spirit.

Immigrant Workers Are Organizing for Rights on the Job

Immigrant workers are better off when they have the protection of a union to defend their rights at the workplace. From coast to coast, UNITE HERE members

won key organizing campaigns in hotels and food service. The mostly immigrant workers at the DoubleTree in Allston, Massachusetts, the Trump International Hotel and DoubleTree (formerly New Otani) Hotel in downtown Los Angeles were among the UNITE HERE members who successfully organized their workplaces.

The United Food and Commercial Workers (UFCW) represents many immigrant workers in the meat-processing and meatpacking sector—one of the most physically demanding and dangerous sectors of the economy. In what has become a model for other unions, the UFCW escalated its immigrant member organizing efforts by launching a national program to educate immigrant members and their families about the employment rights the law provides them.

In an innovative partnership with the Laundry Workers Center, the United Steelworkers (USW) helped some 300 immigrant workers at B&H Photo win their union. In Southern California, the AFL-CIO launched a pilot project aimed at recruiting and training the next generation of Spanish-speaking organizers and researchers. The apprentice staff have assisted the organizing efforts of the Building Trades, UNITE HERE, National Taxi Workers Alliance and UFCW’s EI Super campaign.

Working People in the South Are Joining Together

In recent years, the labor movement has redoubled its efforts to help more Southern workers organize. UAW wins at parts manufacturers and Volkswagen stand as exemplars of the trend. In 2014, UAW supporters suffered a narrow election defeat at VW’s Tennessee plant. Undeterred, Volkswagen UAW members kept organizing. In 2015, the VW members of UAW Local 42 announced they had a majority of workers signed up as members and filed for and won an NLRB election for skilled trades workers in the plant.

Workers at other plants in the South continue to build unions and defy stereotypes. Boeing workers in South Carolina also are campaigning for a union with the International Association of Machinists (IAM) despite heavy flack from management. Earlier in 2015, nearly 2,000 aircraft mechanics, technicians and maintenance workers in Texas voted to form unions as IAM members.

Emerging Sectors of the Economy

Working people in nontraditional sectors of the economy also are forming unions. In 2015, the editorial staff at The Huffington Post asked management to recognize Writers Guild of America, East (WGAE) as their union representative. This move would make The Huffington Post the biggest digital news operation to choose union representation. In the past year, working people have made significant gains in the media industry as The NewsGuild-CWA and WGAE have enjoyed major organizing wins, including at Gawker, The Guardian US, ThinkProgress, Salon and Vice Media.

Taxi and Uber drivers are organizing and mobilizing in cities across the country. Austin, Texas, Chicago, Los Angeles, New Orleans, New York, Philadelphia, San Diego, San Francisco, San Jose, California, and Washington, D.C., all saw major efforts to organize unions, protest for better conditions and win gains for traditional taxi drivers as well as on-demand drivers. These efforts were supported by AFSCME, the Office and Professional Employees (OPEIU), and the National Taxi Workers Alliance, which became the AFL-CIO's newest affiliate union this year.

Public-Sector Unions Gird for Attacks by Increasing Their Membership

All unions want to have the highest possible participation in each of their bargaining units. In the federal sector, AFGE reached its highest membership in the union's history by signing up more than 300,000 federal employees. With attacks on public-sector collective bargaining, major state and local public-sector unions like AFSCME and AFT have activated and signed up hundreds of thousands of teachers, nurses, social workers, service workers and other public employees already covered by union contracts.

Health Care and Higher Education Are Growing Sectors and Growing Unions

Two traditional sectors of the economy that have enjoyed sustained growth also are hotbeds of new worker organizing efforts. The National Nurses Union (NNU) continued to win new locals for nurses. In higher education, at Temple University, the AFT won one of the largest elections for adjunct faculty in recent years. Supported by the AFT and the UAW, teaching and

research assistants hoping to restore their legal right to collective bargaining launched campaigns for thousands of workers at Columbia, Cornell, Harvard and the New School University. In the Midwest, 600 clerical and other support staff workers at Northern Illinois University joined AFSCME.

In Transportation and Manufacturing, Working People Improve Standards by Organizing

As the economy rebounds and transportation and manufacturing jobs recover, working people are joining unions to improve their working conditions and wages. Some 5,000 passenger service agents at Envoy, a major contractor for American Airlines, organized their union with support from CWA, which also counts 80,000 other members at airlines. Bike share workers in Boston, Chicago, New York and Washington, D.C., organized unions with the Transport Workers (TWU).

On the manufacturing side of transportation, working in coalition with the Jobs to Move America campaign, the IBEW successfully helped workers organize a union at Kinki-Sharyo, the manufacturer of Los Angeles subway cars.

Big Strikes: Workers Reviving a Key Tactic When Necessary

In recent years, Walmart "associates," fast food workers, and the Chicago and Seattle teachers all have proven that the strike remains an important tool for working people. That trend continued in 2015. In February, after years of organizing supported by the UFCW and several years of strikes and protests timed to Black Friday holiday shopping, Walmart announced raises for 500,000 workers.

In addition to several waves of short duration strikes in food service, several more traditional strikes in manufacturing and telecommunications resulted in wage and benefit gains. The year began with 1,800 CWA and IBEW members at FairPoint reaching an agreement on the heels of a four-month strike through a bitter New England winter.

Thousands of union members at oil refineries struck in California, Kentucky, Texas and Washington in

February. The strikes were settled, and ultimately some 30,000 union members reached new three-year contracts. At Kohler, in Sheboygan, Wisconsin, 2,000 [UAW members staged a successful monthlong strike](#), reversing company demands for greater inequality between first- and second-tier workers. There was a discernable trend toward increased worker militancy in 2015 based on the duration and significance of strikes in key sectors.

Working People are Educating Themselves About Economic Policy

In 2015, the AFL-CIO developed a popular education course on the economy that connects participants' personal experiences—stagnating wages, rising student debt, unaffordable child care—to the broader economy and to *the policy choices that have weakened workers' bargaining power and shifted wealth to the 1%*. The Common Sense Economics® message is clear: bad policy choices have led to a low-wage economy, and better policy choices can lead to better lives for all of us. The training is designed to build an army of informed and engaged union members and community partners that can move from common understanding to collective action.

More than 400 volunteer trainers and thousands of working people across the country have engaged in Common Sense Economics workshops and carried its message into their activism. For example:

- University students in Michigan fought attempts to cut the minimum wage for young workers.
- Union and community activists in Miami took action to stop misclassification and wage theft for workers on the Miami Worldcenter construction project.
- Teachers in Baltimore supported an initiative to extend overtime pay to workers making up to \$50,000 a year.
- Public employees in Colorado took action in support of paid sick days.
- College students and community activists in Minnesota supported legislation to provide driver's licenses for undocumented workers.

- CASA de Maryland, a worker center serving the Washington, D.C., metro area, trained 75 staff in Spanish to use Common Sense Economics as a fundamental part of their worker center member conversations.

Common Sense Economics is connecting a big vision of the economy to the lives and concerns of everyday working people. Outreach efforts in 2016 will ramp up even more.

Raising Wages by Changing the Rules

In 2015, economic justice activists and union leaders came together across the country to demand that elected officials at every level of government pass laws and enact regulations to *require* improved wages and working conditions for working people.

The Fight for \$15 won dramatic victories. The most visible was the passage of a \$15 minimum wage ordinance in Los Angeles, America's second-largest city. Fifteen municipalities/counties enacted minimum wage increases in 2015; living wage bills passed in Washington State and Dallas as well.

In 2015, state-level minimum wage bills were introduced in 46 state legislatures. Two states (New York and Rhode Island) enacted or implemented increases, and bills introduced in 16 other states (Alaska, California, Delaware, Georgia, Hawaii, Iowa, Kansas, Minnesota, North Carolina, Nebraska, New Hampshire, Oklahoma, South Carolina, Tennessee, Vermont and Washington) will carry over into the 2016 legislative session. Three states (California, Hawaii and Tennessee) passed prevailing wage measures in 2015.

Protections against wage theft were passed in five states (California, Illinois, New York, Oregon and Utah) and four Florida counties or municipalities (Pinellas County, Hillsborough County, Osceola County and St. Petersburg). Wage theft bills introduced in five other states (Georgia, Iowa, North Carolina, Tennessee and Washington) will be considered in the 2016 legislative session.

In 2015, paid sick days measures passed in two states (North Dakota and Oregon), one county (Montgomery County, Maryland), and six municipalities (Emeryville, California; Bloomfield and Elizabeth in New Jersey; Philadelphia; Pittsburgh; and Tacoma, Washington). Three states (California, North Dakota and New York) passed equal pay legislation in 2015.

Bills to require employers to establish more human-friendly work schedules were introduced in California, Minnesota and New York in 2015, and will be carried over for consideration in the 2016 legislative session. Fair scheduling bills include provisions that require employers to give advanced notice of work schedules and improved access to hours.

Nationwide, cities and states are recognizing the necessity of boosting the incomes of the lowest-paid employees—tipped and home care workers. In the face of federal inaction (the federal minimum rate for tipped workers has been stuck at \$2.13 since 1991), New York, Rhode Island and the city of Birmingham, Alabama, passed increases for tipped workers in 2015. Coupled with the expansion of New Deal labor protections to home care workers (who are disproportionately immigrants and, like their tipped-worker counterparts, women), low-wage workers are benefiting from long-overdue wage increases.

New workers' associations have played a pivotal role in these successes: Restaurant Opportunities Centers United's One Fair Wage campaign focuses solely on tipped workers, while the National Domestic Workers Alliance continues to fight for better pay for home care workers. Jobs With Justice and the National Employment Law Project are key community allies in the struggle to improve labor standards and working conditions.

At the federal level, funding for the Surface Transportation Act will help create jobs, but the Republican leadership in both the House and Senate blocked legislation that would have improved workers' lives by increasing workers' bargaining power—including bills that would have increased the minimum wage, provided paid sick days, improved Social Security and, perhaps most importantly, the Workplace Action for a Growing Economy (WAGE) Act, that would help restore a

meaningful right to organize and collectively bargain in the American workplace.

As congressional initiatives fizzled, President Obama and the federal agencies charged with protecting workers stepped in to use their authority to establish better employment standards—in many cases seeking to close loopholes and update worker protections that had been allowed to erode for decades—feeding wage stagnation and runaway economic inequality.

In 2015, the Department of Labor proposed a change in the rules on overtime protections that would restore overtime pay to almost 5 million workers—ensuring they would receive “time and a half” when working more than a standard 40-hour week. The rule also would make it harder for employers to deny overtime to another 10 million workers who already are overtime-eligible.

On Aug. 25, 2015, a federal appeals court unanimously upheld a 2013 Labor Department rule that extended minimum wage and overtime legal coverage to people who provide care for the elderly and people with disabilities in their homes. This court ruling will allow the Labor Department to enforce minimum wage and overtime protections for 2.5 million people in the home care workforce, 90% of whom are female and half of whom are people of color.

In 2015, one executive order to lift labor standards for employees of federal contractors was implemented, and a second executive order was issued that will enable 300,000 employees of federal contractors to take paid sick leave to take care of loved ones without fear of losing their paychecks or their jobs.

A third executive order, finalized in 2015, could help close the gender pay gap. This executive order will prohibit federal contractors from firing or retaliating against employees who compare salaries with each other. In November 2015, the president banned the practice of using a job applicant's criminal record as an early filter for employment, giving millions of people a better chance for employment.

The Federal Reserve, Employment and Wage Growth

During 2015, progressive economists, labor leaders and economic justice activists discouraged the Federal Reserve from raising short-term interest rates, arguing it was more important to keep jobs and wages growing than to reduce mild inflation.

A series of meetings between regional bank presidents and workers took place in 2015 to ensure the bankers could hear from workers about how they feel the economy actually is performing. Workers reported that their wages weren't rising and that many people who want full-time work are stuck in part-time or temporary jobs with wages far below what they had earned in the jobs they held before the Great Recession. Their testimony drove home the point that even though the formal unemployment rate is fairly low, this figure is masking the fact that many people would work more hours if they could. Progressive economists argued that the Federal Reserve should let labor markets tighten before raising interest rates, because tight labor markets force employers to raise wages to keep good workers. Tighter labor markets also reduce black unemployment rates and reduce the racial gap in employment.

Despite this effort, the Federal Reserve Board increased its target interest rate by 0.25% in December 2015. Nonetheless, the caution exhibited by the Fed chair and her increased focus on employment data in making this decision suggest a desire to better balance the Federal Reserve's twin goals of full employment and low inflation.

Looking Forward

2015 was a breakthrough year in collective understanding and popular action.

In 2015 the American electorate recognized that the struggles of individual families to make ends meet, to pay their mortgage, to save for retirement and to pay off student loans is, in fact, a collective struggle. These experiences are shared by a majority of working families that are struggling to find economic solid ground as they watch the incomes and wealth of the top 10% skyrocket.

It has become clear that the rules that govern our economy need to be recalibrated. The people we elect to make those rules need to be challenged.

In 2015, working people across the country began to work for change. A growing number of people no longer are willing to accept stagnant and falling wages without complaint. They're demanding new rules.

2015 was a year when unions, community organizing groups, economic justice advocates and activists dug deep and worked together to create a better life for all Americans. We recognized that we can create a healthier economy and a more democratic society—but everyone has to participate to make an economy that works for all of us.

The landscape in 2016 looks very different than it did in January 2015. The torrent of intolerance and hate unleashed by would-be presidents is designed to sow fear and division. Anti-union and extremist forces have mobilized to fight on all the fronts described above.

But we're different, too. We've shared hardships, learned together, walked strike lines together, canvassed together. We're building understanding, creating joint actions, developing strategies together. We're standing for the future and standing up for our kids. We're strong and resolute.

And we'll keep our eyes on the prize: a more just, inclusive economy that serves all of us, not just the wealthy and the well-connected.

APPENDIX

1. Advances for Working People Won in Cities and State Legislatures

In 2015, two states (New York and Rhode Island) enacted or implemented minimum wage increases.

New York. The labor commissioner accepted the recommendations of the Wage Board to increase the minimum wage for fast food workers to \$15 per hour by July 1, 2021 (by Dec. 31, 2018, in New York City), and increase the state minimum wage for tipped workers for service employees in resort hotels, food service workers, service employees in restaurants and all-year hotels to \$7.50 per hour on Dec. 31, 2015. Gov. Andrew Cuomo also made an executive decision to increase the minimum wage for state employees to \$15 per hour by July 1, 2021 (by Dec. 31, 2018, in New York City).

Rhode Island. The minimum wage increased to \$9.60 per hour Jan. 1, 2016, and a \$1-per-hour increase in the minimum wage for tipped workers will be phased in over two years.

Municipal Minimum Wage

Fifteen municipalities increased their minimum wage in 2015.

Birmingham, Alabama. The minimum wage will increase to \$8.50 on July 1, 2016, and \$10.10 on July 1, 2017, with annual indexing starting in 2018. The law increased the minimum rate for tipped workers to 50% of the city's regular minimum wage.

Denver. Denver Public Schools increased the minimum wage for employees to \$12 per hour by Sept. 1, 2015.

Emeryville, California. The minimum wage will increase to \$15 per hour by 2018.

Greensboro, North Carolina. The City Council increased the minimum wage to \$10 for contract and seasonal employees and \$12 per hour for benefited employees.

Johnson County, Iowa. The minimum wage will increase to \$10.10 per hour by 2017. The Solon City Council opted out of the increase, so its minimum wage will remain at \$7.25 per hour.

Lexington, Kentucky. The minimum wage will increase to \$10.10 per hour by 2018.

Los Angeles. The minimum wage will increase to \$15 per hour by 2020.

Los Angeles County (unincorporated areas), California. The Los Angeles County Board of Supervisors approved an increase in the minimum wage for unincorporated areas of Los Angeles County by 2020.

Mountain View, California. The minimum wage will increase to \$15 per hour by 2018.

Palo Alto, California. The minimum wage increased to \$11 per hour on Jan. 1, 2016.

Pittsburgh. Pittsburgh Mayor Bill Peduto issued an executive order to increase the minimum wage for all city employees to \$15 per hour by 2021.

Portland, Maine. The Portland City Council passed an ordinance increasing the minimum wage to \$10.10 effective Jan. 1, 2016, and future increases will be indexed to inflation. However, the ordinance holds the minimum wage for tipped workers at 50% of the state minimum wage (half of the state minimum wage is \$3.75).

Sacramento, California. The Sacramento City Council voted to raise the minimum wage to \$10 per hour by Jan. 1, 2016, and \$12.50 by Jan. 1, 2020. For subsequent years, the minimum wage will be indexed to inflation.

Seattle. The 9th U.S. Circuit Court of Appeals upheld the phased-in increase of the city's minimum wage to \$15 per hour.

Syracuse, New York. Mayor Stephanie Miner issued an order raising the minimum wage for all full-time city employees to \$15 per hour.

Tacoma, Washington. Voters in Tacoma voted to increase the city's minimum wage to \$12 per hour by 2018.

Living Wage Measures Passed

One state (Washington) and one municipality (Dallas) passed living wage legislation in 2015.

Dallas. Dallas passed a living wage of \$10.37 per hour for all city contractors and subcontractors (except construction workers, whose wages are regulated elsewhere). The ordinance also mandates annual indexing to inflation.

Washington. The state legislation allows firms that pay a living wage to claim a property tax exemption for the value of new construction of industrial or manufacturing facilities in targeted areas where the city has found a lack of living-wage jobs.

Anti-Wage Theft Legislative Protections Passed

Protections against wage theft were passed in four states (California, Illinois, New York and Oregon) and four counties or municipalities in Florida (Pinellas County, Hillsborough County, Osceola County and St. Petersburg).

California. Gov. Jerry Brown signed legislation that (a) provides employee status, with wage theft protections, for professional sports cheerleaders; (b) gives the labor commissioner the enforcement power to end wage theft and outlines penalties; and (c) allows the labor commissioner to file a lien on an employer's property to help employees collect unpaid wages.

Florida. Four counties or municipalities passed legislation to combat wage theft in 2015. Pinellas County commissioners passed an anti-wage theft measure that took effect on Jan. 1, 2016. The Hillsborough County Commission approved a wage theft ordinance in October (Ordinance No. 15-25). Osceola County passed the Wage Recovery ordinance on March 16, 2015. St. Petersburg passed a wage theft ordinance that took effect April 16, 2015, and began processing complaints on Sept. 2, 2015.

Illinois. Gov. Bruce Rauner signed legislation that (a) provides for state employees to be paid back wages and salaries that are overdue to them, per a court case; and (b) regulates private employment agencies and requires investigation of wage theft, including penalties.

New York. Gov. Cuomo signed two bills that will protect nail salon workers from wage theft.

Oregon. Gov. Kate Brown signed two bills that (a) allow the Labor Commissioner to issue debts owed by employers who have committed wage theft; and (b) extend wage theft protections to domestic workers.

Law to Protect Workers from Employer Payroll Fraud

Utah. The legislation allows the Unemployment Insurance Division to share information about employee misclassification with the U.S. Department of Labor.

Laws Requiring Employers to Provide Paid Sick Days

Paid sick days measures passed in two states (North Dakota and Oregon) in 2015.

North Dakota. A new state law allows state employees six weeks of sick leave to be used for the adoption or placement of a child.

Oregon. Under new legislation passed in 2015, workers in businesses with 10 or more employees will earn one hour of paid sick and safe time for every 30 hours worked, up to a limit of 40 hours per year. Employees in businesses with fewer than 10 employees will earn 40 hours of unpaid, job-protected sick and safe time per year.

Paid sick days measures passed in one county (Montgomery County, Maryland) and six municipalities (Emeryville, California; Bloomfield and Elizabeth, New Jersey; Philadelphia and Pittsburgh; and Tacoma, Washington) in 2015.

Bloomfield, New Jersey. The city council approved a paid sick leave law that will allow private-sector workers to earn one hour of sick time for every 30 hours worked. Those who work in businesses with 10 or more employees can earn five paid sick days per year; workers in businesses with nine or fewer employees would be eligible to earn three paid sick days per year.

Elizabeth, New Jersey. Voters approved a paid sick leave law that will require private employers to provide paid sick leave to employees. The law is expected to take effect on March 2, 2016.

Emeryville, California. The ordinance increases the maximum annual limits on accrual and use to allow workers at businesses with 55 or fewer employees to earn up to 48 hours annually, and workers at businesses with 56 or more employees to earn up to 72 hours annually.

Montgomery County, Maryland. All Montgomery County employees can earn one hour of paid leave for every 30 hours of work, and employees can earn up to 56 hours of paid leave per year. The new law takes effect Oct. 1, 2016, and affects an estimated 90,000 people employed in the county.

Philadelphia. The city council approved and Mayor Michael Nutter signed a citywide paid sick leave ordinance. The ordinance would require employees at businesses with 10 or more employees to be eligible to earn up to five paid sick days per year.

Pittsburgh. An ordinance passed in August 2015 would require employers with 15 or more employees to allow employees to accrue 40 hours of paid sick time per year. Employers with fewer than 15 employees would be required to allow employees to accrue 24 hours of paid sick time per year. The ordinance recently was struck down by an Allegheny County judge.

Tacoma, Washington. The new law applies to the following categories: employees who work in Seattle for an employer with at least four full-time employees (regardless of the location of the employer), excluding government employees (except city of Seattle employees) and students enrolled in work-study programs. Accrual is one hour for every 40 hours worked.

Equal Pay

Three states (California, New York and North Dakota) passed equal pay legislation in 2015.

California. The new law ([SB 358](#)) requires employers to prove that any pay gap between workers is due to factors like skill level or seniority rather than gender. In addition, the legislation protects workers from retribution for sharing salary information or asking about their colleagues' compensation.

New York. The legislation ([A 6075](#) and [S 1](#)) prohibits pay differentials based on gender in jobs requiring "equal skill, effort and responsibility" that are "performed under similar working conditions."

North Dakota. The legislation ([HB 1257](#)) requires that a wage differential between employees of different sexes that is not pursuant to seniority, merit, or quantity or quality of production must be based on a bona fide factor other than sex. It provides clarity on where an unlawful employment practice claim can be filed and tolling the statute of limitations in court for complaints first filed with the state labor commissioner.

Laws to Help People Return to Work After Serving Time for a Crime

"Ban the Box" measures that remove questions about criminal history from employment applications were implemented in six states (Georgia, New York, Ohio, Oregon, Vermont and Virginia) and one municipality (Portland, Oregon).

Georgia. Gov. Nathan Deal issued an executive order to remove questions regarding criminal history from employment applications for public employers, making clear that criminal history shall not be a determining factor in employment decisions unless it bears specific relation to the job for which an individual is being considered.

New York. Gov. Cuomo issued an executive order to remove questions regarding criminal history from employment applications for public employers, making clear that criminal history shall not be a determining factor in employment decisions unless it bears specific relation to the job for which an individual is being considered.

Ohio. Gov. John Kasich issued an executive order to remove questions regarding criminal history from employment applications for public employers, making clear that criminal history shall not be a determining factor in employment decisions unless it bears specific relation to the job for which an individual is being considered. A new state law codifies the executive order issued by the governor.

Oregon. A new statewide law restricts both public- and private-sector employers from inquiring about an applicant's criminal background while in the initial stages of the application process.

Portland, Oregon. The Portland City Council unanimously passed a "Ban the Box" ordinance that will apply to business with six or more employees, with exemptions for law enforcement and criminal justice jobs, volunteer positions or for jobs that require working with children, the elderly, people with disabilities or other vulnerable groups.

Vermont. Gov. Peter Shumlin issued an executive order to remove questions regarding criminal history from employment applications for public employers, making clear that criminal history shall not be a determining factor in employment decisions unless it bears specific relation to the job for which an individual is being considered.

Virginia. Gov. Terry McAuliffe issued an executive order to remove questions regarding criminal history from employment applications for public employers, making clear that criminal history shall not be a determining factor in employment decisions unless it bears specific relation to the job for which an individual is being considered.

Laws to Protect Taxi and Ride Service Drivers' Wages and Voice on the Job

One municipality (Seattle) and one county (Montgomery County, Maryland) passed ordinances that establish a mechanism to provide a collective voice similar to collective bargaining for taxi drivers and/or ride service drivers.

Montgomery County, Maryland. Two new county ordinances establish a mechanism to provide worker voice for taxi drivers, improve services so taxis can compete with Uber and other transportation network companies, and dramatically improve services for people with disabilities.

Seattle. The city council voted unanimously in December 2015 to pass an ordinance that provides a mechanism to provide a worker voice for taxi drivers, for-hire drivers and drivers who are dispatched using apps like Uber and Lyft.

Laws to Ensure Contractors Don't Use Public Money to Erode Local Wage Standards

Two states (California and Hawaii) passed prevailing wage measures in 2015.

California. The new law expands the definition of "public works" to include the delivery of ready-mixed concrete with respect to contracts involving any state agency or any political subdivision of the state. For example, ready-mix drivers who deliver materials to a job site would warrant the payment of prevailing wages.

Hawaii. The new law sets the overtime rate for public works to the rates set by applicable collective bargaining agreements.

Other Legislation Extending Wage and Labor Protections to Workers

New York. New York enacted legislation to protect nail salon workers and form a statewide task force to fight worker exploitation.

Oregon. The Domestic Workers' Bill of Rights, which applies minimum wage and overtime protection to domestic workers, went into effect on Jan. 1, 2016.

2. Federal Laws to Help Working People Introduced (Not Yet Passed)

Workplace Action for a Growing Economy (WAGE)

Act. On Sept. 16, 2015, Sen. Patty Murray (D-Wash.) and Rep. Robert C. Scott (D-Va.) introduced the WAGE Act (S. 2042/H.R. 3514), which would strengthen protections for all working people, whether or not they belong to a union, who organize and promote change through collective action, and thereby open up pathways to equal pay, increased safety and higher wages.

Minimum Wage. On April 30, 2015, Sen. Murray and Rep. Scott introduced the Raise the Wage Act (S. 1150/H.R. 2150), which would raise the federal minimum wage to \$12 per hour by 2020.

Fair Scheduling. On July 15, 2015, Rep. Rosa DeLauro (D-Conn.) introduced the Schedules That Work Act (H.R. 3071), which would require retail, food service and cleaning businesses to pay for four hours of work when they send a worker home early, and provide workers with their work schedules two weeks in advance.

Currency Manipulation. On Feb. 10, 2015, Sen. Jeff Sessions (R-Ala.) and Rep. Sander Levin (D-Mich.) introduced legislation to address currency manipulation, which has cost America as many as 5 million jobs and devastated many manufacturing communities. Addressing currency manipulation, including through strong enforceable currency mechanisms in trade agreements such as the Trans-Pacific Partnership (TPP), is critical to creating and retaining good manufacturing jobs that pay decent wages.

Payroll Fraud. On July 29, 2015, Sen. Robert P. Casey Jr. (D-Pa.) and Rep. Federica Wilson (D-Fla.) introduced the Payroll Fraud Prevention Act (S. 1896/H.R. 3427), which would strengthen penalties for the misclassification of employees as independent contractors.

Paid Sick Leave. On Feb. 12, 2015, Sen. Murray and Rep. DeLauro introduced the Healthy Families Act (S. 497/H.R. 932), which would require businesses with more than 15 employees to allow employees to earn at least one hour of paid sick leave for every 30 hours worked.

Equal Pay. On March 25, 2015, Sen. Barbara Mikulski (D-Md.) and Rep. DeLauro introduced the Paycheck Fairness Act (S. 862/H.R. 1619), which would strengthen remedies for sex discrimination in the payment of wages.

Family and Medical Leave. On March 18, 2015, Sen. Kirsten Gillibrand (D-N.Y.) and Rep. DeLauro introduced the Family and Medical Insurance Leave Act (S. 786/H.R. 1439), which would provide workers with paid family and medical leave.

H-1B and L-Visa Reform. On Nov. 10, 2015, Sens. Dick Durbin (D-Ill.) and Chuck Grassley (R-Iowa) introduced The H-1B and L-Visa Reform Act of 2015 (S. 2266), which would restructure the H-1B program to weed out exploitative practices upfront and prevent the misuse of the program to drive down wages, displace workers and outsource jobs.

3. Presidential Actions Taken to Improve Wages and Working Conditions

Pay Raise for Overtime Workers. On June 30, 2015, the Labor Department proposed a long-overdue update of overtime eligibility rules, restoring overtime protections that have been eroded since 1975. The department estimates that its proposal would extend overtime protection to 4.7 million more workers and make it harder for employers to misclassify another 10 million workers who already are overtime-eligible. In [comments](#) filed on Sept. 4, 2015, the AFL-CIO called this proposal the single most important step the Obama administration could take on its own authority to raise wages and incomes for working families, but argued that the new overtime rules should be even more protective of workers.

Fair Pay and Safe Workplaces for Employees of Federal Contractors. On May 27, 2015, the Obama administration proposed regulations to implement Executive Order 13673 on “Fair Pay and Safe Workplaces” that will lift wage standards and health and safety standards for employees of federal contractors by ensuring that businesses with significant repeated and unremedied violations of labor and employment laws are not rewarded with taxpayer dollars.

Family and Medical Leave for Employees of Federal Contractors. On Sept. 7, 2015, President Obama signed Executive Order 13706, which will enable 300,000 workers who service federal contracts to earn and use seven days of paid sick leave per year to care for themselves, their family members or their loved ones without fear of losing their paychecks or their jobs.

CEO-to-Worker Pay Ratio. On Aug. 5, 2015, the Securities and Exchange Commission (SEC) voted to require public companies to disclose the ratio between CEO compensation and median income of workers. The new rule will allow shareholders to determine whether CEO pay is out of balance in comparison to what a company pays its workers and help investors make sound decisions when they vote on executive compensation packages.

Retirement Income Security. On April 20, 2015, the Labor Department’s Employee Benefits Security Administration proposed a new rule to help ensure retirement security by clarifying the circumstances under which a person will be considered a “fiduciary” when providing investment advice related to retirement plans, individual retirement accounts and other employee benefit plans. The basic principle of the proposed rule is that if you want to give financial advice, you have to put your clients’ best interests first, not your own.

Equal Pay. On Sept. 11, 2015, the Office of Federal Contract Compliance Programs finalized a rule to implement Executive Order 13665 (April 8, 2014), prohibiting discrimination by federal contractors and subcontractors against employees who disclose compensation information. This rule will help close the gender pay gap by enabling employees working on federal contracts to talk freely about their compensation.

Ban the Box. On Nov. 2, 2015, President Obama [announced](#) that the federal government would delay questions about a job applicant’s criminal history until later in the hiring process for federal jobs, ensuring that millions of Americans with a criminal history will have access to career opportunities.

Minimum Wage and Overtime for Home Care Workers. On Aug. 25, 2015, a federal appeals court unanimously ruled that the Labor Department was acting within its authority in 2013 when it issued a rule to ensure minimum wage and overtime protections for workers who care for the elderly and people with disabilities in their homes. This ruling allows the Labor Department to enforce minimum wage and overtime protections for 2.5 million people in the home care workforce, 90% of whom are female and half of whom are people of color.

