

# State and Local Workers' Rights Innovations: New Players, New Laws, New Methods of Enforcement

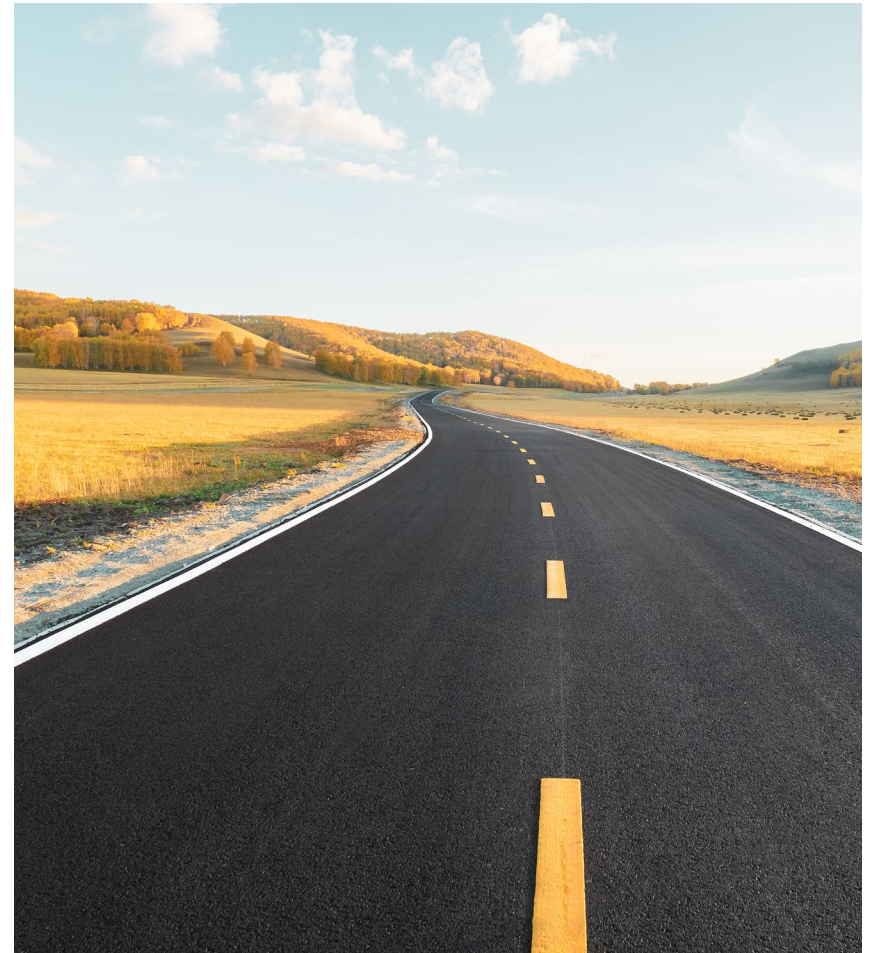
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# Roadmap

- The landscape for workers
- States & localities
  - New Players
  - New Laws
  - New Methods of Enforcement
- Why do we still need state & local action



# The landscape for workers

- Wage stagnation
- Declining union density
- Widespread retaliation for organizing unions
- Under-resourced enforcement agencies
- Forced arbitration (no access to judge and jury)
- Growing chasm between corporate & worker power



# The landscape for workers

- Fissuring of the workplace (subcontracting, franchising, misclassification of workers, etc. to avoid employer status)
- Past four years: rollbacks of workers' rights, less aggressive enforcement by federal administration
- Now: worldwide pandemic w/ workplace transmission
- All disproportionately impact immigrant workers, Black workers, other workers of color, women.



# States and localities

New players

New laws

New methods of enforcement

# New Players



STATE ATTORNEYS  
GENERAL



DISTRICT  
ATTORNEYS



MUNICIPALITIES

# New laws

Higher minimum wage or broader overtime coverage

Paid sick and family leave

Collective bargaining  
(excluded workers:  
public employees,  
farmworkers)

“Gig economy”  
worker protections

Fair scheduling

Non-compete reform

Just-cause  
termination

Anti-retaliation laws

Covid-specific  
protections



# New methods of enforcement

Strategic  
enforcement

Community  
partnerships

Criminal prosecution

Government  
contracting  
consequences

Licensing/permitting  
consequences

Use of media to  
drive compliance



# Why do we still need state & local action now?

- Laboratories of experimentation
- Ability to respond to local conditions
- Forced arbitration, so need more public agencies
- In some places, more favorable state judiciary



# Why do we still need state & local action now?

- Scale of the crisis; need for all hands on deck
- Value of multiple levels of government protecting working people



# Thank you!

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