

2<sup>ND</sup> EDITION

# LABOR REFORM POLICY

50 State Factsheets



*ALEC* | American  
Legislative  
Exchange  
Council



# ABOUT THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL

Labor Reform Policy: 50 State Factsheets, 2nd Edition was published by the American Legislative Exchange Council (ALEC) as part of its mission to discuss, develop, and disseminate model policies that expand free markets, promote economic growth, limit the size of government, and preserve individual liberty.

ALEC is the nation's largest nonpartisan, voluntary membership organization of state legislators, with more than 2,000 members across the nation. ALEC is governed by a [Board of Directors](#) of state legislators. ALEC is classified by the Internal Revenue Service as a 501(c)(3) nonprofit, public policy, and educational organization. Individuals, philanthropic foundations, businesses, and associations are eligible to support the work of ALEC through tax-deductible gifts.

## About the Commerce, Insurance and Economic Development Task Force

Members of the Commerce, Insurance and Economic Development Task Force believe that economic freedom is the cornerstone of prosperity. The Task Force promotes policies that enhance competitiveness, promote employment, encourage innovation, and limit government regulations imposed on business. The Task Force develops model policy to facilitate the implementation of these policies in the states and educates ALEC members through Task Force meetings, issue briefings, policy papers, and special workshops.

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# INTRODUCTION & COMMENTARY

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2024 | LABOR REFORM POLICY, 2<sup>ND</sup> EDITION

# INTRODUCTION

To pursue happiness, Americans need the freedom and flexibility to work in the way that produces their desired outcome. This is what labor choice is about: protecting Americans' right to work in a way that allows them to most effectively, efficiently, and enjoyably achieve their goals.

This publication provides a snapshot of the labor policies in each state in order to give workers, businesses, and lawmakers a resource to understand how these policies are inhibiting or protecting worker freedom and flexibility. It also includes trusted policy solutions developed by ALEC's Commerce, Insurance and Economic Development Task Force to expand worker and workplace freedom.

This second edition reflects all data and policies that were effective as of September 15, 2023, including the state minimum wage information. All changes after this date will be reflected in the next edition of this publication. Three occupational licensing reform model policies have been added: the Model Interstate-Mobility and Universal-Recognition Occupational Licensing Act,<sup>1</sup> the Occupational Licensing Review Act,<sup>2</sup> and the Uniform Worker Classification Act.<sup>3</sup>

As Americans consider options for pursuing their goals, they can use this publication to determine if a specific state is the correct option for them. Businesses can use this resource for determining which states prioritize policies that welcome skilled workers. Finally, for American lawmakers, the factsheets can assist in identifying existing protections for labor choice and areas for improvement.



Worker choice supporters outside the US Supreme Court during the *Janus v AFSCME* case.

# OUR HISTORY CHAMPIONING WORKER FREEDOM

With a workforce as diverse as America's, labor policy is no simple issue area, and for 50 years ALEC has been an integral part of the effort to champion free market-friendly labor policies across industries, sectors, and the spectrum of labor issues.

The first episode in the ALEC 50th anniversary video series, "[Worker Freedom](#)," features ALEC champions Scott Walker (45th Governor of Wisconsin), Matt Hall (Michigan House Minority Leader and ALEC Board Member), and Vinnie Vernuccio (Senior Fellow, Mackinac Center for Public Policy), discussing ALEC's pivotal role in securing worker freedom policy wins across the states.

In some states, private sector workers can be forced to join, leave, or pay fees to a union as job requirement. The [Right-to-Work Act](#), which ALEC task forces approved as a model policy, provides a solution to this issue. It prevents private employers from requiring or banning union membership (or fees) as conditions for employment, giving workers in Right-to-Work states a guaranteed right to support a union or not to support a union without this choice affecting their hiring or job security.

Currently, [26 states](#) have Right-to-Work laws, with [West Virginia](#) and [Kentucky](#) most recently joining the ranks of Right-to-Work states in 2016 and 2017. Michigan enacted this reform a few years earlier in 2012 (though it was repealed in 2023), and House Minority Leader and ALEC Board Member Matt Hall explained to ALEC what prompted the reform and how Right-to-Work benefited Michigan.

*At the time, Michigan led the nation in terms of people leaving the state and had lower incomes and fewer jobs. Understanding the history of Michigan and looking at what we've been able to accomplish over the last 10 years is critical. We've made our state more competitive with job growth in cutting-edge areas like manufacturing and engineering. That's because of Right-to-Work and other economic policies that we've brought forward – many of which were based on ALEC model policies.*

Each year, ALEC's [Rich States, Poor States](#) takes states' Right-to-Work status into account as it ranks the 50 states on economic outlook by comparing 15 economic policy variables. *Rich States, Poor States* continues to document how Right-to-Work states experience [higher employment and population growth](#) than non-Right-to-Work states.

It is also worth noting that in 2022, [Tennessee](#) built on its 1947 Right-to-Work law by enshrining it in the state constitution. Unfortunately for workers in Illinois, voters took a different route and approved a [constitutional amendment](#) in November 2022 effectively banning Right-to-Work in the Land of Lincoln.

The Illinois amendment contains another section that guarantees Illinoisians the right to collectively bargain over items that include "protect[ing] their economic welfare and safety at work." While this might seem like a redundant guarantee of federal legislation—the [National Labor Relations Act](#) gives most American workers the right to collectively bargain—there is significant concern that the language strips the state legislature of the authority needed to keep the agreements in check and in budget.



**MATT HALL**

Michigan House Minority Leader | ALEC Board of Directors



This ability of the state legislature to avoid budget deficits by limiting collective bargaining agreements is exactly what saved Wisconsin from a budget crisis in 2011. Under Governor Scott Walker's and state legislators' leadership, Wisconsin passed [Act 10](#) to address a \$3.6 billion deficit. The Act repaired the budget by requiring public sector employees to contribute more for pensions and health care and, importantly, limited their ability to collectively bargain to only certain categories. As Governor Walker detailed in an interview with ALEC:

*Act 10 was simply this idea of taking power out of the hands of the big government special interest, and putting it in the hands of the taxpayers, the workers, and the people that the taxpayers elect. Collective bargaining was this thing that, ironically, started in Wisconsin. It was this government-run union boss technique, that over time not only took power away, but really left the decisions in the hands of those union bosses, instead of the people we elect to run our schools, our counties, our local governments. And we said 'no.' We took that away. We still put more money in the schools and the local government. We gave them more flexibility, but we just didn't want the union bosses being the one making the decisions, because they're not elected.*

*ALEC was unbelievably helpful in terms of not only providing the intellectual ammunition to counter these just out-of-control attacks, but really to have trained the leaders. Someone like Leah Vukmir, a state senator who came in when I was first in office. She ended up being the national chair of ALEC. This was someone who, ALEC helped lift her up, and give her the support to be a leader in the state senate, where we needed it more than ever.*

For decades, a key fight has surrounded public sector workers' ability to exercise their First Amendment right to freedom of association when it comes to union membership. The Supreme Court's [Janus v. AFSCME](#) ruling finally settled the matter in 2018 by banning public employers from requiring public sector workers to join or contribute to a union as a job requirement. [As ALEC stated in 2018](#):

*This ruling is a victory for free speech and individual rights. Teachers and other public sector members will now have freedom to choose to voluntarily join a union if they decide it will serve their interests, rather than endure compulsory fees to unions that put their own agenda first. Public sector unions will no longer be able to force non-members to pay bloated "agency fees" as a condition of employment.*



**Former Wisconsin Governor Scott Walker**

Even with the *Janus* decision guaranteeing an important right for all public sector workers, the majority of states protecting workers' Right-to-Work, and [important victories](#) like Arizona [banning paid union release time](#), ALEC's work is far from over.

Workers are too often unaware of their rights before making labor decisions, which results in them unknowingly forfeiting free speech rights and suffering financial losses. ALEC's [Public Employee Rights and Authorization Act](#) strives to prevent this phenomenon. It requires that all public sector employees be informed of their right to freely join, leave, or pay a union without employment consequences and that each of these workers must give specific, affirmative consent before any money can be deducted from their wages to contribute to unions.

Other ALEC policies give workers the additional flexibility needed to pursue work solutions that work for them. The [Uniform Worker Classification Act](#) ensures that the [80% of workers](#) who prefer their independent contractor status are able to keep it, rather than being forced into traditional employment models. ALEC's [Model Interstate-Mobility and Universal-Recognition Occupational Licensing Act](#) allows workers to have their licenses, work experience, and private certifications recognized



when they cross state lines. As [ALEC has detailed extensively](#), the policy gives workers who have completed work with a similar scope of practice the ability to practice that same craft in a different state. Led by ALEC champions like Kansas House Majority Leader Chris Croft and former Missouri State Representative Derek Grier, a growing number of [states across America](#) have now enacted this reform. In 2023 alone, Virginia, Arkansas, and Georgia all enacted the reform, with Florida almost becoming the 23rd state to do so.

ALEC is also supporting job creators with model policies like the [Right to Start Act](#). This model policy reduces barriers for entrepreneurs by providing them with resources and opportunities for the first five years of business. As new businesses generate [almost all net job creation](#) in America, this reform can drive economic growth by giving business owners a helping hand.

Whatever the sector, industry, or work model, ALEC has been a champion for the rights of Americans to make labor choices that work for them. Since 1973, ALEC has joined with state legislators and private sector stakeholders to ensure rights are respected, communicated, and guaranteed. As the workforce continues to evolve and adapt with ever changing advances and models, ALEC will continue to be there to fight for worker freedom.



**MARK JANUS**

Lead Plaintiff in *Janus v. AFSCME*

## UNDERSTANDING THE POLICIES

### Occupational Licensing Reform

Occupational licenses are a form of regulation that requires individuals who want to perform certain types of work to first obtain permission from the government.<sup>4</sup> The prevalence of licensing has expanded from 5% of workers in the 1950's to 25% of workers today.<sup>5</sup> Licensing requirements can vary greatly by state, with some states requiring stringent education and training requirements for a profession and other states requiring no license at all.

Occupational licenses act as a barrier to entry for many people to perform certain professions. These barriers decrease the ability of people to be gainfully employed in the profession of their choosing, which in turn decreases the availability of services for consumers and leads to higher prices. While it is important for state legislatures to protect the health and safety of the public, many times occupational licenses are required for reasons other than health and safety, or there are more effective and less restrictive ways of regulating a profession to protect the public.

Licensing barriers disproportionately burden people seeking entry-level employment who may not have the time or money to navigate the required training and testing requirements,<sup>6</sup> ex-offenders who may be legally prohibited from receiving a license due to an unrelated criminal record,<sup>7</sup> and individuals who want to work in multiple states.<sup>8,9</sup>

### Occupational Licensing Review Act

The ALEC Occupational Licensing Review Act model policy creates a process to review all current and proposed occupational licenses in a state. All new licenses are put through a sunrise review process, and all current licenses are put through a periodic sunset review process that reviews 20% of a state's licenses each year, reviewing all licenses every five years.

The review process evaluates whether an occupational license is necessary to protect public health and safety. The model utilizes a framework described by The Institute for Justice as an [inverted pyramid](#), with the broadest form of regulation – market competition – at the very top. Regulations narrow to more restrictive forms, like periodic inspections in the middle, and the most restrictive regulation, occupational licensure, at the very bottom.<sup>10</sup>

It is important for state legislatures and regulators to be conscious of all the forms of regulation at their disposal and not think of labor regulations as a binary choice of no regulation or using one of most restrictive forms of labor regulations, like occupational licensing.

Conducting periodic reviews is important when comparing how different occupations are regulated within a given state or across state lines. Restaurant chefs are responsible for cooking potentially dangerous raw foods but are not required to have an occupational license, instead utilizing market competition and periodic health inspections to ensure quality and safety. Meanwhile, barbers responsible for cutting and trimming hair are required to have a license in all 50 states.

Comparing regulations across state lines further highlights how some professions are unnecessarily regulated. While some states license occupations like florists, bartenders, or funeral attendants, most states do not. Creating a periodic review process allows states to shift to other less restrictive forms of labor regulation, harmonize regulations across professions and incorporate data and information from other states to better inform their regulatory decision making.

Many states have some form of sunrise or sunset review but lack the robust processes contained in the Occupational Licensing Review Act that make the review effective. Notable states with strong review processes include Colorado, Ohio, Nebraska, and Vermont. Some important aspects of a strong review process include:

1. Require both a sunrise and a sunset review process.
2. Use the least restrictive means of regulation language necessary to protect consumers from present, significant, and substantiated harms with a list of regulations ordered from least restrictive to most restrictive.
3. Have the review conducted by staff or an agency shielded from special interest lobbying.
4. Include a comparison of how other states regulate the occupation.
5. Include guidelines for how specific types of harm can be regulated.
6. Stipulate a percentage of occupational licenses to be reviewed each year and the overall timeframe for reviewing all occupational licenses in the state.

## Model Interstate-Mobility and Universal-Recognition Occupational Licensing Act

The Model Interstate-Mobility and Universal-Recognition Occupational Licensing Act model policy creates a process to recognize the occupational license, work experience and/or private certification obtained by a worker in another state when applying for an occupational license. Obtaining an occupational license to work in a new state often requires reapplying for a license for a profession an individual is already working in a different state. Many times, individuals must pursue additional training, education, and testing, even if they already have a license or years of work experience practicing the profession. This extra time, energy, and money imposes great financial and personal burdens on professionals and often deters them from moving to or conducting business in new states.

A universal recognition policy prevents the duplicative licensing process and allows individuals to get to work quicker in their experienced profession and contribute to the overall state economy.

The COVID-19 pandemic highlighted these occupational licensing barriers across state lines, particularly when additional healthcare workers were needed in states affected most by the virus. States like New York, for instance, issued [temporary executive orders](#) recognizing licenses for out-of-state healthcare workers to meet the increased demand for healthcare services.<sup>11</sup>

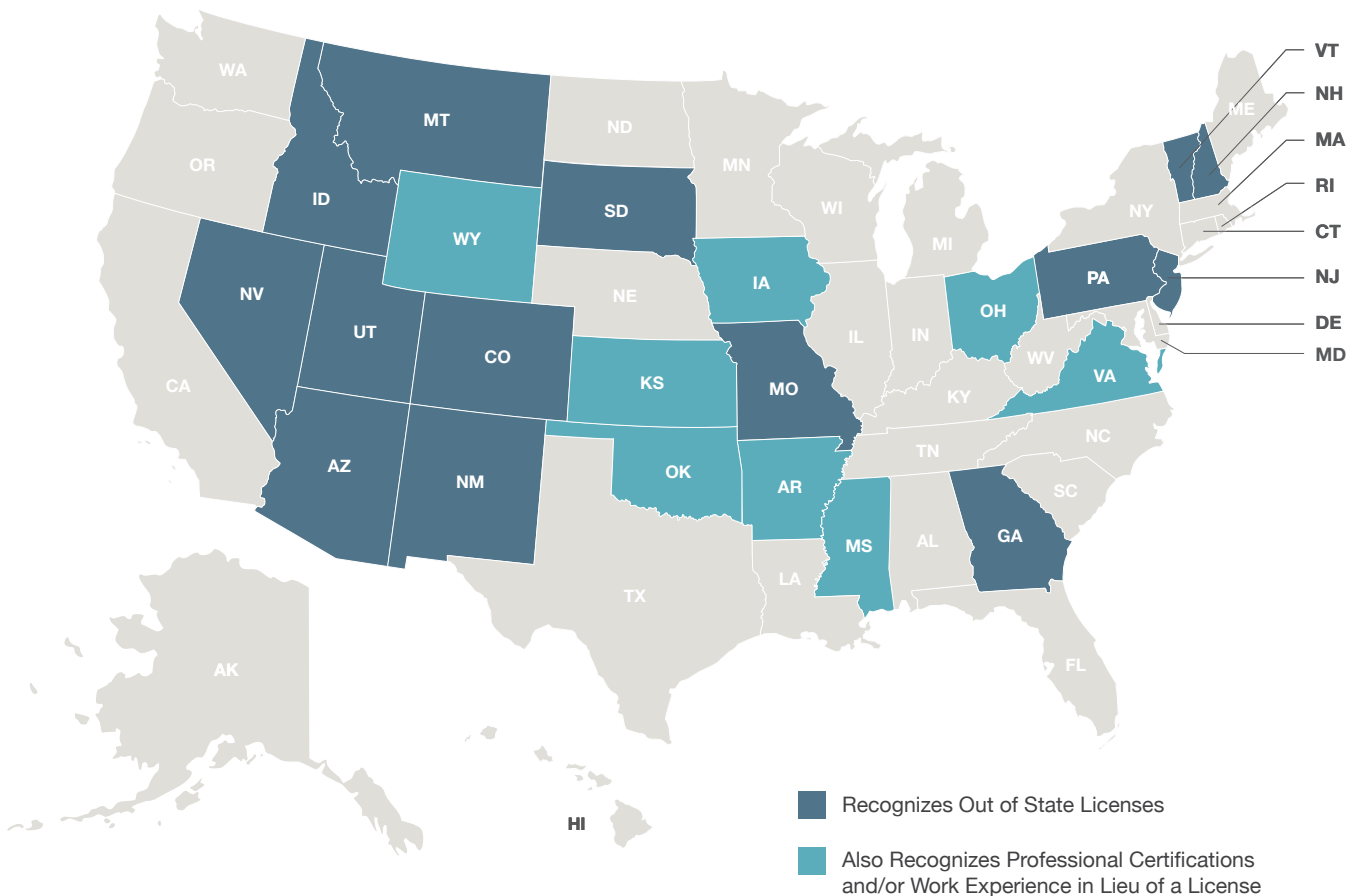
While it is important for essential workers to be able to move and work across state lines during emergencies, the demand for workers from other states also exists outside of pandemics. Building on the success of these temporary measures, states can make these reforms permanent and let all workers from all professions more easily move and work across state lines.

The Model Interstate-Mobility and Universal-Recognition Occupational Licensing Act asserts that if you have held an occupational license for over a year, have three years of work experience or two years of experience with a private certification in a certain profession, states should grant you a state license.

Due to the complexity in licensing across the states, universal recognition policies have many components that can make them more or less effective. Some of the most important aspects of an effective universal recognition policy include who it applies to, what occupations it recognizes, how the state determines if it will recognize another state's license, residency requirements and a defined time period for when a board will notify an applicant of their final decision.

Figure 1 is a map of the states that currently have universal recognition policies. Some of this data is based on research from the Institute for Justice.<sup>12</sup> Light teal-colored states allow workers from less regulated states to have their work experience and/or private certification and work experience recognized if an occupation was not licensed in the original state.

**Figure 1: States with Occupational Licensing Recognition Policies**



## Five Important Aspects of an Effective Universal Recognition Policy

In order to be as effective as possible, a universal recognition policy must meet the following criteria:<sup>13</sup>

1. Ideally, a universal recognition policy should apply to *all* workers and *all* occupations that require licensing in the state. Some more narrow licensing recognition policies only apply to military spouses, like Mississippi's first recognition policy passed in 2020, while others have been introduced temporarily solely for healthcare workers amid the COVID-19 pandemic, like in New York. While these narrower policies are steps in the right direction, all workers should be able to benefit from universal recognition.
2. The policy should include "scope of practice" language over "substantially equivalent" to evaluate whether to recognize a person's license from another state. "Substantially equivalent" language gives boards more discretion to deny a license based on its interpretation of education, training and other requirements of a license. "Scope of practice," however, is a more direct comparison of whether a license is to perform the same day-to-day duties of the job itself. It tells the board to evaluate and compare the actual job duties of the worker, which is what matters most in evaluating the worker's ability to perform that job in a new state. Mississippi, Kansas, Iowa, Missouri, Idaho, Utah and Arizona all include a scope of practice standard in their universal recognition policies.
3. The policy should *not* include a residency requirement for workers. If an individual lives in Kansas City, KS, they should be able to utilize a recognition policy to get a license to work a couple miles down the road in Missouri without going through a complicated regulatory process. Workers should be able to practice their profession in their state of residence and in other states. Mississippi, Kansas, Oklahoma, and Arizona have residency requirements embedded into their policies.
4. In addition to recognizing an occupational license from another state, a universal recognition policy should recognize an individual's work experience and private certifications. Not all states license the same occupations or have the exact same requirements. Utilizing years of work experience or private certifications in addition to work experience gives a state another way to verify someone's ability to perform a job.
5. Finally, it is important for a policy to include a defined time period for when a board will respond to an applicant. Government bureaucracy is notoriously slow-moving. If a person moves into another state, or wants to practice in a neighboring state, that person should not have to wait indefinitely to receive government approval to legally begin earning a living. The Model Interstate-Mobility and Universal-Recognition Occupational Licensing Act includes a 60-day maximum time period for a board to approve or disapprove an occupational license. Pennsylvania's policy also includes a 60-day deadline.

States with universal recognition policies that meet all the criteria listed here will help lower the barriers to working and make their state the place where people want to do business.

## Janus Rights

On June 27, 2018, the United States Supreme Court's *Janus v. AFSCME* decision recognized the right of public sector workers to choose whether or not to join or pay money to a union. This in effect gave all public sector workers right-to-work status, meaning they cannot be fired from their public sector job for not joining or paying money to a union.

In addition to bringing right-to-work to all public sector workers, the *Janus* decision stated the government must verify that a worker has given consent before union dues can be deducted from their paychecks and sent to a third-party organization.

Many states' current dues deductions procedures are not in compliance with the full extent of the *Janus* ruling. State Attorneys General have begun releasing legal opinions explaining and clarifying the *Janus* decision and how their states can come into full compliance.

Alaska Attorney General Kevin Clarkson was the first attorney general to release a legal opinion in [August 2019](#),<sup>14</sup> followed by Attorney General Ken Paxton in Texas in [May 2020](#),<sup>15</sup> Attorney General Curtis Hill Jr. in Indiana in [June 2020](#),<sup>16</sup> and the Michigan Civil Service Commission changed their rules in [July 2020](#).<sup>17</sup> The state of Indiana passed [SB 251](#) which brings

Indiana more in compliance with the full scope of the *Janus* Decision by requiring teachers to give affirmative consent before union dues can be taken out of their paychecks.

The thrust of these legal opinions is that for the government to legally deduct dues, it needs to obtain “clear and compelling evidence” that workers affirmatively consent to having money taken out of their paychecks to pay a union. In other words, workers must opt-in to public sector union membership by directly notifying the government entity.

This interpretation of *Janus* could force all states to reexamine their process for recognizing affirmative consent from public employees. Attorney General Clarkson argues that Alaska should “revamp its payroll deduction process ... to ensure that it does not deduct funds from an employee’s paycheck” inappropriately.<sup>18</sup>

To meet the full *Janus* standard, Attorney General Clarkson recommended Alaska obtain consent directly from employees instead of relying on a “union-sponsored system” in which the government is notified by the union and not directly from the employee.<sup>19</sup> Under the new system, employees would be able to regularly opt-in and opt-out and renew their First Amendment waiver on a regular basis. The current payroll deduction system, he argues, is “essentially a black box the state cannot peer inside of.”<sup>20</sup>

Attorney General Paxton stated in his opinion that due to the “clear and compelling” standard, “at a minimum, the state must ensure that employee consent to a payroll deduction for membership fees or dues in a union or employee organization is collected in a way that ensures voluntariness” and that this could be satisfied by “requiring an employee, and not employee organization, directly transmit to an employer authorization of the withholding.”<sup>21</sup>

Attorney General Hill from Indiana similarly stated that, “A public employer has an affirmative duty to make public employees aware of their First Amendments rights related to automatic payroll deductions for union purposes.”<sup>22</sup> A 2020 Michigan Civil Service Commission rule change similarly required public employees to opt-in to dues deduction with the government on a yearly basis.<sup>23</sup>

In addition to states not being in full compliance with the *Janus* decision, some state legislatures have attempted to subvert the intent of the decision by passing laws that create limited opt-out periods, mandatory new employee union meetings and forced disclosures of private employee contact information.

Members of the Commerce, Insurance and Economic Development Task Force have developed model policy called the “Public Employee Rights and Authorization Act”<sup>24</sup> that reiterates the *Janus* decision’s requirement for affirmative consent from workers. It also states that public employees should be allowed to opt-out of dues deduction at any time. When the *Janus* decision is implemented fully, public employees are informed of their rights and given regular opportunities to demonstrate their rights by opting into or out of an association with a union.

## CONCLUSION

Since our nation’s founding, Americans have pursued the American Dream by seeking better opportunities for themselves and their families. As people weigh opportunities, states’ labor policies play a significant role in determining whether someone considers a state as an option. States win when they prioritize labor policies that protect workers’ rights.

Even as Congress debates legislation for the nation, the 50 states still have significant control over their labor landscapes. Pro-worker policies can help states distinguish themselves as not just a good place to work or run a business, but as a good place to “pursue happiness” and a better life.



# ALEC POLICY SOLUTIONS

## UNION FINANCIAL RESPONSIBILITY ACT

This policy would establish financial disclosure requirements for public-sector labor unions.

## PROHIBITION ON PAID UNION ACTIVITY (RELEASE TIME) BY PUBLIC EMPLOYEES ACT

This policy would bar employers from paying public employees for time spent engaging in union activities.

## PUBLIC EMPLOYEE RIGHTS AND AUTHORIZATION ACT

This policy would establish that a union cannot collect payments from a public-sector worker unless the worker affirmatively consents in writing to such an arrangement. The policy would also prohibit conditions of public-sector employment based on union membership or the payment of dues/fees to unions.

## UNION RECERTIFICATION ACT

This policy would ensure that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit. The policy provides for secret ballot elections every even year for union recertification.

## PUBLIC EMPLOYEE CHOICE ACT

This policy would enable public-sector employees to opt out of union representation. This policy would also authorize unions to not represent non-members.

## COMPREHENSIVE PUBLIC EMPLOYEE FREEDOM ACT

This policy “provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations.” The policy also asserts the “public employees’ right to opt out of union representation and to represent themselves,” and it allows “unions to forego representation of non-dues or fee payers.” This policy combines portions of ALEC’s [Right-to-Work Act](#) with ALEC’s [Public Employee Choice Act](#) and applies only to public sector employees.

## MODEL INTERSTATE-MOBILITY AND UNIVERSAL-RECOGNITION OCCUPATIONAL LICENSING ACT

This policy creates provisions to recognize occupational licenses, private certification and work experience of qualified applicants from other states.

## OCCUPATIONAL LICENSING REVIEW ACT

This model establishes the state policy for the regulation of occupations, specifying criteria for government regulation to increase opportunities, promote competition, encourage innovation, protect consumers and comply with federal and state antitrust laws.

## UNIFORM WORKER CLASSIFICATION ACT

This model simplifies the criteria used to define independent contractors with respect to employment and imposes objective standards on the differentiation of independent contractors from employees. It also provides for uniformity of a state’s laws where the distinction between employees and independent contractors is relevant.



# **50 STATE** **FACTSHEETS**

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2024 | LABOR REFORM POLICY, 2<sup>ND</sup> EDITION

# STATE FACTSHEET DEFINITIONS

**Minimum Wage:** Lists current state minimum wage as provided by the U.S. Department of Labor. Employers subject to the Fair Labor Standards Act (FLSA) must pay at least the Federal minimum wage of \$7.25. Some states may have different minimum wages depending on the size the businesses or type of employment. Many states also allow localities to pass minimum wages higher than the state minimum wage.

**Existing Law:** Lists laws covering labor issues, including union and collective bargaining.

**Union Landscape:** Union landscape gives current state public and private sector employment and union membership information. It also lists notable public sector unions and their membership numbers. Data comes from unionstats.com.

**Political Landscape:** Party control of state legislature and executive branch.

**Right-to-Work State?** A green check mark denotes that the state has an active Right-to-Work law. A red cross mark indicates that the state has passed no Right-to-Work law or has revoked its Right-to-Work law.

**Recognizes Out-of-State Occupational Licenses?** A green check mark indicates that the state will issue an occupational license to a worker who earned a similar license in another state. A red cross mark indicates that the state does not recognize out-of-state occupational licenses and will not issue a similar license without the worker meeting additional requirements.

**Public Sector Union Membership:** States' public sector membership rates were calculated based on the state's total number of public sector union members divided by the state's total number of public sector workers. These percentages were then compared. The state with the lowest percentage ranks 50th, and the state with the highest percentage of public sector union members ranks 1<sup>st</sup>.

**Private Sector Union Membership:** States' private sector membership rates were calculated based on the state's total number of private sector union members divided by the state's total number of private sector workers. These percentages were then compared. The state with the lowest percentage ranks 50th, and the state with the highest percentage of private sector union members ranks 1<sup>st</sup>.

**Noteworthy Legislation:** Noteworthy public sector union policy and occupational licensing legislation that passed in recent years, though some older legislation is also included. Included legislation was identified by from ALEC staff and Ballotpedia's page on "Public-sector union policy in the United States, 2018-2023."

# ALABAMA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **26**

Private Sector Union Membership: **28**

## MINIMUM WAGE:

\$7.25 per hour

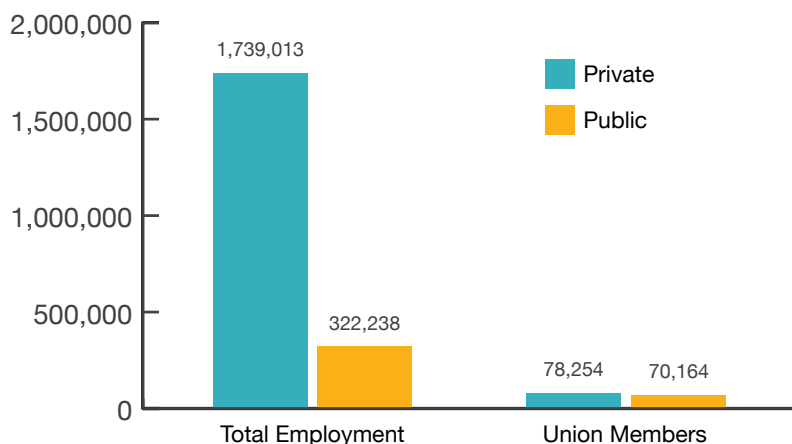
## EXISTING LAW

Title 25 of the [Code of Alabama](#) addresses industrial relations and labor regulation statutes in the state. Chapter 7 specifically addresses labor unions and labor relations.

## UNION LANDSCAPE

Approximately 70,164 of Alabama's 322,238 public sector workers in 2022 were union members, a membership rate of 21.8%. Relative to the other states, Alabama had the 26th highest public sector union membership rate and the 28th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Alabama Education Association (NEA): 79,377 members as of 2016-2017
- Alabama Peace Officers' Association: over 4,000 members as of 2020
- Professional Firefighters of Alabama (IAFF): nearly 2,500 members as of 2020

## POLITICAL LANDSCAPE

In Alabama, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

# ALASKA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **21**

Private Sector Union Membership: **7**

## MINIMUM WAGE:

\$10.85\*

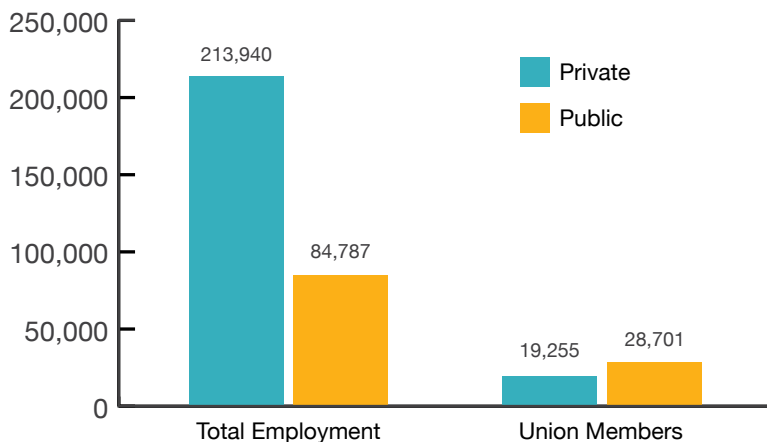
## EXISTING LAW

Title 23 of the [Alaska Statutes](#) addresses the labor and workers' compensation statutes. Chapter 40 specifically addresses labor organizations.

## UNION LANDSCAPE

Approximately 28,701 of Alaska's 84,787 public sector workers in 2022 were union members, a membership rate of 33.9%. Relative to the other states, Alaska has the 21st highest public sector union membership rate and the 7th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- NEA-Alaska: over 13,000 members as of 2020
- Alaska State Employees Association 7,500 members as of 2020
- Alaska Public Employees Association: 4,930 members as of 2018

## NOTEWORTHY LEGISLATION & LEGAL OPINION

In 2019, Alaska's Attorney General released a legal opinion clarifying and affirming that the Janus decision requires the government to have clear and compelling evidence of a worker waiving their First Amendment rights and giving affirmative consent to deduct dues from their paychecks. As a non-right-to-work state, the Janus decision ensured all public sector workers have a choice on whether they are required to pay money to a union as a condition of employment.

\*The minimum wage is adjusted annually based on a set formula.

# ARIZONA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **37**

Private Sector Union Membership: **35**

## MINIMUM WAGE:

\$13.85\*

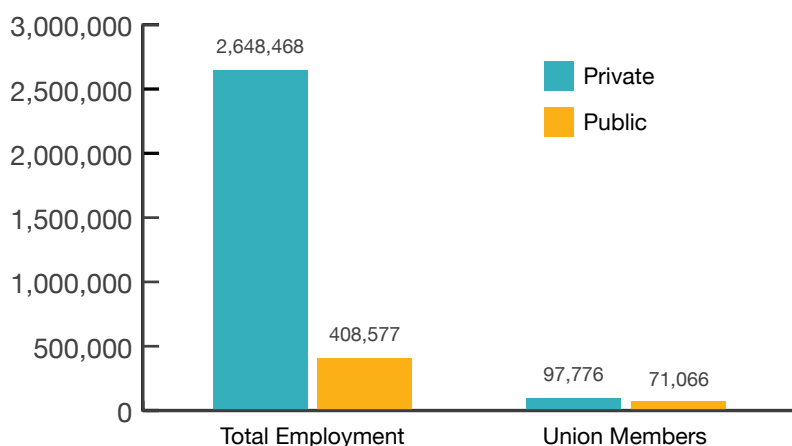
## EXISTING LAW

Title 23 of the [Arizona Revised Statutes](#) addresses labor statutes for the state.

## UNION LANDSCAPE

Approximately 71,066 of Arizona's 408,577 public sector workers in 2022 were union members, a membership rate of 17.4%. Relative to the other states, Arizona had the 37th highest public sector union membership rate and the 35th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Arizona's largest public sector unions are provided below:

- Arizona Education Association: over 20,000 members as of 2020
- Arizona Fraternal Order of Police: over 9,000 members as of 2020

## POLITICAL LANDSCAPE

Republicans control both legislative chambers, but the governor is a Democrat.

## NOTEWORTHY LEGISLATION

- [SB 1502](#) (2008): Requires that legislation creating a new license for non-health professions and occupations be reviewed according to certain criteria.
- [HB 2569](#) (2019): Creates a process for universal recognition of occupational licenses for residents of Arizona using a scope of practice standard.
- [SB 1166](#) (2022): Ends “union release time” by blocking future and existing public employer contracts that provide public employees with “paid leave or any form of compensation for the purposes of engaging in union activities.”

*\*The minimum wage will be adjusted annually based on a set formula once it reaches a \$15 minimum wage in 2025.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*



# ARKANSAS



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **49**

Private Sector Union Membership: **31**

## MINIMUM WAGE:

\$11.00\*

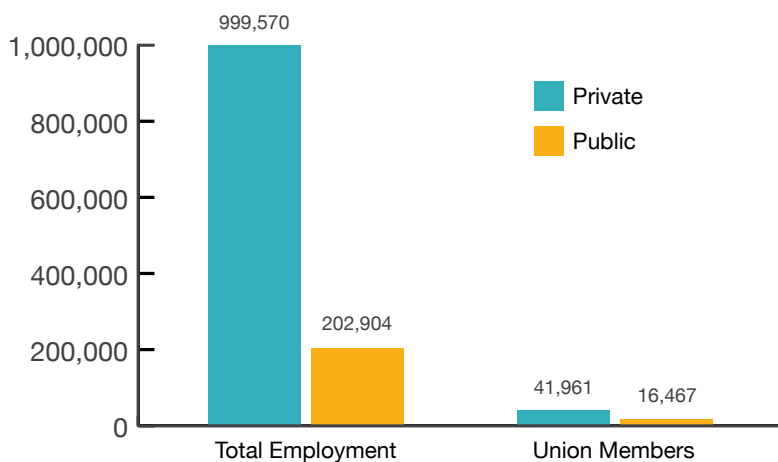
## EXISTING LAW

Title 11 of the [Arkansas Code](#) covers labor and industrial relations. Chapter 3 of this title covers labor relations and practices. Title 21 addresses public officer and employee statutes.

## UNION LANDSCAPE

Approximately 16,467 of Arkansas' 202,904 public-sector workers in 2022 were union members, a membership rate of 8.1%. Relative to the other states, Arkansas had the 49th highest public sector union membership rate and the 31st highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from two of the state's largest public sector unions are provided below:

- Arkansas Education Association (NEA): 10,818 members as of 2016-2017
- Arkansas Professional Fire Fighters Association (IAFF): over 1,500 members as of 2020

## POLITICAL LANDSCAPE

Republicans in Arkansas hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 1527/Act 600](#) (2019): The Red Tape Reduction Sunrise and Sunset Act creates a yearly review process for an occupational authorizations and entities to “implement the least restrictive form of occupational authorization to protect consumers from significant and substantiated harms to public health and safety.” One sixth of authorization and entities will be reviewed each year on a rotating basis over a 6-year time period. Members of the General Assembly may also request for an entity to be reviewed outside the normal time period with approval of the cochair of the Legislative Council.
- [SB 341](#) (2021): Prohibits collective bargaining for certain public sector employees.
- [SB 473](#) (2023): Prohibits public employers from deducting union dues, fees, or other contributions from public education employees’ paychecks.
- [SB 90](#) (2023): Creates a process for universal recognition of occupational licenses or work experience for workers using a scope of practice standard.

*\*State minimum wage applies to employers with four or more employees.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# CALIFORNIA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership:  7

Private Sector Union Membership:  6

## MINIMUM WAGE:

\$15.50\*

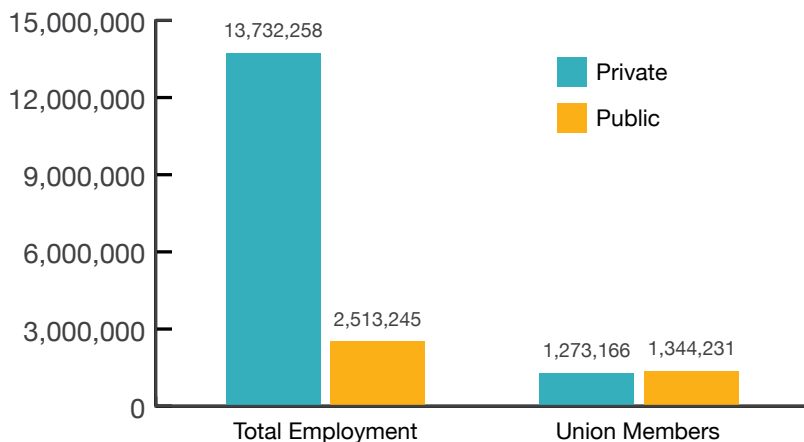
## EXISTING LAW

California has a separate code, titled the [Labor Code](#), that addresses labor statutes in the state.

## UNION LANDSCAPE

Approximately 1,344,231 of California's 2,513,245 public-sector workers in 2022 were union members, a membership rate of 53.5%. Relative to the other states, California had the 7th highest public sector union membership rate and the 6th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of California's largest public sector unions are provided below:

- California Teachers Association: approximately 310,000 members as of 2020
- California School Employees Association: over 210,000 members as of 2020
- SEIU Local 1000: 96,000 members as of 2020

## POLITICAL LANDSCAPE

In California, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 1085](#) (2018): Requires public employers to grant leaves of absence without loss of pay or benefits to employees who serve as stewards or officers of an employee organization.
- [SB 846](#) (2018): Protects public employers from liability for any legal claims involving agency fees paid to unions prior to June 27, 2018. This bill also denies standing to current or former employees pursuing such claims. The bill's provisions apply to any pending litigation.
- [AB 5](#) (2019): Sets the ABC test as the new standard for worker classification. Over 100 occupations have now been exempted from this test.

*\* The minimum wage is adjusted annually based on a set formula, which depends on how the service rate was set initially.*

# COLORADO



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **35**

Private Sector Union Membership: **30**

## MINIMUM WAGE:

\$13.65\*

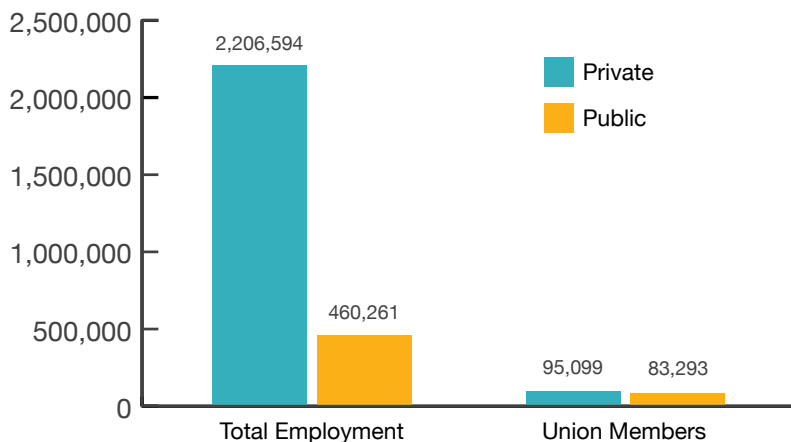
## EXISTING LAW

Title 8 of the [Colorado Revised Statutes](#) addresses labor and industry policy in the state. Article 2 of this title addresses labor relations, generally, in the state.

## UNION LANDSCAPE

Approximately 83,293 of Colorado's 460,261 public-sector workers in 2022 were union members, a membership rate of 18.1%. Relative to the other states, Colorado had the 35th highest public sector union membership rate and the 30th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Colorado's largest public sector unions are provided below:

- Colorado Education Association: over 38,000 members as of 2020
- Colorado Workers for Innovative and New Solutions: over 31,000 members as of 2020

## POLITICAL LANDSCAPE

Democrats in Colorado hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- 1976: Colorado became the first state to pass legislation requiring sunset review of licenses.
- 1985: Colorado also established a sunrise review process for proposed occupational licenses.
- [HB 20-1326](#) (2020): Creates a process for universal recognition of occupational licenses for workers in Colorado using a substantially equivalent standard.

*\*The minimum wage is adjusted annually based on a set formula. Tipped employee wages can receive \$3.02 less per hour than the standard minimum wage.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*



# CONNECTICUT



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership:  3

Private Sector Union Membership:  17

## MINIMUM WAGE:

\$15.00\*

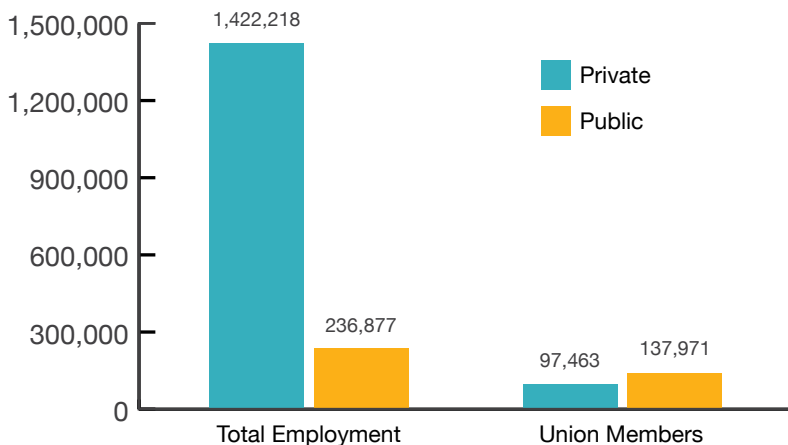
## EXISTING LAW

In [Connecticut's General Statutes](#), Title 5, Chapters 63 to 68 address state employee policy. Title 7, Chapter 113 covers municipal employees. Title 10, Chapter 166, addresses teachers and superintendents. Title 31, Chapters 556 to 577 cover labor policy.

## UNION LANDSCAPE

Approximately 137,971 of Connecticut's 236,877 public sector workers in 2022 were union members, a membership rate of 58.2%. Relative to the other states, Connecticut had the 3rd highest public sector union membership rate and the 17th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Connecticut's largest public sector unions are provided below:

- Connecticut Education Association: Approximately 43,000 members as of 2020
- AFSCME Council 4: 30,478 members as of 2019
- American Federation of Teachers: 26,689 members as of 2018

## POLITICAL LANDSCAPE

Democrats in Connecticut hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

*\*The minimum wage is adjusted annually based on a set formula, although it was proactively increased to \$15.00 per hour on June 1, 2023.*

# DELAWARE



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **20**

Private Sector Union Membership: **33**

## MINIMUM WAGE:

\$11.75

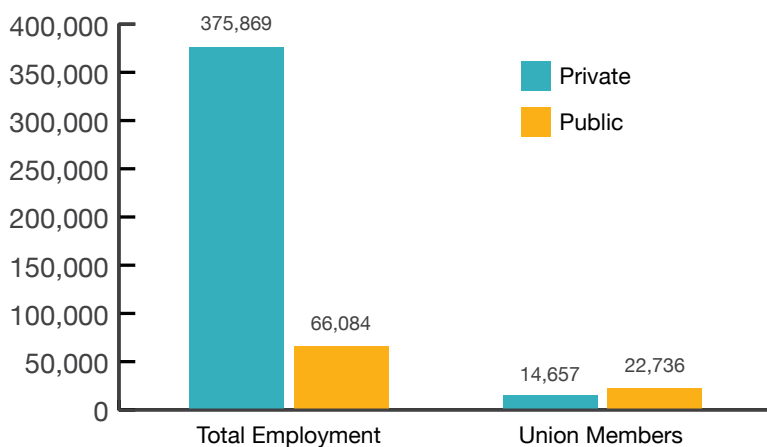
## EXISTING LAW

Title 19 of the [Delaware Code](#) addresses the labor statutes within the state. Chapter 8 of this title addresses the protection of employees' rights. Title 14, Chapter 40 covers the Public School Employment Relations Act.

## UNION LANDSCAPE

Approximately 22,736 of Delaware's 66,084 public sector workers in 2022 were union members, a membership rate of 34.4%. Relative to the other states, Delaware had the 20th highest public sector union membership rate and the 33rd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Delaware's largest public sector unions are provided below:

- Delaware State Education Association: Approximately 13,308 members as of 2016-2017
- AFSCME Council 81: 6,543 members as of 2018

## POLITICAL LANDSCAPE

Democrats in Delaware hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 8](#) (2019): Makes compensation a mandatory category of collective bargaining negotiations. Exclusive representatives determine bargaining units with the Secretary of the Department of Human Resources.

# FLORIDA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **27**

Private Sector Union Membership: **46**

## MINIMUM WAGE:

\$12.00\*

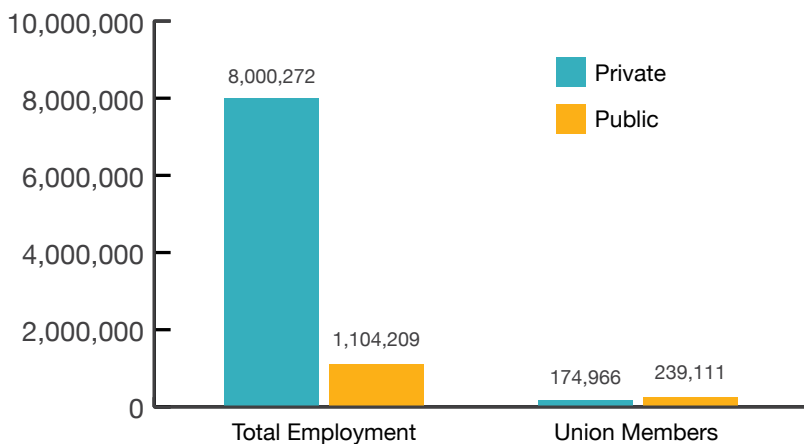
## EXISTING LAW

Title XXXI of the [Florida Statutes](#) covers labor statutes within the state. Chapter 447 covers the general provisions of labor organizations as well as public employees.

## UNION LANDSCAPE

Approximately 239,111 of Florida's 1,104,209 public sector workers in 2022 were union members, a membership rate of 21.7%. Relative to the other states, Florida had the 27th highest public sector union membership rate and the 46th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of Florida's largest public sector unions are provided below:

- Florida Education Association: 137,761 members as of 2018
- Florida Police Benevolent Association: approximately 36,000 members as of 2020
- Florida Professional Firefighters: over 24,000 members as of 2020

## POLITICAL LANDSCAPE

Republicans in Florida control the governorship and both chambers of the state legislature, establishing trifecta control of the state. Republicans have maintained trifecta control since 2011.

## NOTEWORTHY LEGISLATION

- [SB 256/HB 1445](#) (2023): Prohibits employers from deducting union dues, requires union membership renewals to provide and require certain information, allows employees to withdraw from union membership at any time, and requires union recertification if dues paying membership drops below a certain level. (Pending)

*\*The minimum wage is adjusted annually based on a set formula, although it was proactively increased to \$12.00 on September 30, 2023.*

# GEORGIA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **43**

Private Sector Union Membership: **40**

## MINIMUM WAGE:

\$5.15\*

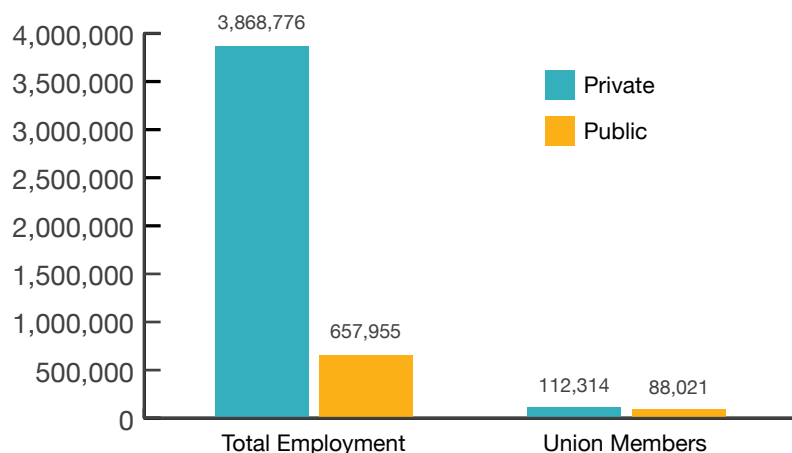
## EXISTING LAW

Title 34 of [the Georgia Code](#) addresses labor and industrial relations. Chapter 6 of this title specifically covers labor organizations and labor relations. Title 25, Chapter 5 establishes the right of firefighters to bargain collectively.

## UNION LANDSCAPE

Approximately 88,021 of Georgia's 657,955 public-sector workers in 2022 were union members, a membership rate of 13.4%. Relative to the other states, Georgia had the 43rd highest public sector union membership rate and the 40th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Georgia Association of Educators: 30,000 members as of 2018
- AFSCME: 1,428 members as of 2018
- Georgia Federation of Teachers: 345 members as of 2018

## POLITICAL LANDSCAPE

In Georgia, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.



## NOTEWORTHY LEGISLATION

- [SB 331](#) (2022): Prohibits the regulation of employee work hours, scheduling, and output by local government entities
- [HB 155](#) (2023): Creates a process for universal recognition of occupational licenses through endorsement.

*\*Does not apply to employees covered by the federal Fair Labor Standards Act, who must receive \$7.25 per hour.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# HAWAII



Right-to-Work State?

Recognizes Out-of-State Occupational Licenses?

Public Sector Union Membership: 8

Private Sector Union Membership: 1

## MINIMUM WAGE:

\$12.00\*

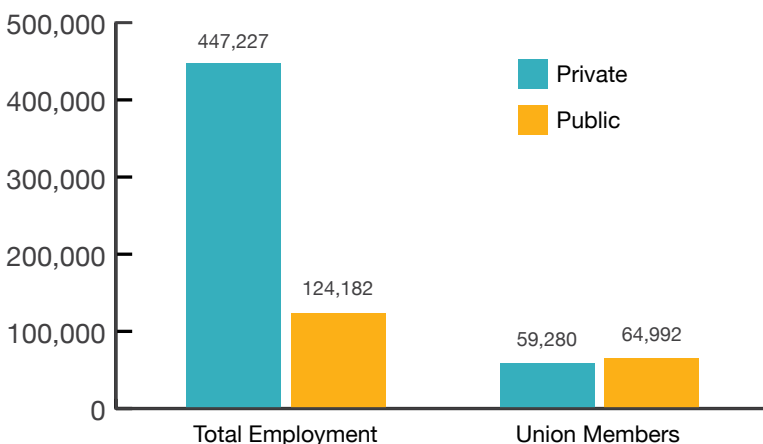
## EXISTING LAW

Title 21 of the [Hawaii Revised Statutes](#) addresses the labor and industrial relations statutes in the state. Title 7, Chapter 89 addresses collective bargaining in public employment.

## UNION LANDSCAPE

Approximately 64,992 of Hawaii's 124,182 public-sector workers in 2022 were union members, a membership rate of 52.3%. Relative to the other states, Hawaii had the 8th highest public sector union membership rate and the highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Hawaii Government Employees Association: 40,676 members as of 2018
- Hawaii State Teachers Association: 13,700 members as of 2019
- United Public Workers 12,767 members as of 2019

## POLITICAL LANDSCAPE

Democrats in Hawaii hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

*\*The minimum wage will be \$14.00 starting January 1, 2024, and will incrementally increase by \$2.00 every two years until it reaches \$18.00 on January 1, 2028.*

# IDAHO



Right-to-Work State?

Recognizes Out-of-State Occupational Licenses? \*\*

Public Sector Union Membership: **42**

Private Sector Union Membership: **39**

## MINIMUM WAGE:

\$7.25

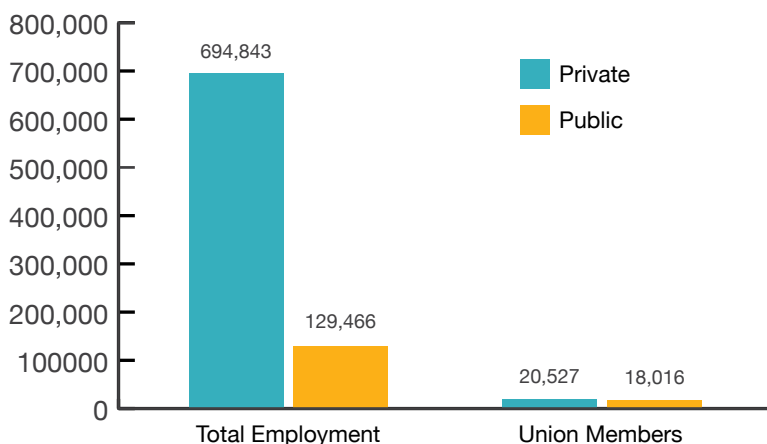
## EXISTING LAW

Title 44 of the [Idaho Statutes](#) addresses the labor statutes in the state. Title 33, Chapter 12, Sections 1271-1276 and Title 44, Chapter 44, Sections 1801-1811 establish the right of public teachers and firefighters to collectively bargain.

## UNION LANDSCAPE

Approximately 18,016 of Idaho's 129,466 public sector workers in 2022 were union members, a membership rate of 13.9%. Relative to the other states, Idaho had the 42nd highest public sector union membership rate and the 39th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from one of the state's largest public sector unions are provided below:

- Idaho Education Association: 10,580 members as of 2016-2017

## POLITICAL LANDSCAPE

Republicans in Idaho control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 1351](#) (2020): Creates a process for universal recognition of occupational licenses for workers in Idaho using a scope of practice standard. It also creates a commission to conduct sunrise and on-request sunset reviews of occupational licenses, and it allows people with criminal records to petition licensing boards to review their eligibility for license.

\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.

# ILLINOIS



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: 

Private Sector Union Membership: 

## MINIMUM WAGE:

\$13.00\*

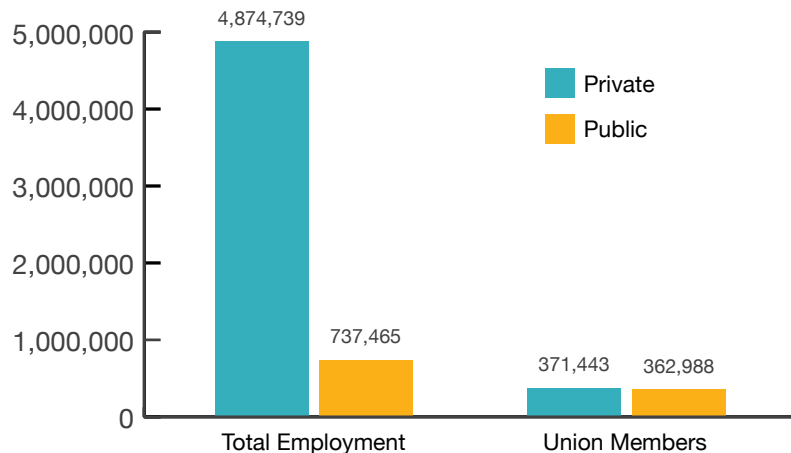
## EXISTING LAW

Chapter 820 of [the Illinois Compiled Statutes](#) covers employment and labor laws in the state. The Illinois Compiled Statutes addresses collective bargaining rights-of public sector employees with the Illinois Public Labor Relations Act and the Illinois Educational Labor Relations Act. Chapter 225 covers professions, occupations, and business operations.

## UNION LANDSCAPE

Approximately 362,988 of Illinois' 737,465 public sector workers in 2022 were union members, a membership rate of 49.2%. Relative to the other states, Illinois had the 10th highest public sector union membership rate and the 12th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Illinois' largest public sector unions are provided below:

- Illinois Education Association: 137,097 members as of 2018
- American Federation of Teachers: 93,968 members as of 2019
- AFSCME Council 31: 57,000 members as of 2019

## POLITICAL LANDSCAPE

In Illinois, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 1784](#) (2019): Public employers must disclose employee information including personal email address, personal phone number, and home address to the exclusive bargaining representative within 10 days from the date of hire. The exclusive bargaining representative has the right to meet with all new employees during work hours for up to one hour. Public employees may be limited to a 10-day time period each year when they can revoke dues deductions.
- [Amendment 1](#) (2022): Illinois voters approved the amendment to ban Right to Work and to add the right to collectively bargain over certain items to the state constitution.

*\*State minimum wage applies to employers with four or more employees excluding family members.*

# INDIANA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **28**

Private Sector Union Membership: **23**

## MINIMUM WAGE:

\$7.25\*

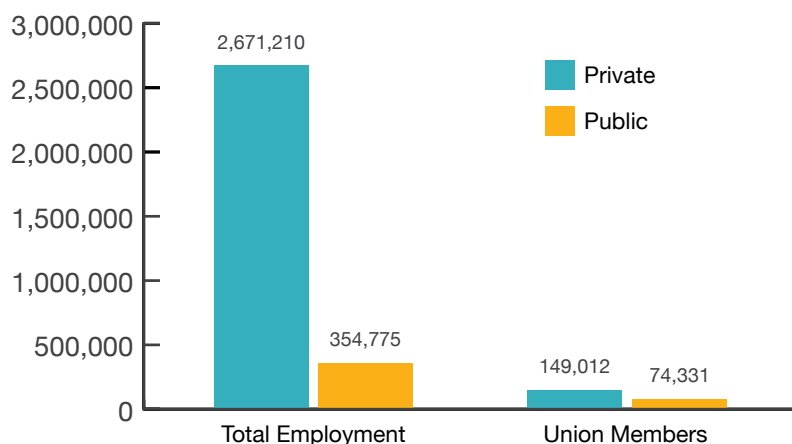
## EXISTING LAW

Title 22 of the [Indiana Code](#) covers labor and safety codes in the state. Article 6 of this title covers labor relations and Article 7 covers labor organizations. Title 20, Article 29 establishes collective bargaining rights for public school teachers in the state.

## UNION LANDSCAPE

Approximately 74,331 of Indiana's 354,775 public sector workers in 2022 were union members, a membership rate of 21%. Relative to the other states, Indiana had the 28th highest public sector union membership rate and the 23rd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from four of the state's largest public sector unions are provided below:

- Indiana State Teachers Association: 39,430 members as of 2016-2017
- Indiana State Fraternal Order of Police: 14,000 members as of 2018
- Professional Firefighters Union of Indiana: 7,478 members as of 2019

## POLITICAL LANDSCAPE

In Indiana, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- Attorney General legal opinion clarifying and affirming that the Janus decision requires the government to disclose First Amendment rights to employees and must receive clear and compelling evidence of a waiver of this right directly from an employee before dues are deducted from their paycheck. The government will then provide a regular opportunity to opt-out or annually opt-in to ensure the waiver is up to date.
- [SB 251](#) (2021): Ensures unions receive annual affirmative consent from teachers before taking dues out of their paycheck.
- [SB 297](#) (2022): Amends and clarifies the language used on the authorization forms school employees must sign before union dues can be deducted from pay.

*\*State minimum wage applies to employers with two or more employees.*



# IOWA



Right-to-Work State?

Recognizes Out-of-State Occupational Licenses? \*\*

Public Sector Union Membership: **29**

Private Sector Union Membership: **26**

## MINIMUM WAGE:

\$7.25

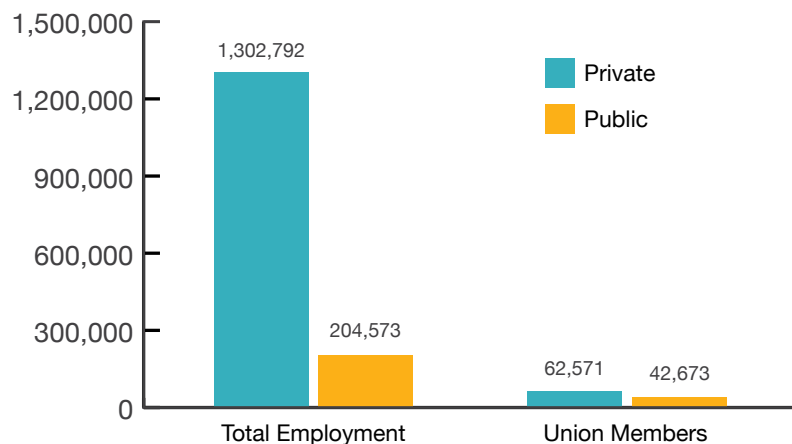
## EXISTING LAW

Chapter 20 of [the Iowa Code](#) is the Public Employment Relations Act. Chapter 731 covers Labor Union Membership codes.

## UNION LANDSCAPE

Approximately 42,673 of Iowa's 204,573 public sector workers in 2022 were union members, a membership rate of 20.9%. Relative to the other states, Iowa had the 29th highest public sector union membership rate and the 26th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Iowa State Education Association: 37,232 members as of 2016-2017
- AFSCME: 8,617 members as of 2019
- Iowa Professional Fire Fighters: 1,600 members as of 2019

## POLITICAL LANDSCAPE

In Iowa, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HSB 84](#) (2017): Restrains topics of collective bargaining agreements for most public sector workers, prohibits payroll deductions for union dues and political contributions, and requires public sector unions to recertify periodically.
- [HF 2627](#) (2020): Creates a process for universal recognition of occupational licenses and/or work experience for workers in Iowa using a scope of practice standard.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# KANSAS



Right-to-Work State?

Recognizes Out-of-State Occupational Licenses? \*\*

Public Sector Union Membership: **30**

Private Sector Union Membership: **16**

## MINIMUM WAGE:

\$7.25

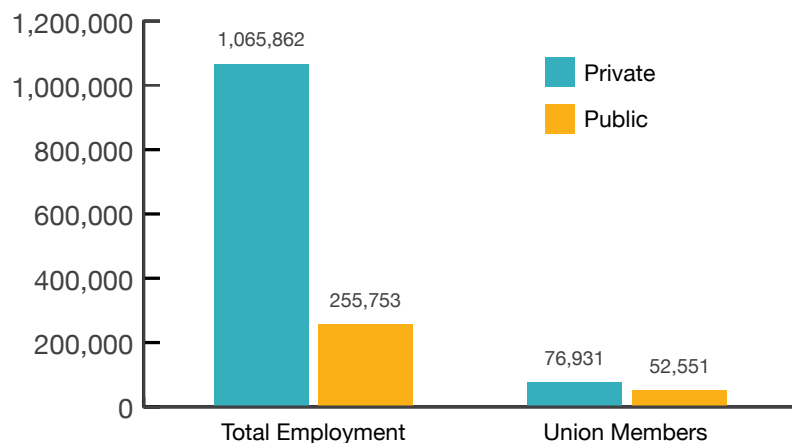
## EXISTING LAW

Chapter 44 of the [Kansas Statutes](#) addresses the labor and industry statutes in the state. Article 8 of this chapter covers labor and industries statutes. Article 17 covers the Professional Employer Organization Registration Act. Chapter 75 is the Public-Employer-Employee Relations Act.

## UNION LANDSCAPE

Approximately 52,551 of Kansas' 255,753 public sector workers in 2022 were union members, a membership rate of 20.5%. Relative to the other states, Kansas had the 30th highest public sector union membership rate and the 16th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Kansas NEW: 24,317 as of 2016-2017
- Kansas State Lodge Fraternal Order of Police: over 3,100 members as of 2020
- Kansas Peace Officers Association: over 3,000 members as of 2020

## POLITICAL LANDSCAPE

Republicans have a supermajority in both chambers of the state legislature, but the governor is a Democrat.

## NOTEWORTHY LEGISLATION

- [HB 2066](#) (2021): Creates a process for universal recognition of occupational licenses or work experience for workers in Kansas using a scope of practice standard.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# KENTUCKY



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **38**

Private Sector Union Membership: **20**

## MINIMUM WAGE:

\$7.25

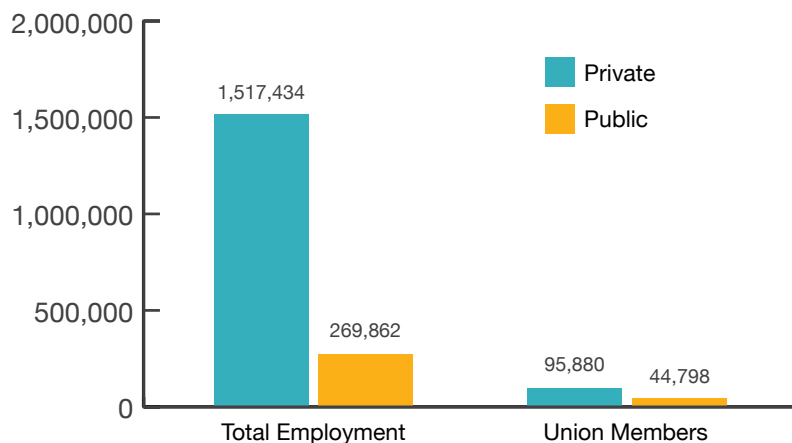
## EXISTING LAW

Title XXVII of the [Kentucky Revised Statutes](#) covers Labor and Human Rights statutes in the state. Chapter 336 covers labor and employment statutes. Chapter 340 addresses employment agencies. Chapter 345 discusses collective bargaining for firefighters.

## UNION LANDSCAPE

Approximately 44,798 of Kentucky's 269,862 public sector workers in 2022 were union members, a membership rate of 16.6%. Relative to the other states, Kentucky had the 38th highest public sector union membership rate and the 20th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from two of the state's largest public sector unions are provided below:

- Kentucky Education Association: 43,850 members as of 2016-2017
- Kentucky Fraternal Order of Police: over 10,000 as of 2020

## POLITICAL LANDSCAPE

Kentucky operates under divided government. A Democrat holds the governorship, but Republicans have a supermajority in both chambers of the state legislature.

## NOTEWORTHY LEGISLATION

- [SB 7](#) (2023): Prevents public employers from deducting or assisting with deducting money from public employees' paychecks for union dues and fees or political activities. Kentucky legislators overrode the governor's veto of this bill to enact it.

# LOUISIANA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **44**

Private Sector Union Membership: **43**

## MINIMUM WAGE:

No minimum wage, except for employees subject to the federal Fair Labor Standards Act.

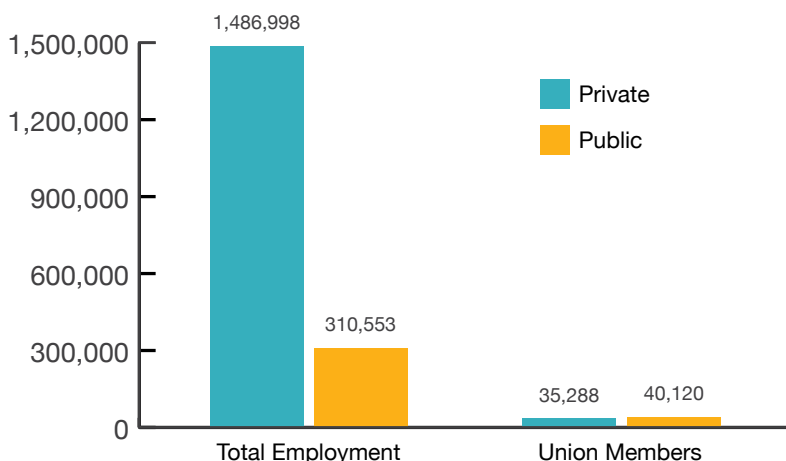
## EXISTING LAW

Title 23 of the [Louisiana Revised Statutes](#) addresses labor policy in the state. Title 42 addresses public officers and employee statutes.

## UNION LANDSCAPE

Approximately 40,120 of Louisiana's 310,553 public sector workers in 2022 were union members, a membership rate of 12.9%. Relative to the other states, Louisiana had the 44th highest public sector union membership rate and the 43rd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from four of the state's largest public sector unions are provided below:

- Louisiana Federation of Teachers: 20,000 members
- Louisiana Association of Educators: 10,481 as of 2016-2017
- Professional Firefighters Association of Louisiana: over 4,000 as of 2020

## POLITICAL LANDSCAPE

Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 748](#) (2018): Requires the governor to review any agency engaged in licensing activities.

# MAINE



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **17**

Private Sector Union Membership: **37**

## MINIMUM WAGE:

\$13.80\*

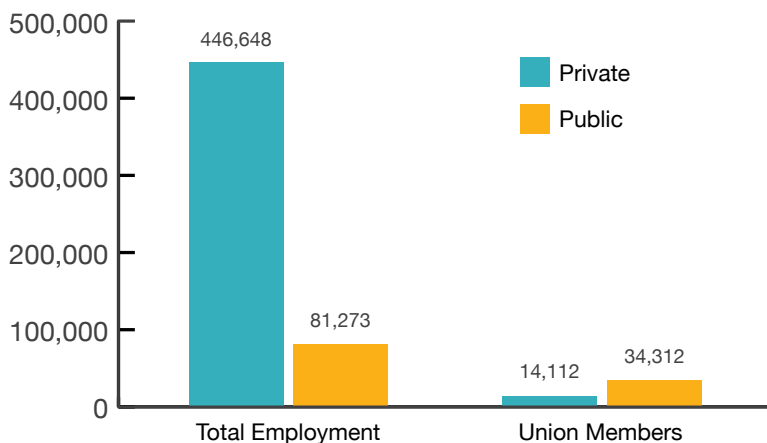
## EXISTING LAW

Title 26 of the [Maine Revised Statutes](#) addresses labor and industry statutes in the state. Chapter 9-A of this title is the Municipal Public Employees Labor Relations Law. Chapter 9-B is the State Employees Labor Relations Act. Chapter 12 is the University of Maine System Labor Relations Act. Chapter 14 is the Judicial Employees Labor Relations Act.

## UNION LANDSCAPE

Approximately 34,312 of Maine's 81,273 public sector workers in 2022 were union members, a membership rate of 42.2%. Relative to the other states, Maine had the 17th highest public sector union membership rate and the 37th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Maine's largest public sector unions are provided below:

- Maine Education Association: 23,535 members as of 2018
- Maine State Employees Association SEIU Local 1989: 8,328 members as of 2019
- AFSCME Council 93 (Maine Office): approximately 2,600 members as of 2020

## POLITICAL LANDSCAPE

In Maine, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

\*The minimum wage is adjusted annually based on a set formula.



# MARYLAND



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: 

Private Sector Union Membership: 

## MINIMUM WAGE:

\$13.25

## EXISTING LAW

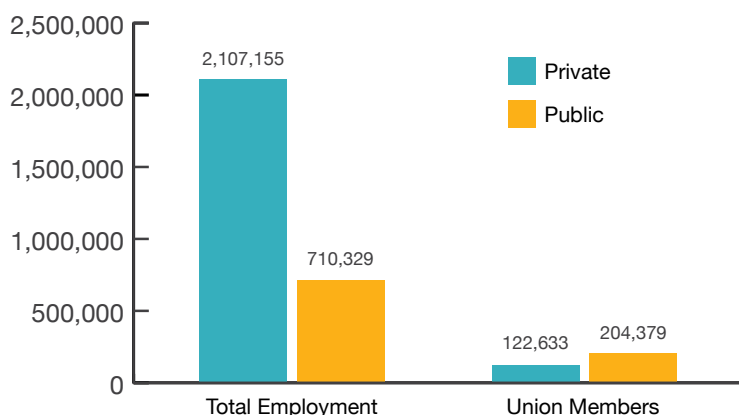
The Labor and Employment part of the [Maryland State Code](#) covers labor policy in the state. The following portions of the Maryland Code address the collective bargaining rights of public sector employees:

- State employees: State Personnel and Pensions § 3-101 et seq.
- Non-certified public-school employees: Educ. §§ 6-501 - 6-510
- Teachers: Educ. §§ 6-401 - 6-411

## UNION LANDSCAPE

Approximately 204,379 of Maryland's 710,329 public-sector workers in 2022 were union members, a membership rate of 28.8%. Relative to the other states, Maryland had the 22nd highest public sector union membership rate and the 22nd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Maryland's largest public sector unions are provided below:

- Maryland State Education Association: Approximately 73,549 members as of 2016-2017
- AFSCME Council 3: 16,615 members as of 2018
- AFSCME Council 67: 10,670 members as of 2018

## POLITICAL LANDSCAPE

- In Maryland, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

# MASSACHUSETTS



Right-to-Work State?

Recognizes Out-of-State Occupational Licenses?

Public Sector Union Membership: **5**

Private Sector Union Membership: **19**

## MINIMUM WAGE:

\$15.00\*

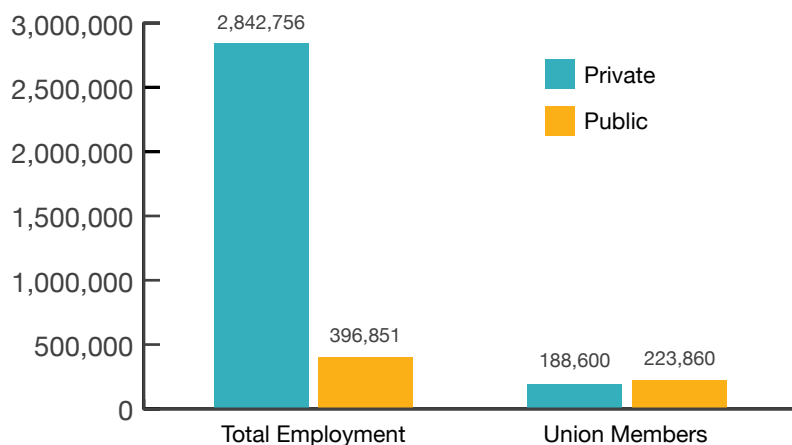
## EXISTING LAW

Part 1, Title XXI of the [Massachusetts General Laws](#) addresses the labor and industry statutes in the state. Chapter 150E of this title addresses labor relations for the state's public sector employees.

## UNION LANDSCAPE

Approximately 223,860 of Massachusetts' 396,851 public sector workers in 2022 were union members, a membership rate of 56.4%. Relative to the other states, Massachusetts had the 5th highest public sector union membership rate and the 19th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Massachusetts' largest public sector unions are provided below:

- Massachusetts Teachers Association: approximately 115,434 members as of 2016-2017
- AFT Massachusetts: 22,984 members as of 2019
- ANAGE SEIU: 22,000 members as of 2020

## POLITICAL LANDSCAPE

In Massachusetts, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [H.3854](#) (2019): Public employee information including home address, personal email address, and personal phone numbers may be disclosed to unions. Non-member public employees may be charged fees by the union for representation in grievances and arbitrations. Unions have the right to meet with newly hired employees for at least 30 minutes within 10 days after being hired. Dues deduction authorization may be irrevocable for up to one year after the anniversary of the authorization.

*\*The state minimum wage automatically increases to be \$0.50 higher than the effective federal minimum rate.*

# MICHIGAN



Right-to-Work State?  \*\*

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **14**

Private Sector Union Membership: **4**

## MINIMUM WAGE:

\$10.10\*

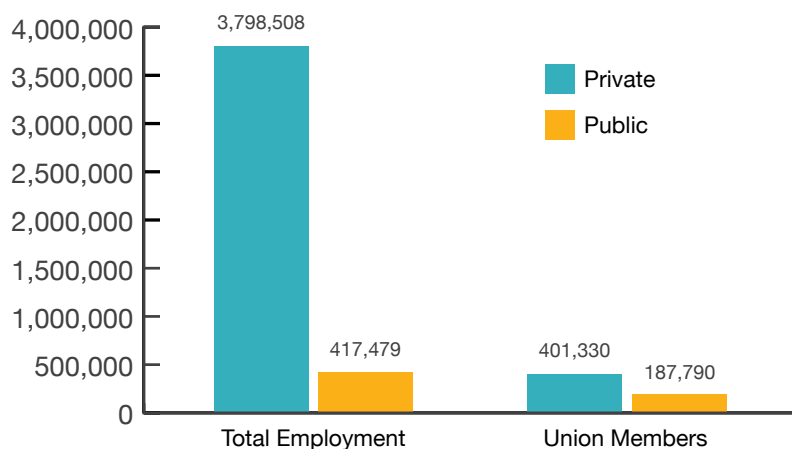
## EXISTING LAW

Chapter 15 of the [Michigan Compiled Laws](#) covers laws addressing public officers and employees. Chapter 408 addresses labor laws in the state. Chapter 419 addresses miscellaneous labor laws. Chapter 423 addresses labor disputes and employment relations laws. Chapter 454 addresses trade and labor association laws. Michigan is currently a Right-to-Work state but will not be one in 2024 due to legislation passed in 2023.

## UNION LANDSCAPE

Approximately 187,790 of Michigan's 417,749 public sector workers in 2022 were union members, a membership rate of 45%. Relative to the other states, Michigan had the 14th highest public sector union membership rate and the 4th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of Michigan's largest public sector unions are provided below:

- Michigan Education Association (MEA): 121,358 members as of 2018
- AFSCME Council 25: 30,443 members as of 2019
- AFT Michigan: 18,253 members as of 2018

## POLITICAL LANDSCAPE

In Michigan, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- Michigan Civil Service Commission adopted rules to comply with the Janus decision by requiring “all exclusively representative employees of the right to join or not join an exclusive representative” and requiring dues deduction authorizations be renewed on an annual basis.
- [SB 34](#) (2023): Repeals Michigan’s Right-to-Work law and allows union memberships or fees to be job requirements.

*\*State minimum wage applies to employers with two or more employees. The minimum wage will increase annually on a set schedule provided the unemployment rate in the preceding year does not exceed 8.5%.*

*\*\*This will be effectively repealed on February 13, 2024.*

# MINNESOTA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership:  12

Private Sector Union Membership:  8

## MINIMUM WAGE:

\$10.59\*

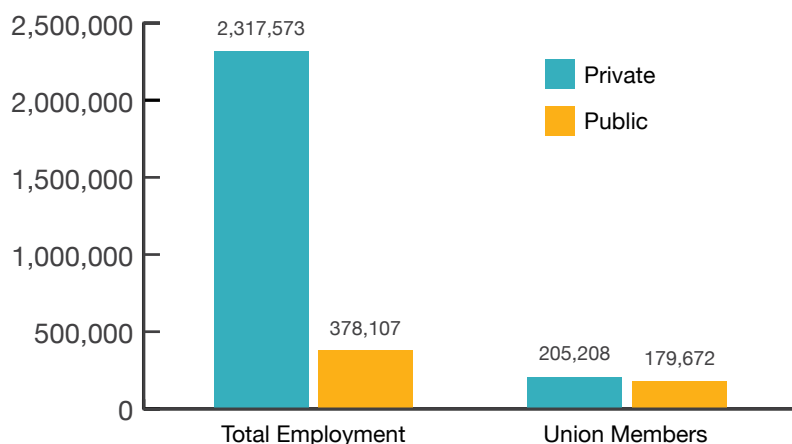
## EXISTING LAW

Chapters 175-186 of the [Minnesota Statutes](#) address labor and industry laws in the state. Chapter 179 addresses labor relations, and Chapter 179A addresses public employment labor relations.

## UNION LANDSCAPE

Approximately 179,672 of Minnesota's 378,107 public sector workers in 2022 were union members, a membership rate of 47.5%. Relative to the other states, Minnesota had the 12th highest public sector union membership rate and the 8th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Minnesota's largest public sector unions are provided below:

- Education Minnesota: 89,731 members as of 2018
- AFSCME Council 5: 38,761 members as of 2018
- Minnesota Association of Professional Employees: approximately 12,500 members as of 2020

## POLITICAL LANDSCAPE

In Minnesota, Democrats hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

*\*The minimum wage for large employers with annual revenues of \$500,000 or more is \$10.59. The minimum wage for small employers with annual revenues of less than \$500,000 is \$8.63. The minimum wage is adjusted annually based on a set formula.*

# MISSISSIPPI



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **46**

Private Sector Union Membership: **32**

## MINIMUM WAGE:

No minimum wage, except for employees subject to the federal Fair Labor Standards Act.

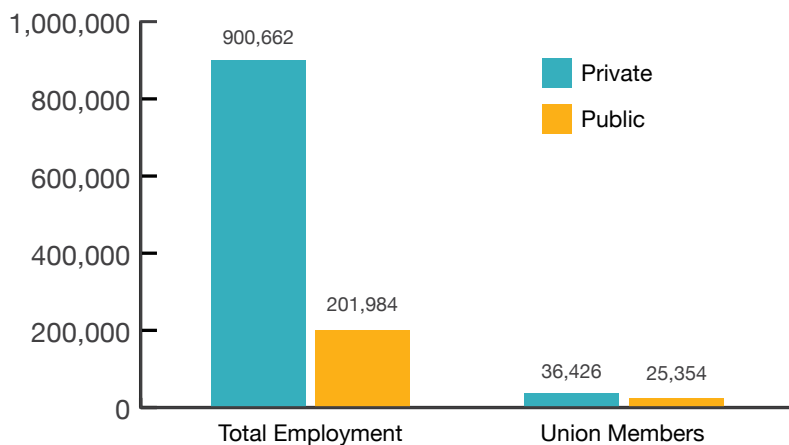
## EXISTING LAW

Title 25 of the [Mississippi Code](#) addresses public officers and employees. Title 71 addresses labor and industry codes in the state.

## UNION LANDSCAPE

Approximately 25,354 of Mississippi's 201,984 public sector workers in 2022 were union members, a membership rate of 12.6%. Relative to the other states, Mississippi had the 46th highest public sector union membership rate and the 32nd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Mississippi Association of Educators: 7,278 members as of 2016-2017
- Mississippi Alliance of State Employees: over 3,000 members as of 2020
- Mississippi Law Enforcement Officers' Association: almost 1,500 members as of 2020

## POLITICAL LANDSCAPE

In Mississippi, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 2117](#) (2020): Creates a process for universal recognition of occupational licenses or work experience for members of the military and military spouses in Mississippi using a scope of practice standard.
- [HB 1104](#) (2020): Includes a requirement that the Occupational Licensing Review Commission “shall” review any new occupational licenses and “may” review existing occupational licenses. It does not mandate the use of the “least restrictive regulation” standard.
- [HB 1263](#) (2021): Creates a process for universal recognition of occupational licenses or work experience for workers in Mississippi using a scope of practice standard.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*



# MISSOURI



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **24**

Private Sector Union Membership: **14**

## MINIMUM WAGE:

\$12.00\*

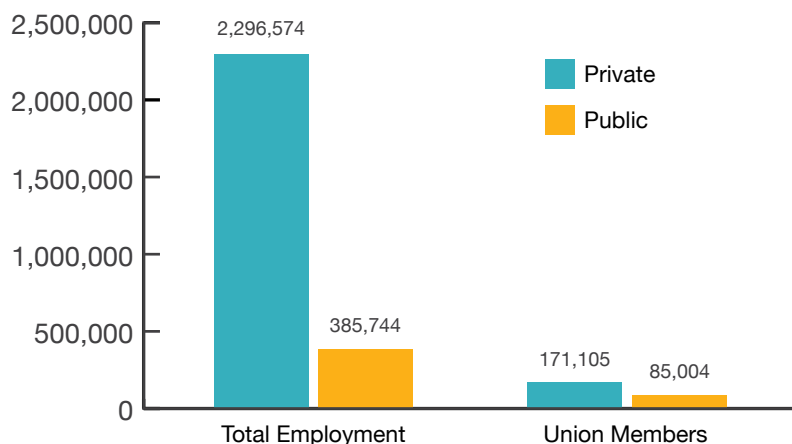
## EXISTING LAW

Chapter 105 of the [Missouri Revised Statutes](#) addresses public officers and employees, including their right to form unions and bargain collectively. Chapters 285-295 address labor and industrial relations statutes.

## UNION LANDSCAPE

Approximately 85,004 of Missouri's 385,744 public sector workers in 2022 were union members, a membership rate of 22%. Relative to the other states, Missouri had the 24th highest public sector union membership rate and the 14th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of the state's largest public sector unions are provided below:

- Missouri NEA (MNEA): 32,059 as of 2016-2017
- CWA Local 6355: over 7,000 as of 2020
- Missouri Fraternal Order of Police: over 7,000 as of 2020

## POLITICAL LANDSCAPE

In Missouri, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- On August 7, 2018, voters in Missouri defeated Proposition A, thus repealing the state's right-to-work law, which had been adopted by the state legislature in 2017.
- [HB 2046](#) (2020): Creates a process for universal recognition of occupational licenses for workers in Missouri using a scope of practice standard.

*\*Employees of retail or service businesses with gross annual sales of less than \$500,000 are exempted.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# MONTANA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **19**

Private Sector Union Membership: **24**

## MINIMUM WAGE:

\$9.95\*

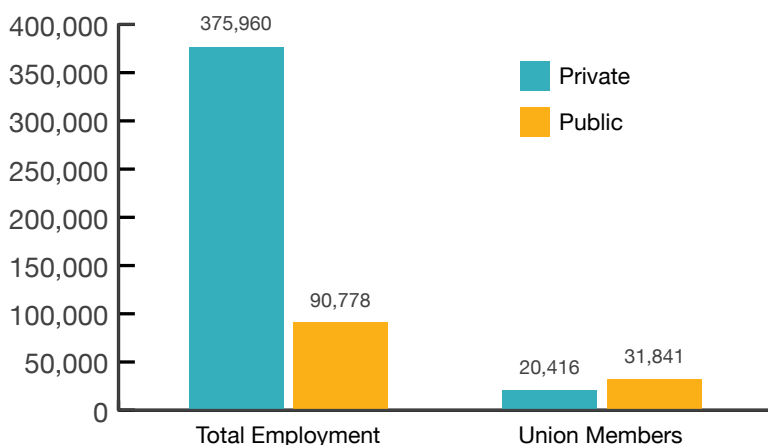
## EXISTING LAW

Title 39 of the [Montana Code Annotated](#) addresses labor codes in the state. Chapter 31 addresses collective bargaining for public employees. Chapter 32 covers collective bargaining for nurses. Chapter 33 covers the general limitations on collective bargaining rights.

## UNION LANDSCAPE

Approximately 31,841 of Montana's 90,778 public-sector workers in 2022 were union members, a membership rate of 35.1%. Relative to the other states, Montana had the 19th highest public sector union membership rate and the 24th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Montana's largest public sector unions are provided below:

- Montana Federation of Public Employees: over 25,000 members as of 2020
- MEA-MFT: 18,802 members as of 2018

## POLITICAL LANDSCAPE

Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 105](#) (2019): Creates a process for universal recognition of occupational licenses for workers in Montana using a substantially equivalent standard.

*\*The minimum wage for businesses with gross annual sales of more than \$110,000 is \$9.95. The minimum wage for businesses not covered by the FLSA with gross annual sales less than \$110,000 is \$4.00. The minimum wage is adjusted annually based on a set formula.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# NEBRASKA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **33**

Private Sector Union Membership: **29**

## MINIMUM WAGE:

\$10.50\*

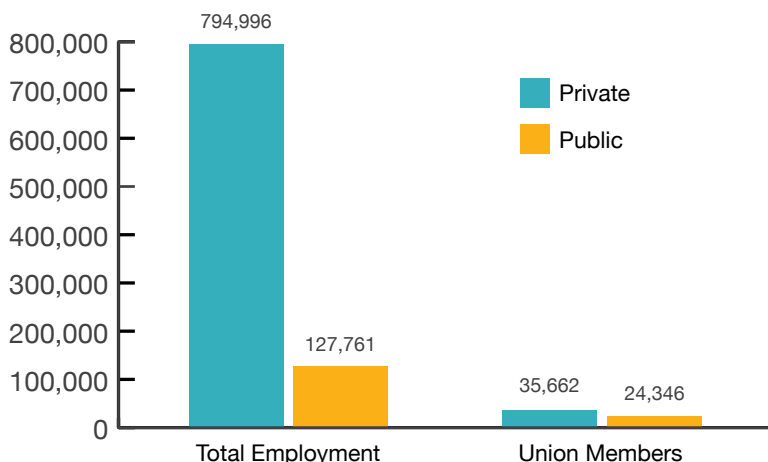
## EXISTING LAW

Chapter 48 of the [Nebraska Revised Statutes](#) addresses labor laws in the state. Chapter 81 also addresses public sector worker rights.

## UNION LANDSCAPE

Approximately 24,346 of Nebraska's 127,761 public sector workers in 2022 were union members, a membership rate of 19.1%. Relative to the other states, Nebraska had the 33rd highest public sector union membership rate and the 29th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Nebraska's largest public sector unions are provided below:

- Nebraska State Education Association (NEA affiliate): 27,847 members as of 2016-7
- Nebraska Association of Public Employees (AFSCME affiliate): over 8,000 members as of 2020
- Nebraska Professional Firefighters Association: over 1,300 members as of 2020

## POLITICAL LANDSCAPE

Republicans in Nebraska hold the governorship and control the unicameral legislature, establishing single party control of the state.

## NOTEWORTHY LEGISLATION

- [LB 299](#) (2018): Creates a sunset review process that reviews 20 percent of Nebraska's occupational licenses every year on a five-year cycle utilizing a least restrictive means framework.

*\*State minimum wage applies to employers with four or more employees.*

# NEVADA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **18**

Private Sector Union Membership: **11**

## MINIMUM WAGE:

\$10.50\*

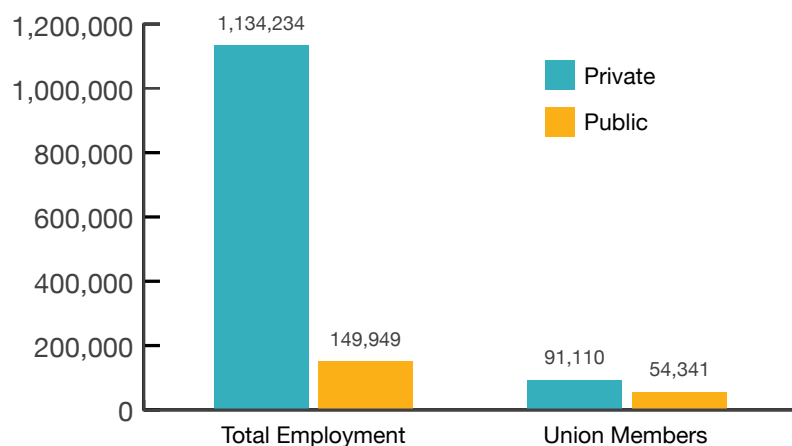
## EXISTING LAW

Title 23 of the [Nevada Revised Statutes](#) addresses public officers and employee statutes in the state. Title 53 addresses labor and industrial relations statutes. Chapter 614 of this chapter addresses organized labor and labor disputes.

## UNION LANDSCAPE

Approximately 54,341 of Nevada's 149,949 public-sector workers in 2022 were union members, a membership rate of 36.2%. Relative to the other states, Nevada had the 18th highest public sector union membership rate and the 11th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Nevada's largest public sector unions are provided below:

- Nevada State Education Association: Approximately 23,092 members as of 2016-2017
- AFSCME Local 4041: over 17,000 members as of 2020
- Professional Fire Fighters of Nevada: 2,700 members as of 2020

## POLITICAL LANDSCAPE

Democrats control both chambers of the state legislature, but the governor is a Republican.

## NOTEWORTHY LEGISLATION

- [SB 135](#) (2019): Legislature determines certain state employees have the right to organize and collectively bargain. Requires collective bargaining agreements to have a process for the government to deduct dues from employees' paychecks and send the dues money to the exclusive bargaining representative.

*\*The minimum wage for those without health insurance benefits is \$11.25. The minimum wage for those with health insurance is \$10.25. The minimum wage is adjusted annually based on a set formula, though a preemptive increase is for July 1, 2024.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*



# NEW HAMPSHIRE



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **13**

Private Sector Union Membership: **34**

## MINIMUM WAGE:

\$7.25

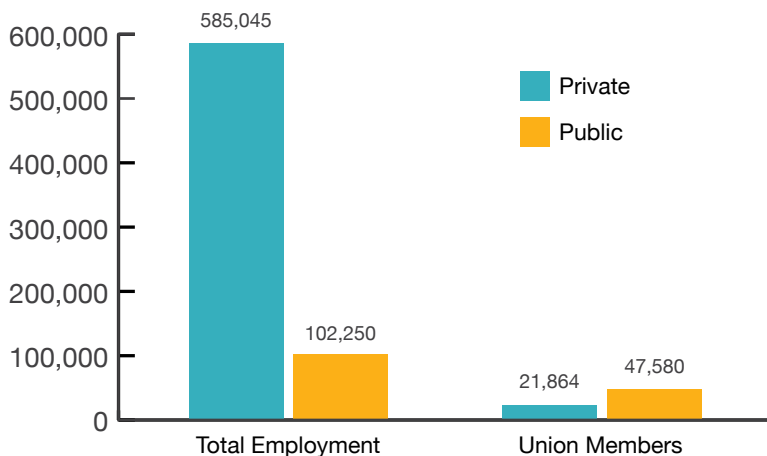
## EXISTING LAW

Title XXIII of the [New Hampshire Statutes](#) addresses labor laws in the state. Chapter 273-A addresses the collective bargaining rights of the state's public sector employees.

## UNION LANDSCAPE

Approximately 47,580 of New Hampshire's 102,250 public-sector workers in 2022 were union members, a membership rate of 46.5%. Relative to the other states, New Hampshire had the 13th highest public sector union membership rate and the 34th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from five of the state's largest public sector unions are provided below:

- NEA New Hampshire: 16,984 members as of 2016-2017
- AFSCME: over 4,000 members as of 2020
- AFT New Hampshire: 3,398 members as of 2018

## POLITICAL LANDSCAPE

Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.

# NEW JERSEY



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership:  4

Private Sector Union Membership:  9

## MINIMUM WAGE:

\$14.13\*

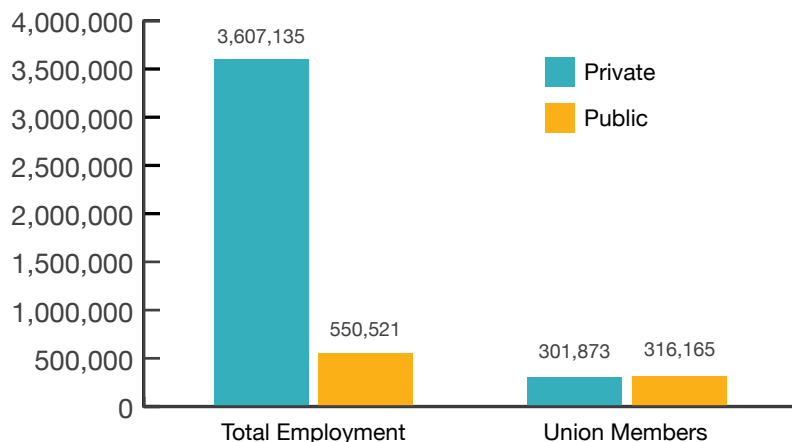
## EXISTING LAW

Title 34 of the [New Jersey Statutes](#) covers labor and workmen's compensation in the state.

## UNION LANDSCAPE

Approximately 316,165 of New Jersey's 550,521 public sector workers in 2022 were union members, a membership rate of 57.4%. Relative to the other states, New Jersey had the 4th highest public sector union membership rate and the 9th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of New Jersey's largest public sector unions are provided below:

- New Jersey Education Association: 202,408 members as of 2016-2017
- CWA New Jersey: 70,000 members as of 2020
- American Federation of Teachers: 22,523 members as of 2018

## POLITICAL LANDSCAPE

Democrats in New Jersey hold the governor and both chambers of the state legislature, establishing trifecta control of the state.

\* The minimum wage is adjusted annually based on a set formula. For seasonal and small employers with fewer than six people, the minimum wage is \$12.93.

\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.

# NEW MEXICO



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **23**

Private Sector Union Membership: **27**

## MINIMUM WAGE:

\$12.00

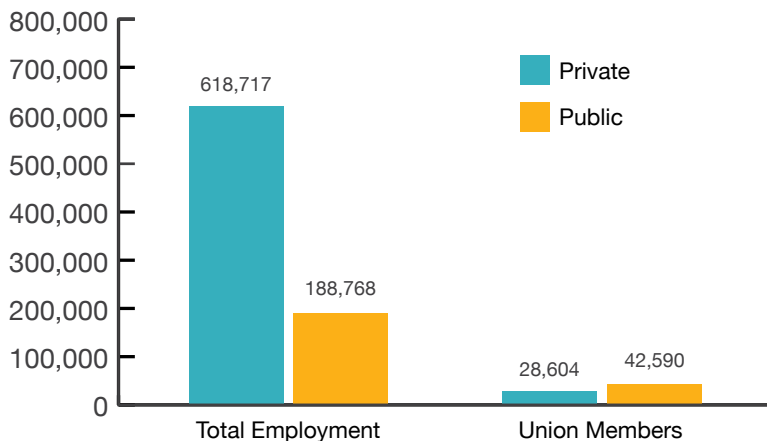
## EXISTING LAW

Chapter 10 of the [New Mexico Statutes](#) addresses public officers and employees laws within the state. Article 7E of this chapter addresses the collective bargaining rights of the state's public sector workers. Chapter 50 covers employment law, and Chapter 61 covers professional and occupational licenses.

## UNION LANDSCAPE

Approximately 42,590 of New Mexico's 188,768 public sector workers in 2022 were union members, a membership rate of 22.6%. Relative to the other states, New Mexico had the 23rd highest public sector union membership rate and the 27th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- NEA New Mexico: 8,563 members as of 2016-2017
- New Mexico Professional Fire Fighters Association: approximately 2,000 members as of 2019

## POLITICAL LANDSCAPE

Democrats in New Mexico hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# NEW YORK



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership:  1

Private Sector Union Membership:  2

## MINIMUM WAGE:

\$14.20\*

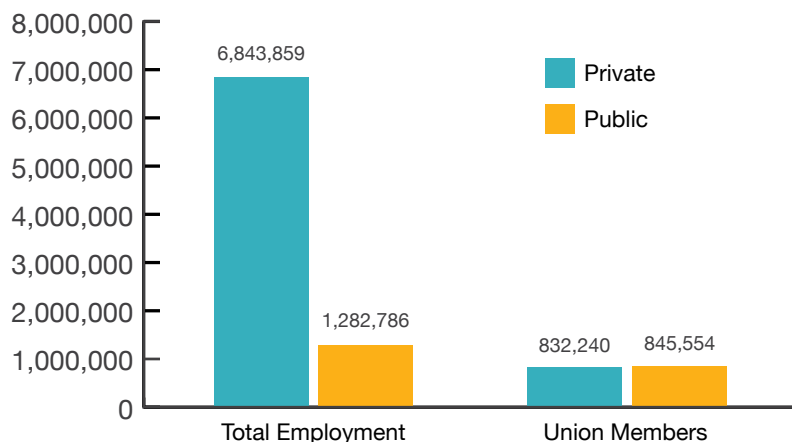
## EXISTING LAW

Chapter 31 of the [Consolidated Laws of New York](#) addresses labor laws in the state. Article 20 of this chapter is the New York State Labor Relations Act.

## UNION LANDSCAPE

Approximately 845,554 of New York's 1,282,786 public sector workers in 2022 were union members, a membership rate of 65.9%. Relative to the other states, New York had the highest public sector union membership rate and the 2nd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of New York's largest public sector unions are provided below:

- New York State United Teachers: over 600,000 members as of 2020
- AFSCME Council 37: 106,505 members as of 2019
- New York City Police Benevolent Association: approximately 24,000 members as of 2020

## POLITICAL LANDSCAPE

Democrats in New York hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

*\*Long Island, Westchester, and New York City have a minimum wage of \$15.00. All other regions of the state will have annual increases in the minimum wage until \$15.00 per hour is reached. The minimum wage is adjusted annually based on a set formula.*

# NORTH CAROLINA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **48**

Private Sector Union Membership: **47**

## MINIMUM WAGE:

\$7.25

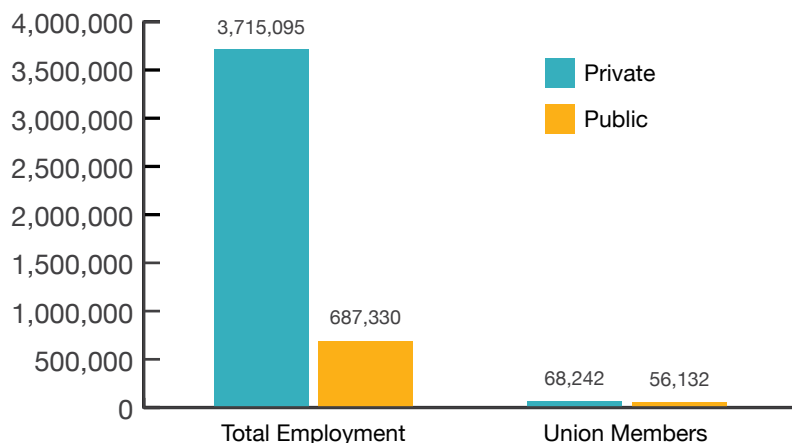
## EXISTING LAW

Chapter 95 of the [North Carolina General Statutes](#) addresses the Department of Labor and labor regulations, including a ban on collective bargaining agreements for public sector workers in the state.

## UNION LANDSCAPE

Approximately 56,132 of North Carolina's 687,330 public sector workers in 2022 were union members, a membership rate of 8.2%. Relative to the other states, North Carolina had the 48th highest public sector union membership rate and the 47th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from five of the state's largest public sector unions are provided below:

- North Carolina State Firefighters' Association: over 55,000 members as of 2019
- State Employees Association of North Carolina: 55,000 members as of 2020
- North Carolina Association of Educators: 30,561 members as of 2016-2017

## POLITICAL LANDSCAPE

North Carolina operates under divided government. A Democrat holds the governorship, but Republicans have a super-majority in both chambers of the state legislature.

# NORTH DAKOTA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **31**

Private Sector Union Membership: **36**

## MINIMUM WAGE:

\$7.25

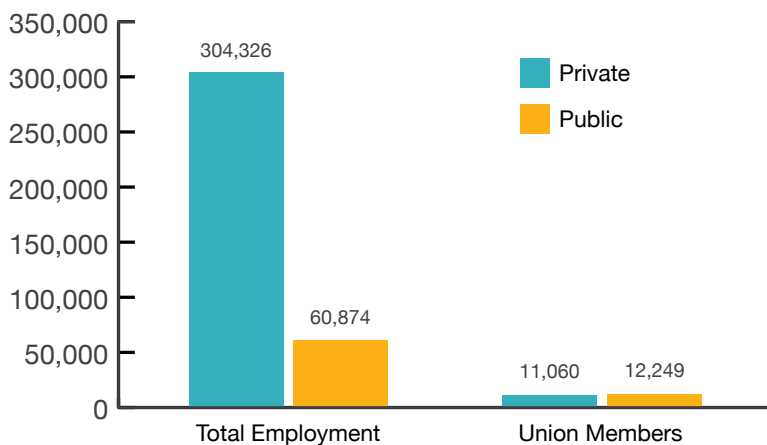
## EXISTING LAW

Title 34 of the [North Dakota Century Code](#) addresses labor and employment codes in the state. Chapters 9-11.1 address labor relations for private and public sector workers.

## UNION LANDSCAPE

Approximately 12,249 of North Dakota's 60,874 public sector workers in 2022 were union members, a membership rate of 20.1%. Relative to the other states, North Dakota had the 31st highest public sector union membership rate and the 36th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from two of the state's largest public sector unions are provided below:

- North Dakota United: 10,573 members as of 2016-2017
- North Dakota Peace Officers Association: 1,000 members as of 2017

## POLITICAL LANDSCAPE

In North Dakota, Republicans control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## OHIO

Right-to-Work State? Recognizes Out-of-State Occupational Licenses?  \*\*Public Sector Union Membership: **15**Private Sector Union Membership: **13****MINIMUM WAGE:**

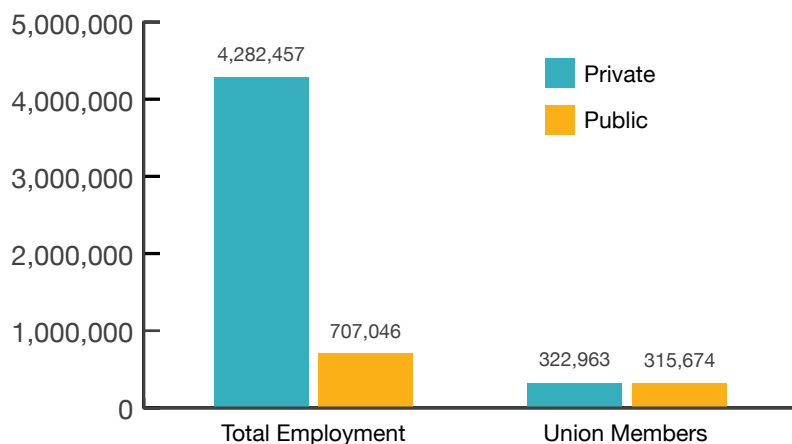
\$10.10\*

**EXISTING LAW**

Title 41 of the [Ohio Revised Code](#) addresses labor and industry laws in the state. Chapter 4117 addresses public employees' rights to collectively bargain.

**UNION LANDSCAPE**

Approximately 315,674 of Ohio's 707,046 public sector workers in 2022 were union members, a membership rate of 44.6%. Relative to the other states, Ohio had the 15th highest public sector union membership rate and the 13th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

**PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES**

Membership figures from three of the state's largest public sector unions are provided below:

- Ohio Education Association (OEA): 124,033 members as of 2018
- AFSCME Council 8: 35,540 members as of 2018
- AFT Ohio: 14,461 members as of 2018

**POLITICAL LANDSCAPE**

In Ohio, Republicans control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 255](#) (2019): Creates a sunset review process that reviews 33 percent of occupational licensing boards every two years on a six-year cycle. If an occupational licensing board is not affirmatively renewed, it expires. The legislative service commission will produce reports to analyze if the board is necessary “to protect against present, recognizable, and significant harms to the health, safety, or welfare of the public” and whether the public could be protected using a less restrictive regulation. SB 255 also creates a sunrise review process that has the legislative service commission produce a report for the general assembly that analyzes all new proposals for occupational regulations.

*\*The minimum wage for large employers with annual gross receipts of \$372,000 or more is \$10.10. The minimum wage for small employers with annual gross receipts of less than \$372,000 is \$7.25. The minimum wage is adjusted annually based on a set formula.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*



# OKLAHOMA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **39**

Private Sector Union Membership: **42**

## MINIMUM WAGE:

\$7.25\*

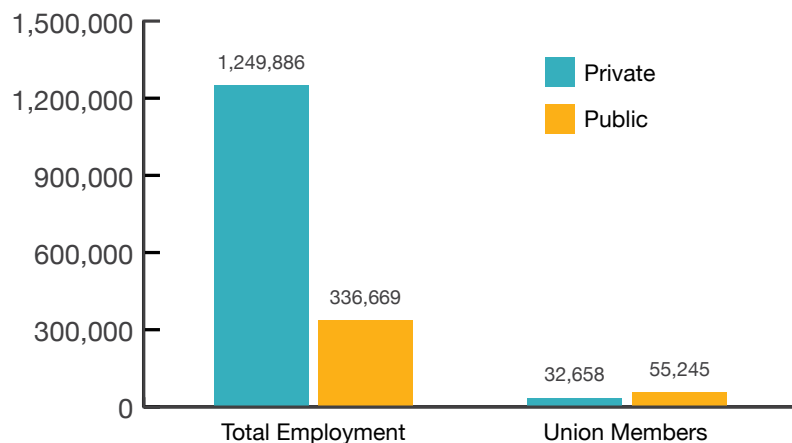
## EXISTING LAW

Title 40 of the [Oklahoma Statutes](#) addresses labor laws in the state. Title 70-509.1 establishes the right of public-school employees to form and join unions. Title 11-51-103 does the same for police and firefighters.

## UNION LANDSCAPE

Approximately 55,245 of Oklahoma's 336,669 public-sector workers in 2022 were union members, a membership rate of 16.4%. Relative to the other states, Oklahoma had the 39th highest public sector union membership rate and the 42nd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Oklahoma's largest public sector unions are provided below:

- Oklahoma Education Association: 19,112 members as of 2016-2017
- Oklahoma State Firefighters Association: over 16,000 members as of 2020
- Oklahoma Public Employees Association: over 10,000 members as of 2020

## POLITICAL LANDSCAPE

In Oklahoma, Republicans control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 1475](#) (2018): Requires a sunrise and sunset review of all proposed or existing occupational licenses in a state to reduce unnecessary work restrictions.
- [HB 2873](#) (2021): Creates a process for universal recognition of occupational licenses for workers in Oklahoma using a substantially equivalent standard.
- [SB 1579](#) (2022): Prevents school employees from collecting pay and benefits during a leave of absence used to hold office at an employee association like a union.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# OREGON



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership:  6

Private Sector Union Membership:  10

## MINIMUM WAGE:

\$14.20\*

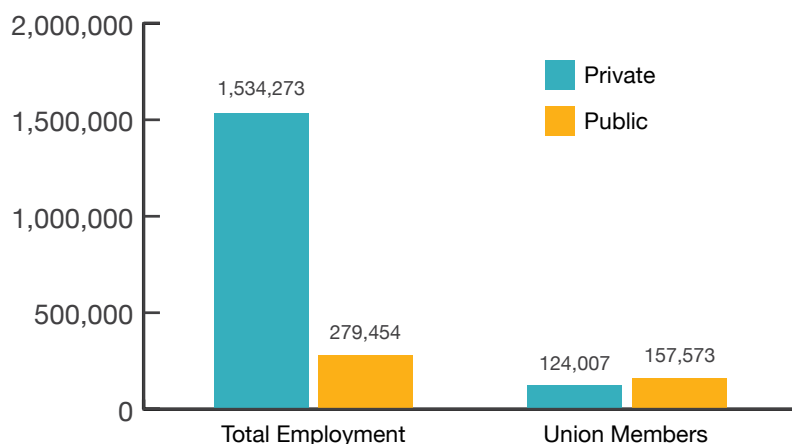
## EXISTING LAW

Titles 50 and 51 of Volume 16 of the [Oregon Revised Statutes](#) address trade practices, labor, and employment. Volume 6, Title 22 contains the statutes dealing with public officers and employees.

## UNION LANDSCAPE

Approximately 157,573 of Oregon's 279,454 public-sector workers in 2022 were union members, a membership rate of 56.4%. Relative to the other states, Oregon had the 6th highest public sector union membership rate and the 10th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Oregon's largest public sector unions are provided below:

- Oregon Education Association: 45,468 members as of 2016-2017
- SEIU Local 503: 45,106 members as of 2018
- AFSCME Council 75: 22,831 members as of 2018

## POLITICAL LANDSCAPE

Democrats in Oregon hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 3009](#) (2019): Declares that it is not an unfair labor practice for an exclusive representative to charge employees fees and costs for representation unrelated to the negotiations of a collective bargaining agreement.
- [HB 2016](#) (2019): Requires public employers to pay employees to perform union business during work hours. Requires a public employer to provide access to employees including the right to meet with all new employees within 30 days from hire for at least 30 minutes and personal cell phone number, email address, and home address. Declares employees can consent to dues deduction by telephone or in writing. To revoke dues deduction employees must deliver a signed written statement to the headquarters of the labor organization and then the labor organization will provide a list to the public employer to stop the dues deduction.

*\*As of July 1, 2023, the minimum wage is adjusted annually based on a set formula. Portland metro areas and nonurban counties will have rates set \$1.25 over or \$1 below the state's standard minimum wage.*

# PENNSYLVANIA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership:  9

Private Sector Union Membership:  15

## MINIMUM WAGE:

\$7.25

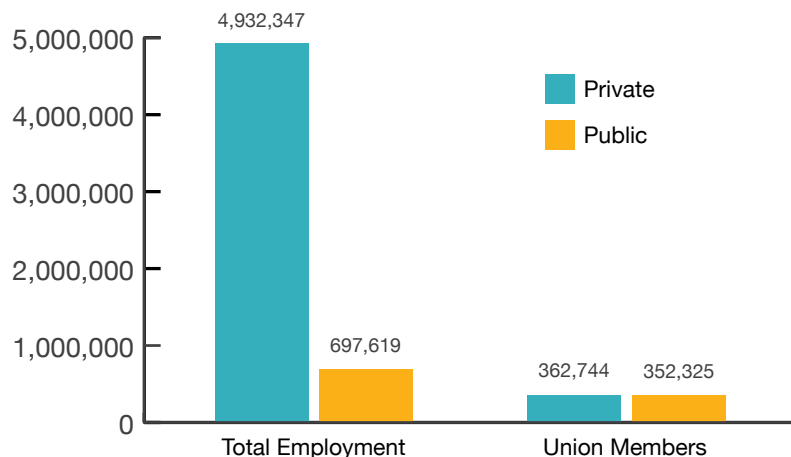
## EXISTING LAW

Title 34 of the [Pennsylvania Code](#) covers labor and industry statutes. Part V of this title addresses labor relation boards for both private and public employees.

## UNION LANDSCAPE

Approximately 352,325 of Pennsylvania's 697,619 public sector workers in 2022 were union members, a membership rate of 50.5%. Relative to the other states, Pennsylvania had the 9th highest public sector union membership rate and the 15th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Pennsylvania State Education Association (PSEA): 180,620 members as of 2018
- AFSCME Council 13: 50,509 members as of 2018
- Pennsylvania Fraternal Order of Police: approximately 40,000 members as of 2020

## POLITICAL LANDSCAPE

- [HB 1172](#) (2019): Creates a process for universal recognition of occupational licenses for workers in Pennsylvania using a substantially equivalent standard.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# RHODE ISLAND



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership:  2

Private Sector Union Membership:  5

## MINIMUM WAGE:

\$13.00

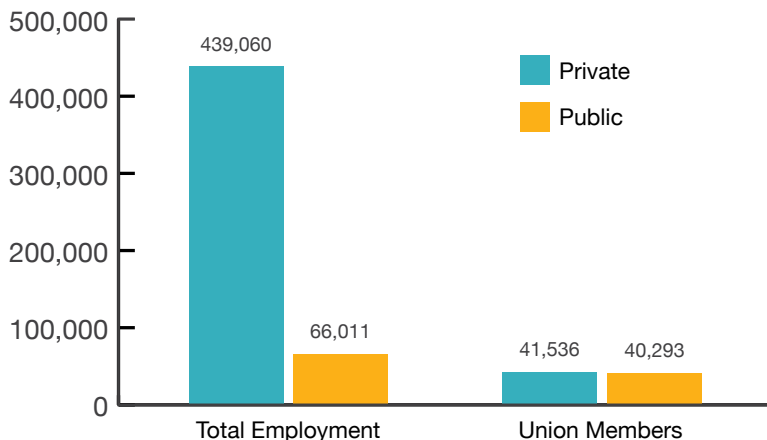
## EXISTING LAW

Title 28 of the [Rhode Island General Laws](#) contains the labor and labor relation statutes in the state. Section 7 of this title covers the Labor Relations Act. Title 36 contains the public officer and employee statutes.

## UNION LANDSCAPE

Approximately 40,293 of Rhode Island's 66,011 public sector workers in 2022 were union members, a membership rate of 61%. Relative to the other states, Rhode Island had the 2nd highest public sector union membership rate and the 5th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Rhode Island's largest public sector unions are provided below:

- Rhode Island National Education Association: 11,231 members as of 2018
- American Federation of Teachers: 9,174 members as of 2018
- AFSCME Council 94: 7,133 members as of 2019

## POLITICAL LANDSCAPE

Democrats in Rhode Island hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 5259](#) (2019): Employees who are not members of the exclusive bargaining representative may be required to pay a labor organization for representation in grievances or arbitrations. Employers are required to notify exclusive bargaining representatives of new hires. Employees must provide written notice to the exclusive bargaining representative to stop dues deduction by the government.
- [SB 712](#) (2019): Removes the requirement for non-members to pay agency fees for collective bargaining procedures. Allows unions to charge non-members for representation in grievances and arbitrations. The public employer must notify the exclusive bargaining representative of the hiring of a new employee no later than the fifth business day following the employee's start date. Requires written authorization to permit or terminate dues or fee deductions.

# SOUTH CAROLINA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **50**

Private Sector Union Membership: **50**

## MINIMUM WAGE:

No minimum wage, except for employees subject to the federal Fair Labor Standards Act.

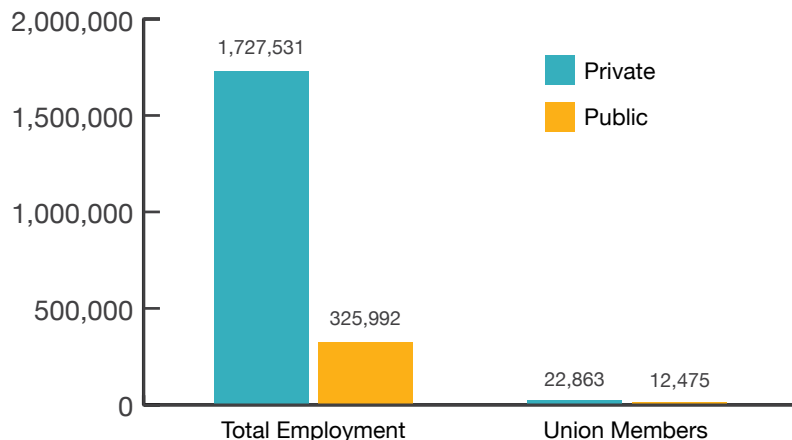
## EXISTING LAW

Title 41 of the [South Carolina Code of Laws](#) contains the labor and employment laws. Title 8 addresses public officers and employee laws in the state.

## UNION LANDSCAPE

Approximately 12,475 of South Carolina's 325,992 public sector workers in 2022 were union members, a membership rate of 3.8%. Relative to the other states, South Carolina had the lowest public sector union membership rate and the lowest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from two of the state's largest public sector unions are provided below:

- South Carolina Education Association: 8,374 members as of 2016-2017
- South Carolina Law Enforcement Officers' Association: over 7,000 members as of 2020

## POLITICAL LANDSCAPE

Republicans in South Carolina hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.



# SOUTH DAKOTA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **41**

Private Sector Union Membership: **49**

## MINIMUM WAGE:

\$10.80\*

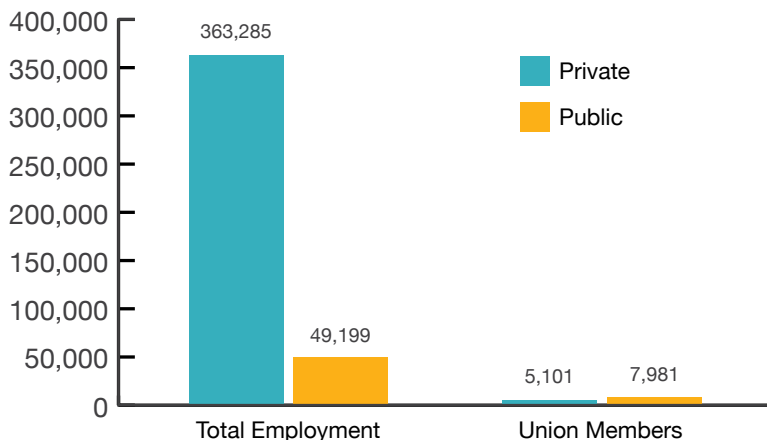
## EXISTING LAW

Title 60 of the [South Dakota Codified Laws](#) contains the labor and employment laws. Chapter 9A of this title addresses collective bargaining. Title 3 contains public officers and employee laws in the state.

## UNION LANDSCAPE

Approximately 7,981 of South Dakota's 49,199 public sector workers in 2022 were union members, a membership rate of 16.2%. Relative to the other states, South Dakota had the 41st highest public sector union membership rate and the 49th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from two of the state's largest public sector unions are provided below:

- South Dakota Education Association: 6,492 members as of 2016-2017
- South Dakota Fraternal Order of Police: 1,200 members as of 2018

## POLITICAL LANDSCAPE

In South Dakota, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 1077](#) (2021): Creates a process for universal recognition of occupational licenses for workers in South Dakota using a substantially equivalent standard.

*\*The minimum wage is adjusted annually based on a set formula.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# TENNESSEE



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **25**

Private Sector Union Membership: **41**

## MINIMUM WAGE:

No minimum wage, except for employees subject to the federal Fair Labor Standards Act.

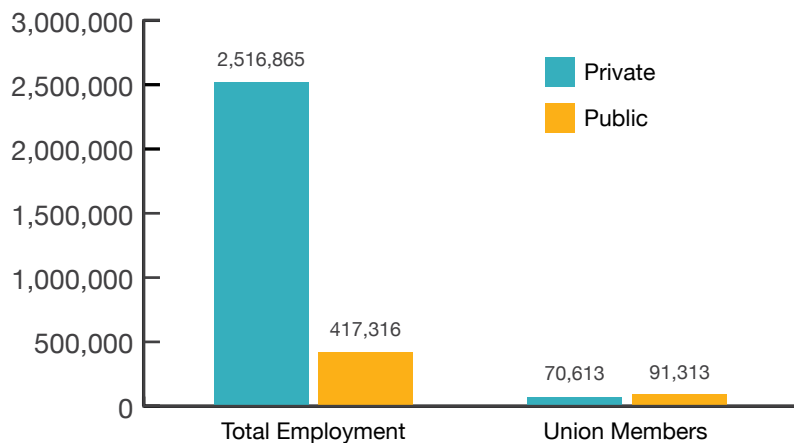
## EXISTING LAW

Title 50 of the [Tennessee Code](#) contains the employer and employee laws. Title 8 addresses public officers and employees laws in the state. Only public-school employees can join, form, or refrain from joining labor unions in Tennessee due to the Professional Educators Collaborative Conference Act of 2011.

## UNION LANDSCAPE

Approximately 91,313 of Tennessee's 417,316 public sector workers in 2022 were union members, a membership rate of 21.9%. Relative to the other states, Tennessee had the 25th highest public sector union membership rate and the 41st highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Tennessee Education Association: 38,856 as of 2016-2017
- Tennessee Professional Fire Fighters Association: approximately 4,500 members as of 2020
- Tennessee Federation of Teachers: 91 as of 2019

## POLITICAL LANDSCAPE

In Tennessee, Republicans hold the governorship and both chambers of the state legislature, establishing trifecta control of the state. Republicans have maintained trifecta control in the state since 2011.

## NOTEWORTHY LEGISLATION

- [Amendment 1](#) (2022): Tennessee voters approved the amendment to add to Right to Work to the state constitution.
- [SB 281](#) (2023): Prohibits education agencies from deducting union dues from employees' paychecks.
- [HB 1342](#) (2023): Prohibits businesses that receive economic incentive funds from conducting union representation votes via card check and from providing employees' personal contact information to a union without the employees' express permission.

# TEXAS



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **40**

Private Sector Union Membership: **45**

## MINIMUM WAGE:

\$7.25

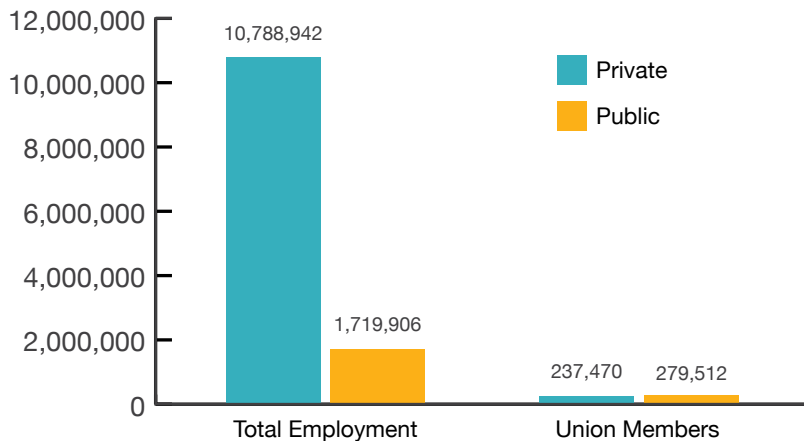
## EXISTING LAW

Texas has a specific code, the [Labor Code](#), that contains all labor statutes. Chapter 174 of the [Local Government Code](#) allows both firefighters and police offers to collectively bargain, which other public sector workers in the state are banned from doing.

## UNION LANDSCAPE

Approximately 279,512 of Texas' 1,719,906 public-sector workers in 2022 were union members, a membership rate of 16.3%. Relative to the other states, Texas had the 40th highest public sector union membership rate and the 45th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from five of the state's largest public sector unions are provided below:

- Texas State Teachers' Association: 42,120 members as of 2016-2017
- AFT Texas: 40,000 members as of 2018
- Texas Municipal Police Association: over 30,000 members as of 2020

## POLITICAL LANDSCAPE

Republicans in Texas hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION & LEGAL OPINION

- Attorney General legal opinion clarifying and affirming that the Janus decision requires the government to have clear and compelling evidence of a worker waiving their First Amendment rights and giving affirmative consent to deduct dues from their paychecks. One way to meet this standard is for an employer to obtain consent directly from an employee and not through a third-party labor organization.

# UTAH



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **36**

Private Sector Union Membership: **48**

## MINIMUM WAGE:

No minimum wage, except for employees subject to the federal Fair Labor Standards Act, which has a minimum wage of \$7.25 per hour.

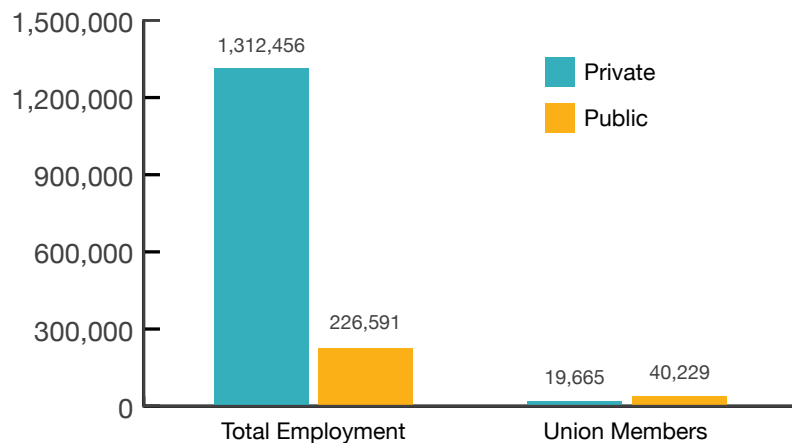
## EXISTING LAW

Titles 34, 34A, and 35A of the [Utah Code](#) contain the labor statutes. Title 34, Chapter 20 addresses employment relations and collective bargaining.

## UNION LANDSCAPE

Approximately 40,229 of Utah's 226,591 public sector workers in 2022 were union members, a membership rate of 17.8%. Relative to the other states, Utah had the 36th highest public sector union membership rate and the 48th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from one of the state's largest public sector unions are provided below:

- Utah Education Association: 17,247 members as of 2016-2017

## POLITICAL LANDSCAPE

Republicans in Utah hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SB 23](#) (2020): Creates a process for universal recognition of occupational licenses for workers in Utah using a scope of practice standard.
- [SB 16](#) (2022): Requires a sunrise and sunset review of all proposed or existing occupational licenses in a state to reduce unnecessary work restrictions.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*



# VERMONT



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **16**

Private Sector Union Membership: **21**

## MINIMUM WAGE:

\$13.18\*

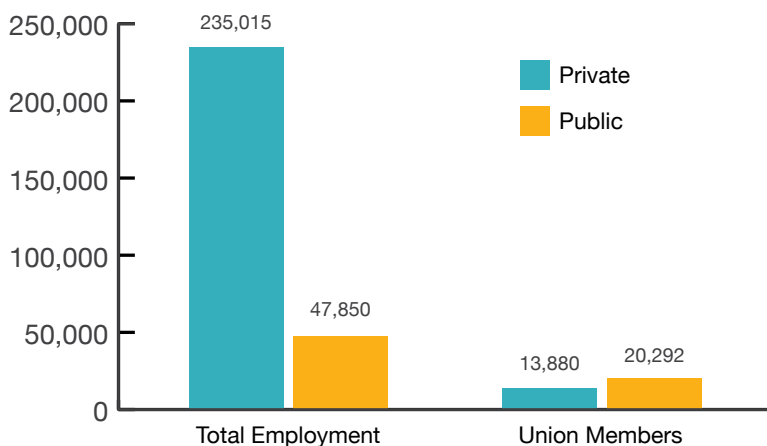
## EXISTING LAW

Title 21 of the [Vermont Statutes](#) contains the labor laws in the state. Title 3 includes statutes concerning public sector workers' rights.

## UNION LANDSCAPE

Approximately 20,292 of Vermont's 47,850 public sector workers in 2022 were union members, a membership rate of 42.4%. Relative to the other states, Vermont had the 16th highest public sector union membership rate and the 21st highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Vermont's largest public sector unions are provided below:

- Vermont-NEA: 14,092 members as of 2018
- AFSCME Council 93: over 9,500 members as of 2020
- Vermont State Employees' Association: over 6,200 members as of 2020

## POLITICAL LANDSCAPE

Vermont operates under divided government. A Republican holds the governorship, but Democrats have a supermajority in both chambers of the state legislature.

## NOTEWORTHY LEGISLATION

- [S254](#) (2020): Requires employers to allow unions to meet with newly hired employees and to provide to unions a list of employees' personal contact information, including home addresses, personal email addresses, and cell phone numbers. Also allows automatic payroll deductions for union dues.

*\*State minimum wage applies to employers with two or more employees.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# VIRGINIA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses?  \*\*

Public Sector Union Membership: **47**

Private Sector Union Membership: **44**

## MINIMUM WAGE:

\$12.00

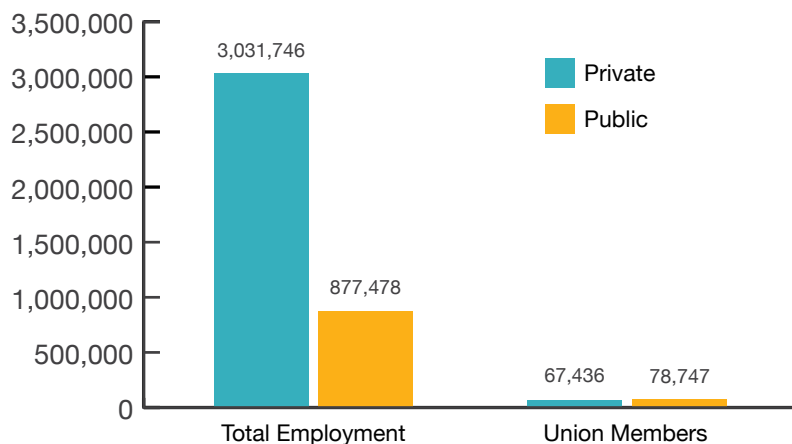
## EXISTING LAW

Title 40.1 of the [Code of Virginia](#) addresses the labor and employment laws in the state. Chapter 4 of this title addresses labor unions.

## UNION LANDSCAPE

Approximately 78,747 of Virginia's 877,478 public sector workers in 2022 were union members, a membership rate of 9%. Relative to the other states, Virginia had the 47th highest public sector union membership rate and the 44th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from two of the state's largest public sector unions are provided below:

- Virginia Education Association: 46,031 members as of 2016-2017
- Virginia Professional Fire Fighters: over 8,000 members as of 2020

## POLITICAL LANDSCAPE

Virginia operates under a divided government. Democrats control both chambers of the legislature, while the governor is Republican.

## NOTEWORTHY LEGISLATION

- [HB 582](#) (2020): Allows for a county, city, or town to pass an ordinance allowing for collective bargaining by public employees. A county, city, or town that has not passed a collective bargaining ordinance will consider a collective bargaining ordinance within 120 days from receiving a certification from a majority of public employees within a bargaining unit.
- [HB 2180/SB 1213](#) (2023): Creates a process for universal recognition of occupational licenses or work experience for workers in Virginia using a scope of practice standard.

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

# WASHINGTON



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **11**

Private Sector Union Membership: **3**

## MINIMUM WAGE:

\$15.74\*

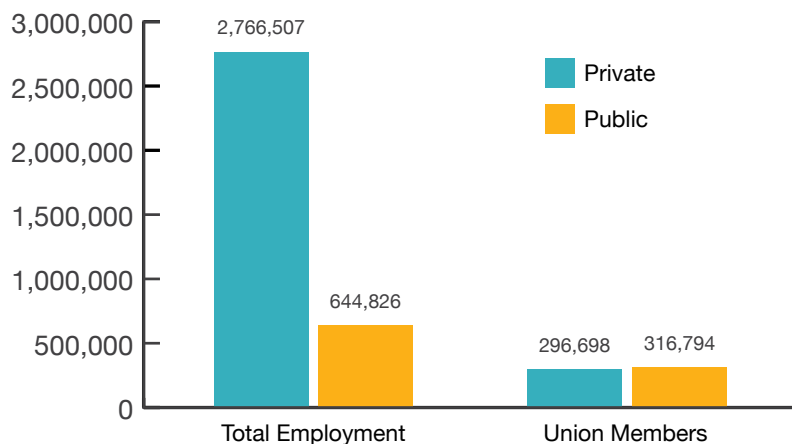
## EXISTING LAW

Title 49 of the [Revised Code of Washington](#) contains labor regulations. Title 41 addresses public employment, civil service, and pension laws in the state, and Chapter 56 of this title addresses public employees' right to collectively bargain.

## UNION LANDSCAPE

Approximately 316,794 of Washington's 644,826 public sector workers in 2022 were union members, a membership rate of 49.1%. Relative to the other states, Washington had the 11th highest public sector union membership rate and the 3rd highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from some of Washington's largest public sector unions are provided below:

- Washington Education Association: 95,407 members as of 2016-2017
- AFSCME Council 28: 36,293 members as of 2018
- American Federation of Teachers: 29,497 members as of 2018

## POLITICAL LANDSCAPE

Democrats in Washington hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 1575](#) (2019): Employees can authorize dues deductions through written, electronic, or recorded voice and give written notification to stop dues deductions. Employer's must receive and rely on information directly from the exclusive bargaining representative to start or stop dues deductions. Allows for the certification of an exclusive bargaining representative through "cross-check" bypassing a secret ballot election. States that public employers and employee organizations are not liable to return any agency fees paid prior to June 27, 2018.
- [HB 2017](#) (2020): Gives administrative law judges collective bargaining rights.

*\*The minimum wage may be adjusted annually based on a set formula.*

# WEST VIRGINIA



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **32**

Private Sector Union Membership: **18**

## MINIMUM WAGE:

\$8.75\*

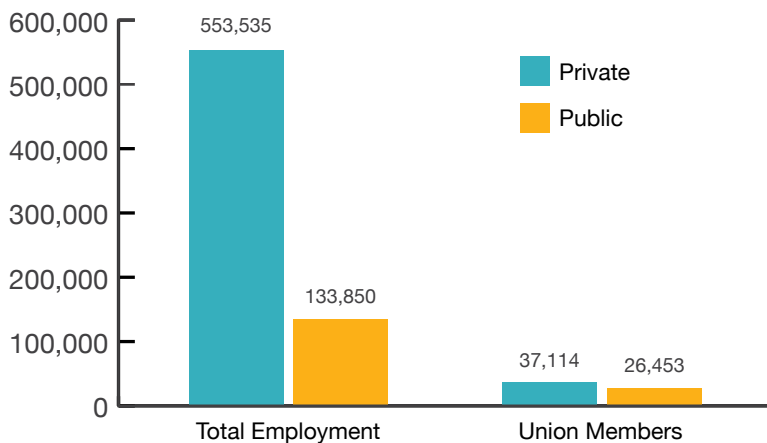
## EXISTING LAW

Chapter 21 of the [West Virginia Code](#) contains the labor statutes for the state. Chapter 6C covers public employee relations in the state.

## UNION LANDSCAPE

Approximately 26,453 of West Virginia's 133,850 public-sector workers in 2022 were union members, a membership rate of 19.8%. Relative to the other states, West Virginia had the 32nd highest public sector union membership rate and the 18th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of West Virginia's largest public sector unions are provided below:

- American Federation of Teachers: 9,555 members as of 2018
- West Virginia Education Association: 9,430 members as of 2016-2017
- Professional Fire Fighters of West Virginia: approximately 1,000 members as of 2020

## POLITICAL LANDSCAPE

Republicans in West Virginia control the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [HB 2009](#) (2021): Prevents union dues or fees from being deducted from public employee paychecks.

*\*State minimum wage applies to employers with six or more employees at one location.*



# WISCONSIN



Right-to-Work State? 

Recognizes Out-of-State Occupational Licenses? 

Public Sector Union Membership: **34**

Private Sector Union Membership: **25**

## MINIMUM WAGE:

\$7.25

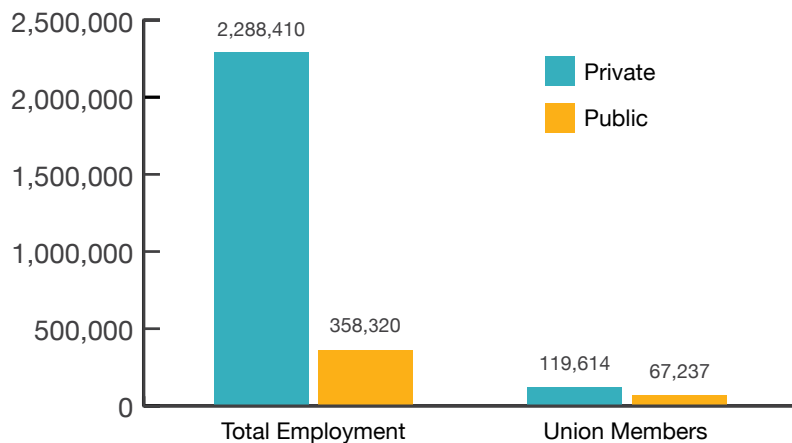
## EXISTING LAW

Chapter 103 of the [Wisconsin Statutes & Annotations](#) contains the employment regulations for the state. Chapter 111 addresses employment relations, and Chapter 230 covers state employment relations.

## UNION LANDSCAPE

Approximately 67,237 of Wisconsin's 358,320 public sector workers in 2022 were union members, a membership rate of 18.8%. Relative to the other states, Wisconsin had the 34th highest public sector union membership rate and the 25th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from three of the state's largest public sector unions are provided below:

- Wisconsin Education Association Council: 44,807 members as of 2016-2017
- AFSCME 32: 6,134 members as of 2019
- Wisconsin Professional Police Association: 6,026 members as of 2019

## POLITICAL LANDSCAPE

Wisconsin operates under divided government, with a Democrat holding the governorship and Republicans controlling both chambers of the state legislature.

## NOTEWORTHY LEGISLATION

- [Act 10](#) (2011): Requires public sector employees to contribute more to pensions and health care and constrains public employees' ability to collectively bargain to specific categories.
- [Act 59](#) (2017): Repeals all prevailing wage laws in Wisconsin
- [Act 3](#) (2017): Prohibits state and local government from accepting contracts that include certain labor requirements.

# WYOMING



Right-to-Work State?

Recognizes Out-of-State Occupational Licenses? \*\*

Public Sector Union Membership: **45**

Private Sector Union Membership: **38**

## MINIMUM WAGE:

\$5.15\*

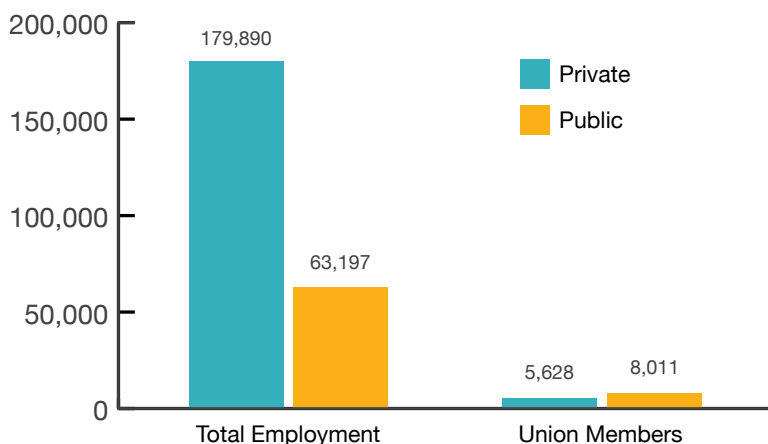
## EXISTING LAW

Title 27 of the [Wyoming Statutes](#) contains the labor and employment laws in the state, including those addressing collective bargaining rights for public sector workers.

## UNION LANDSCAPE

Approximately 8,011 of Wyoming's 63,197 public sector workers in 2022 were union members, a membership rate of 12.7%. Relative to the other states, Wyoming had the 45th highest public sector union membership rate and the 38th highest private sector union membership rate. The bar chart below compares membership rates in the public and private sectors.

## PUBLIC AND PRIVATE SECTOR UNION MEMBERSHIP RATES



Membership figures from one of the state's largest public sector unions are provided below:

- Wyoming Education Association: 6,102 members as of 2016-2017

## POLITICAL LANDSCAPE

Republicans in Wyoming hold the governorship and both chambers of the state legislature, establishing trifecta control of the state.

## NOTEWORTHY LEGISLATION

- [SF 0018](#) (2021): Creates a process for universal recognition of occupational licenses and/or work experience for workers in Wyoming using a substantially equivalent standard.

*\*Does not apply to employees covered by the federal Fair Labor Standards Act, who must receive \$7.25 per hour.*

*\*\*See Figure 1 in the Introduction for a full map of other states that also recognize out of state licenses and for more information about what recognition standards match ALEC model policy.*

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