

A profile of union workers in state and local government

Key facts about the sector for followers of *Janus v. AFSCME Council 31*

Report • By [Julia Wolfe](#) and [John Schmitt](#) • June 7, 2018

Summary

The forthcoming Supreme Court decision in *Janus v. AFSCME Council 31* will likely have profound implications for the 17.3 million workers in state and local government across the country. The case involves a First Amendment challenge to state laws that allow public-sector unions to require state and local government workers who are not union members, but who are represented by a union, to pay “fair share” or “agency” fees for the benefits they receive from union representation. By stripping unions of their ability to collect fair share fees, a decision for the plaintiffs in *Janus* would hurt all state and local government workers by impeding their ability to organize and bargain collectively.¹ This report provides a profile of the 6.8 million of these workers who are covered by union contracts, and it reviews some key long-term trends in unionization in state and local governments.²

As this report shows:

- A majority (58 percent) of union workers (workers covered by a collective bargaining contract) in state and local government are women.
- African Americans, Latinos, and Asian Americans and Pacific Islanders make up one-third of unionized state and local government workers.
- While teachers constitute the single largest subgroup of union workers in state and local government, union workers also include those serving the public as administrators, social workers, police officers, firefighters, and other professionals.
- On average, union workers in state and local government have substantially more formal education than workers in the private sector. Over 60 percent of state and local government union workers have a four-year college degree or more education, compared with one-third in the private sector.

Data on union membership trends shed light on why a Supreme Court decision affecting the unionized state and local government workforce has broad implications. State and local government workers constitute the largest subgroup (42.1 percent) of all union members in the country. Over a third (36.1 percent) of state and local government workers belong to a union, compared with just 6.5 percent of workers in the private sector nationally. This 36.1 percent share is down from the roughly 38- to 40-percent share sustained throughout the 1990s and 2000s. In the 2010s, state and local government worker union membership has been slowly declining as attacks on public-sector unions have ramped up.³

Introduction: Union membership in the public and private sectors, 1949 to today

As of 2017, over one-third (36.1 percent) of state and local government workers are union members, compared with only 6.5 percent of private-sector workers (**Figure A**).⁴ We are able to make this comparison because data distinguishing state and local government workers from the entire public-sector workforce became available in 1989. As the figure shows, state and local government union membership rates held steady throughout the 1990s and throughout most of the 2000s, but have since started to decline. By contrast, in the private sector, union membership rates have been falling almost continuously since the mid-1950s.

Historically, the union membership rates in the overall public and private sectors looked very different than they do today. In 1949, just 12.1 percent of all public-sector workers were union members, while over one-third (34.7 percent) of private-sector workers were union members. Union membership in the public sector expanded rapidly from the early 1960s to the mid-1970s, dipped a little by the early 1980s, and remained fairly steady over nearly the next three decades. However, in recent years the public-sector union membership rate has experienced a slow decline.

The state and local government workforce of 17.3 million in 2017 is larger than the federal government workforce (3.7 million) and has a higher union membership rate (36.1 percent) than the federal government (26.6 percent). Thus, state and local government employees account for the vast majority (86.5 percent) of public-sector union members. **Figure B** tracks the public sector's increasing share of union membership since 1949.

The number of total public-sector union members (including federal workers) has increased tenfold since 1949 and, as of 2017, stands at 7.2 million workers (**Figure C**). Most of this growth occurred between the early 1960s and mid-1970s; in recent years the number of public-sector union members has declined slightly. Meanwhile, despite greatly expanded total private-sector employment, there are just over half as many private-sector union members today as there were in 1949. In 2017, there were almost as many union members in the total public (local, state, and federal) sectors (7.2 million) as in the private

sector (7.6 million).

Union representation rates

Data that the U.S. Census Bureau's Current Population Survey began collecting in the 1980s allow us to track "unionization" via the union "representation" rate: the share of workers (members and nonmembers) who are covered by a collective bargaining contract because they are part of a collective bargaining unit.

Union representation by level of government

As **Figure D** shows, the majority (56.0 percent) of all unionized public-sector workers are employed by local governments, while almost one-third (29.8 percent) work for state governments. Federal employees account for just 14.2 percent of the public-sector union workforce.

About one-third of federal (31.0 percent) and local (33.4 percent) government employees are represented by a union, while a larger share of state government employees (43.6 percent) are represented by a union.

Union representation by state

State and local government unionization rates vary substantially by state, from a high of 73.1 percent in New York to a low of 10.1 percent in North Carolina (**Figure E** and **Table 1**). Despite the wide range of union representation rates, in 2017 union representation rates were higher in state and local government than in the private sector in every state. While most states have seen a drop in state and local government unionization since 1989, 11 states have experienced an increase. In 2017, the union representation rate in state and local government exceeded 20 percent in the majority of states. By comparison, not a single state had a private-sector unionization rate greater than 20 percent.

Union representation by occupation

Figure F shows that education workers make up the single largest occupation group in the unionized state and local government workforce, accounting for about four in 10 (42.8 percent of) state and local government workers represented by a union. This occupation group is primarily made up of public school teachers (but also includes a small share of education administrators). **Table 2** shows that teachers also have the second-highest union representation rate among the major occupational groups: About half (51.5 percent) of state and local government teachers are covered by a union contract.

Professionals and office and administrative support workers make up the second largest occupation group in the state and local government union workforce, accounting for 15.9 percent of state and local government workers represented by a union. Almost one-third

(29.3 percent) of these workers are covered by a collective bargaining agreement.

Just under one in 10 (9.3 percent) of unionized state and local government workers are in health care and social work occupations; of these workers, more than one-third (37.1 percent) are covered by a collective bargaining agreement.

Together, police and other protective services workers (11.3 percent) and firefighters (3.1 percent) account for 14.4 percent of the state and local government union workforce. These workers have very high unionization rates: Half (49.7 percent) of police and other protective services workers and two-thirds (66.6 percent) of firefighters are represented by a union.

Demographics of state and local government union workers

The state and local government union workforce has substantially more formal education than the workforce as a whole. Three in five (62.4 percent) of state and local government workers covered by a collective bargaining agreement have at least a four-year college degree and a third (33.8 percent) have an advanced degree (**Figure G**). By comparison, a third (33.6 percent) of all private-sector workers have at least a college degree and about one in 10 (10.7 percent) have an advanced degree. Just 14.0 percent of all state and local government union workers have only a high school diploma and very few (1.5 percent) have not completed their high school education. In the overall private-sector workforce, 27.7 percent of workers have a high school diploma but have completed no further education, and 9.4 percent have less than a high school diploma.

The majority (58.3 percent) of state and local government workers covered by a collective bargaining contract are women (**Figure H**). This is a substantially higher share of women than in the private sector overall, where women make up just under half (46.7 percent) of the total workforce.

Workers of color account for nearly one in three (30.9 percent) of the state and local government union workforce (**Figure I**). As **Appendix Figure C** shows, that share has grown steadily since 1989, when just one in five (22.0 percent) of state and local government workers represented by a union were not white. The change has been driven primarily by the increasing shares of unionized workers who are Hispanic or Asian American/Pacific Islander. The share of black workers in the state and local government union workforce has declined slightly since 1989 (when it was 14.1 percent), but, at 12.1 percent, remains in line with the share of black workers in the overall private-sector workforce, 11.3 percent.⁵

Just over one in 10 (11.4 percent) state and local government workers represented by a union are immigrants to the United States (**Figure J**). As **Appendix Figure D** shows, this share is up from 6.9 percent in 1994 (the earliest year that the Current Population Survey asked respondents where they were born). State and local government union-represented

workers are less likely than workers in the private sector to have immigrated to the United States: In 2017, 19.6 percent of private-sector workers said they were foreign-born.

Appendix Figures A–D provide more details on the change over time in shares of the state and local union workforce and private-sector workforce with given demographic characteristics.

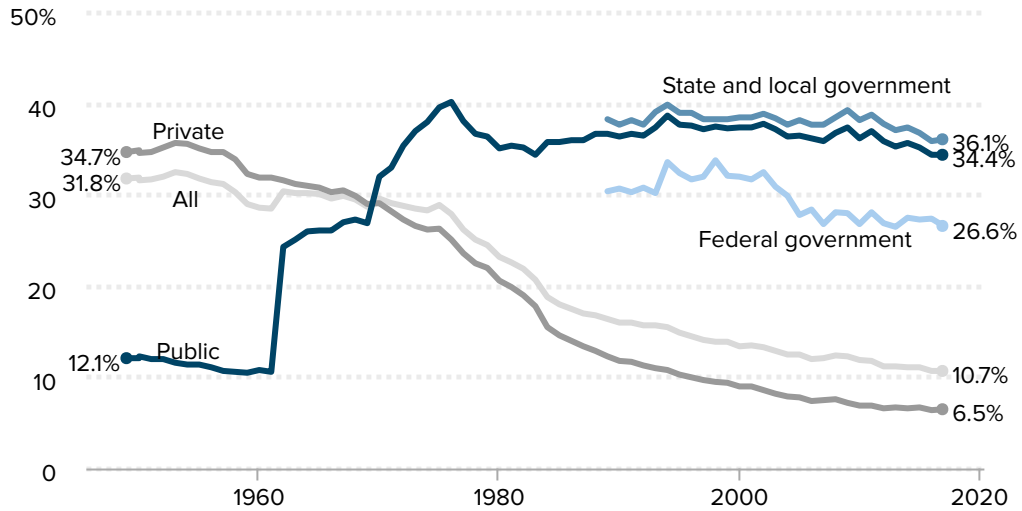
Endnotes

1. Celine McNicholas, Zane Mokhiber, and Marni von Wilpert, *Janus and Fair Share Fees: The Organizations Financing the Attack on Unions' Ability to Represent Workers*, Economic Policy Institute, February 2018.
2. Of the 6.8 million state and local government workers who are covered by a union contract, 6.2 million are union members (see Figure C in this report).
3. See Gordon Lafer, *The Legislative Attack on American Wages and Labor Standards, 2011–2012*, Economic Policy Institute, October 2013, and Josh Bivens et al., *How Today's Unions Help Working People: Giving Workers the Power to Improve Their Jobs and Unrig the Economy*, Economic Policy Institute, August 2017.
4. The data in Figures A, B, and C through 1982 are drawn from Labor Research Association, "U.S. Union Membership: 1948–2004," *LRA Online*, 2006. The data in Figures A, B, and C for 1983 to the present are drawn from EPI's analysis of the U.S. Census Bureau's Current Population Survey Outgoing Rotation Group (CPS-ORG) microdata.
5. See also Celine McNicholas and Janelle Jones, "Black Women Will Be Most Affected by Janus" (Economic Snapshot), Economic Policy Institute, February 13, 2018.

Figure A

State/local government has had the highest union membership rate (36.1%) for decades

Union membership rate, by sector, 1949–2017



Notes: Data allowing for a disaggregation of the public sector into federal government and state and local government became available in 1989. The sharp increase in the public-sector union membership rate between 1961 and 1962 can be attributed to the passage of Executive Order 10988, which gave federal employees the right to collectively bargain (see “50th Anniversary: Executive Order 10988,” Federal Labor Relations Authority, 2012).

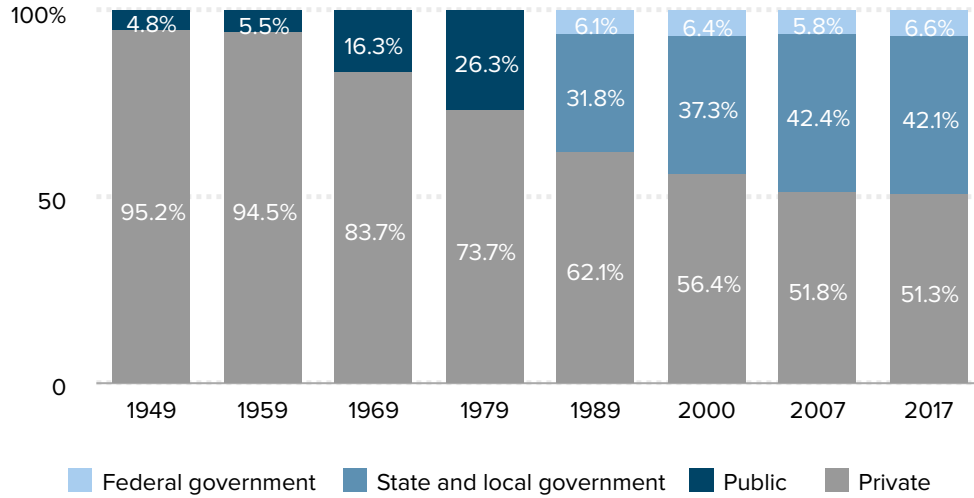
Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata and Labor Research Association data

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Figure B

Public-sector workers are an increasing share of all union members

Share of total union membership accounted for by the private and public sectors, 1949–2017



Note: Data allowing for a disaggregation of the public sector into federal government and state and local government became available in 1989.

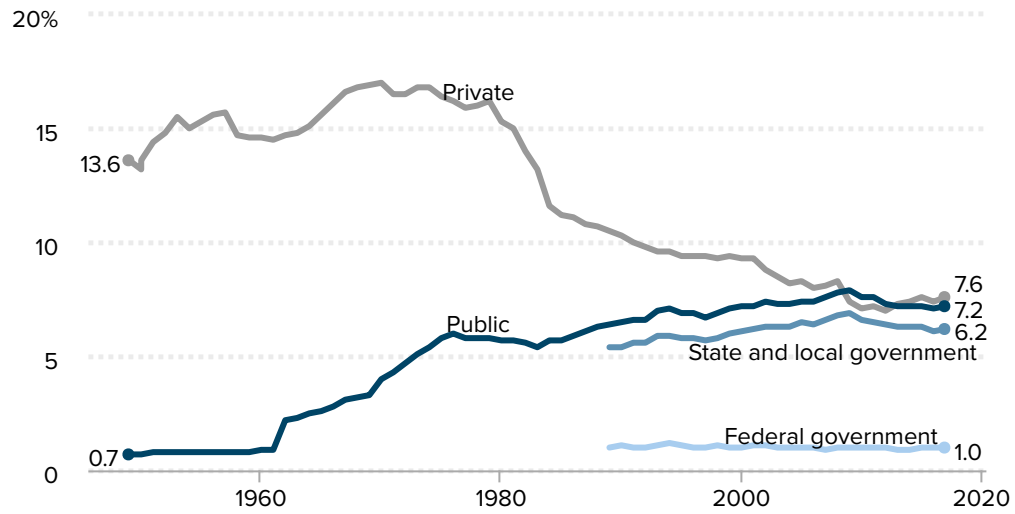
Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata and CPS May Extract microdata

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Figure C

6.2 million state/local government union members push public-sector union membership close to private-sector levels

Union members by sector, 1949–2017 (in millions)



Note: Data allowing for a disaggregation of the public sector into federal government and state and local government became available in 1989.

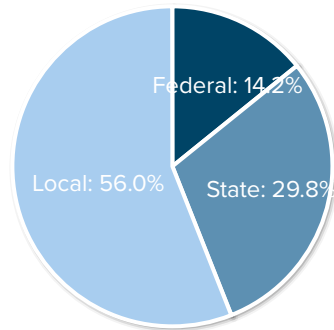
Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata and Labor Research Association data

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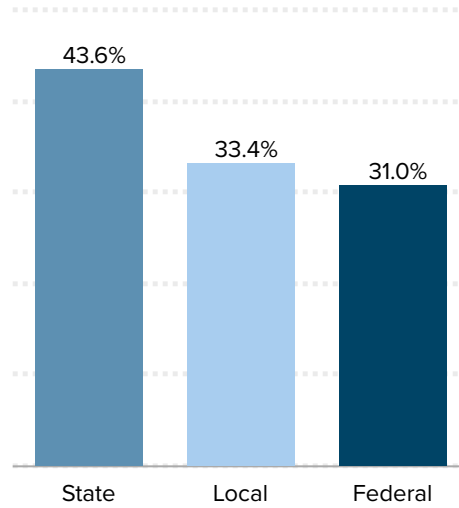
Figure D

State and local governments have higher unionization rates—and account for a greater share of public-sector union members—than the federal government

Subsector's share of all public-sector union workers



Union representation rate by subsector



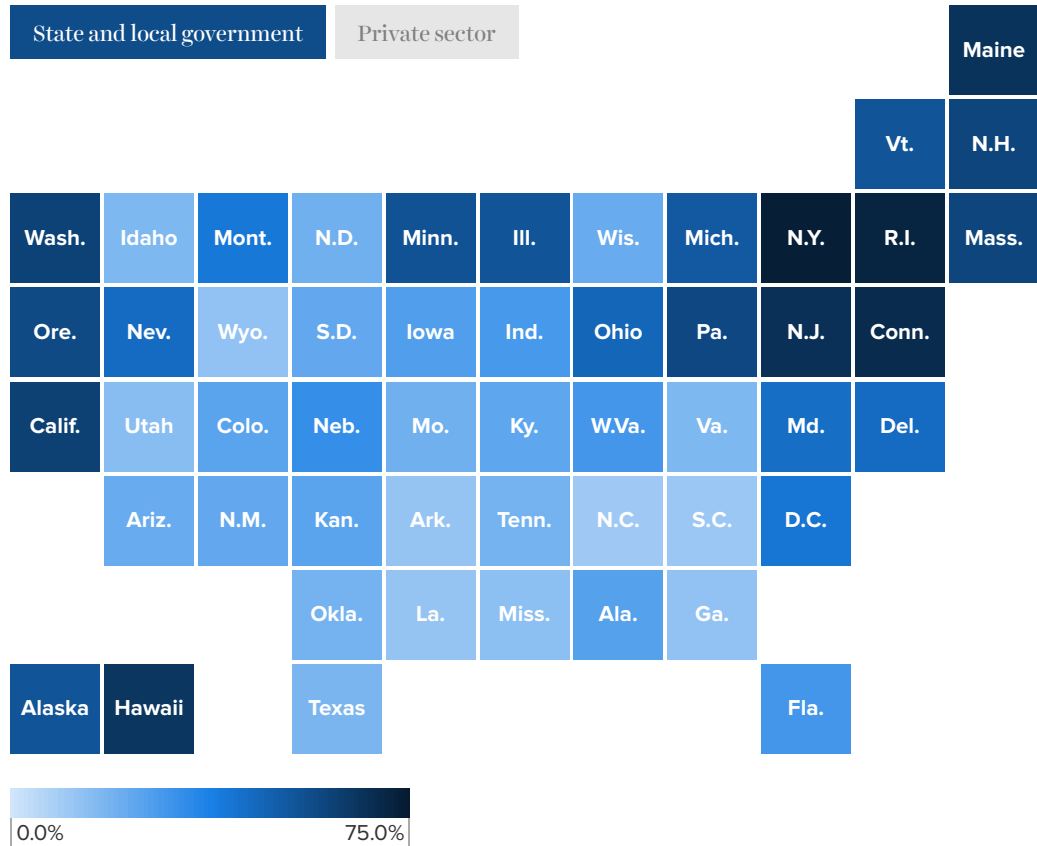
Note: Data are for 2017.

Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Figure E

Union representation, state and local government vs. private sector, 2017



Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Table 1

Share of the workforce represented by a union, by sector and state, 1989 and 2017

State	1989		2017	
	Private sector	State and local government	Private sector	State and local government
<i>Alabama</i>	12.4%	29.6%	5.0%	25.0%
<i>Alaska</i>	14.2%	55.7%	9.3%	53.0%
<i>Arizona</i>	5.6%	25.2%	2.5%	21.1%
<i>Arkansas</i>	9.9%	20.4%	4.8%	12.1%
<i>California</i>	14.9%	59.9%	9.2%	61.2%
<i>Colorado</i>	7.4%	28.1%	7.9%	24.4%
<i>Connecticut</i>	12.9%	68.8%	8.9%	68.3%
<i>Delaware</i>	13.0%	42.0%	6.6%	44.6%
<i>Florida</i>	4.9%	35.3%	3.4%	28.8%
<i>Georgia</i>	8.4%	17.3%	3.2%	13.1%
<i>Hawaii</i>	22.2%	76.5%	16.1%	64.3%
<i>Idaho</i>	9.2%	20.3%	3.7%	16.6%
<i>Illinois</i>	17.9%	50.6%	10.4%	53.6%
<i>Indiana</i>	21.3%	28.8%	7.2%	27.8%
<i>Iowa</i>	13.9%	39.8%	4.6%	26.6%
<i>Kansas</i>	11.7%	23.4%	7.0%	24.0%
<i>Kentucky</i>	14.2%	25.0%	10.6%	23.5%
<i>Louisiana</i>	7.2%	22.4%	3.6%	12.5%
<i>Maine</i>	9.4%	56.2%	6.0%	65.3%
<i>Maryland</i>	11.5%	52.8%	5.4%	43.8%
<i>Massachusetts</i>	11.5%	65.3%	6.7%	59.0%
<i>Michigan</i>	21.4%	63.0%	12.0%	52.0%
<i>Minnesota</i>	15.3%	55.9%	9.9%	54.8%
<i>Mississippi</i>	7.8%	13.5%	4.8%	13.6%
<i>Missouri</i>	14.8%	25.9%	8.2%	20.1%
<i>Montana</i>	13.2%	47.1%	6.8%	39.9%
<i>Nebraska</i>	10.7%	43.9%	4.7%	32.2%
<i>Nevada</i>	16.6%	49.2%	10.6%	45.2%
<i>New Hampshire</i>	8.1%	48.5%	5.1%	59.0%
<i>New Jersey</i>	18.0%	65.2%	9.2%	66.1%

Table 1
(cont.)

State	1989		2017	
	Private sector	State and local government	Private sector	State and local government
<i>New Mexico</i>	7.8%	16.2%	4.5%	22.2%
<i>New York</i>	20.2%	73.1%	16.2%	73.1%
<i>North Carolina</i>	4.5%	17.7%	2.7%	10.1%
<i>North Dakota</i>	7.9%	33.4%	4.4%	19.6%
<i>Ohio</i>	18.3%	51.0%	8.7%	46.9%
<i>Oklahoma</i>	7.7%	28.4%	4.3%	18.7%
<i>Oregon</i>	17.4%	61.2%	8.8%	57.3%
<i>Pennsylvania</i>	18.0%	61.0%	7.9%	57.9%
<i>Rhode Island</i>	11.7%	72.7%	9.1%	71.1%
<i>South Carolina</i>	3.9%	10.2%	2.3%	10.8%
<i>South Dakota</i>	6.0%	35.7%	3.1%	22.8%
<i>Tennessee</i>	12.0%	25.7%	4.0%	18.6%
<i>Texas</i>	6.2%	19.7%	3.3%	17.4%
<i>Utah</i>	7.7%	34.9%	3.3%	14.7%
<i>Vermont</i>	7.9%	55.0%	4.7%	53.5%
<i>Virginia</i>	8.0%	23.6%	3.0%	17.3%
<i>Washington</i>	20.4%	54.7%	13.0%	60.1%
<i>Washington D.C.</i>	13.9%	50.1%	6.7%	41.7%
<i>West Virginia</i>	19.1%	32.9%	8.1%	29.1%
<i>Wisconsin</i>	16.4%	53.0%	7.1%	21.5%
<i>Wyoming</i>	11.5%	27.8%	4.7%	13.2%

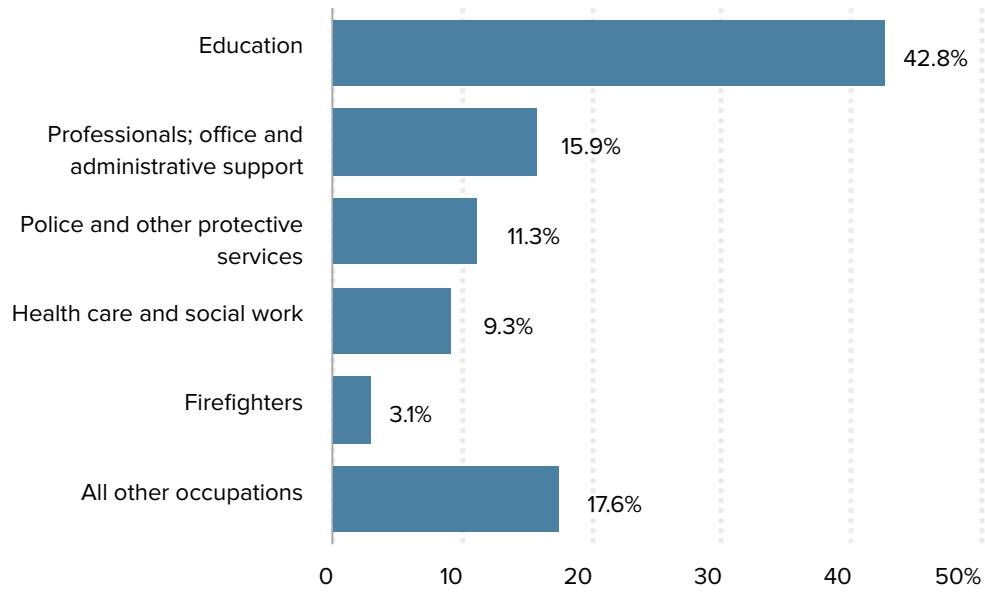
Source: EPI analysis of Current Population Survey Outgoing Rotation Group and May Extract microdata

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Figure F

Teachers make up the single largest group of state and local government union workers

Each major occupation group's share of total state and local government union workforce, 2013–2017



Note: Calculations made using five years of pooled microdata, 2013–2017.

Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Table 2

State and local government union representation, by occupation, 2013–2017

	Share of occupation's workforce represented by a union (union representation rate)	Occupation's share of total state and local government union workforce
<i>Education</i>	51.5%	42.8%
<i>Professionals, office, and administrative</i>	29.3%	15.9%
<i>Police and other protective services</i>	49.7%	11.3%
<i>Health care and social work</i>	37.1%	9.3%
<i>Firefighters</i>	66.6%	3.1%
<i>All other occupations</i>	29.2%	17.6%
Total	39.4%	100.0%

Note: Calculations made using five years of pooled microdata, 2013–2017.

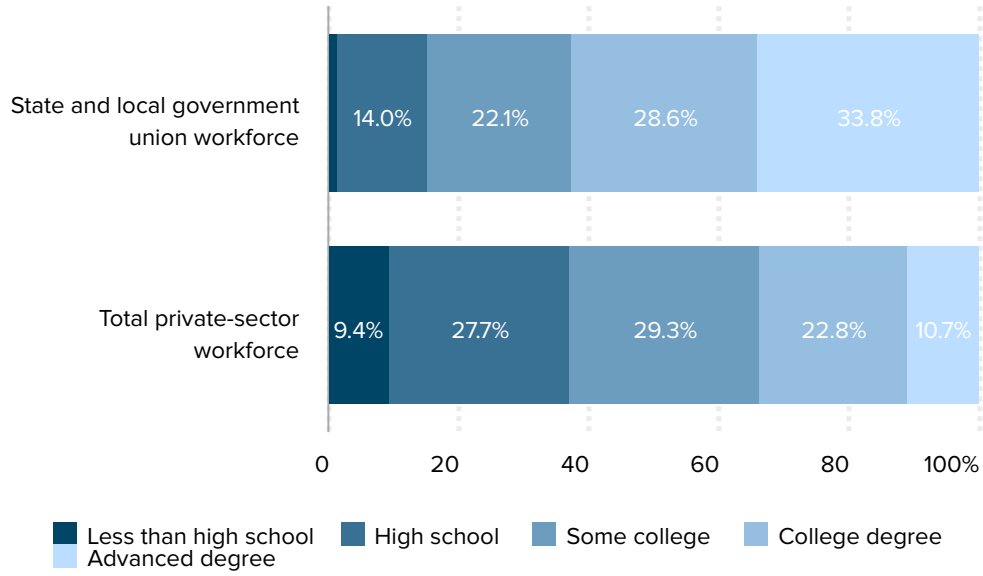
Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Figure G

Most state and local government union workers have at least a college degree

Share of workforce with given level of educational attainment (state and local government union vs. total private-sector), 2017



Note: Shares are by highest level of education attained.

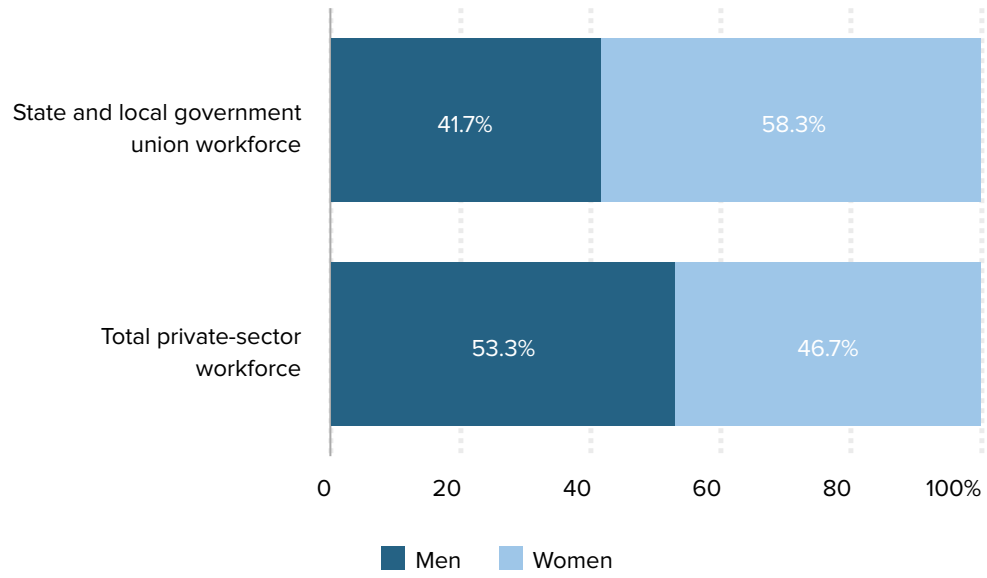
Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Figure H

Most state and local government union workers are women

Share of workforce by gender (state and local government union vs. total private-sector), 2017



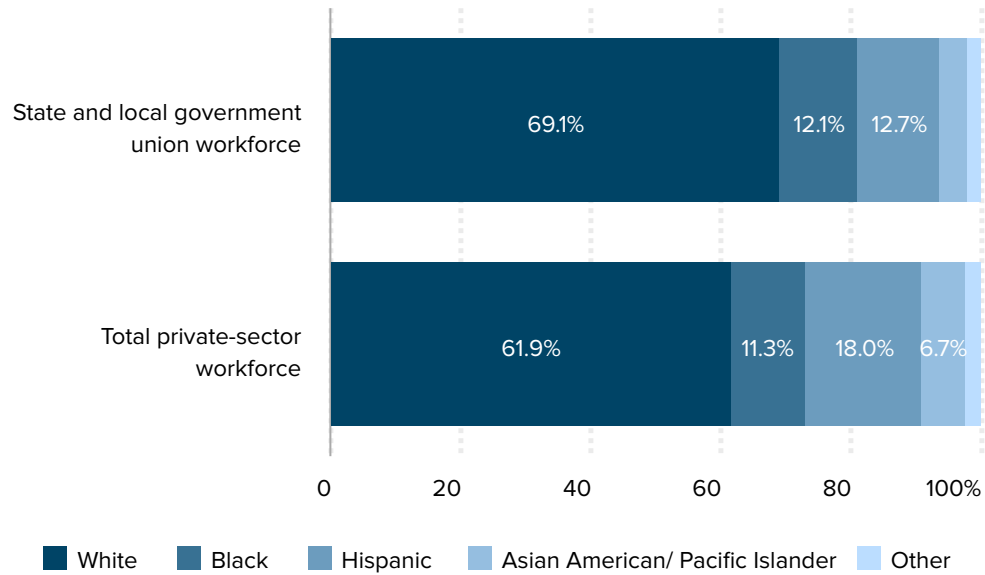
Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Figure 1

Workers of color make up almost a third of state and local government workers represented by a union

Share of workforce by race and ethnicity (state and local government union vs. private-sector), 2017



Note: Race and ethnicity categories are mutually exclusive: black non-Hispanic, white non-Hispanic, AAPI non-Hispanic, and Hispanic any race.

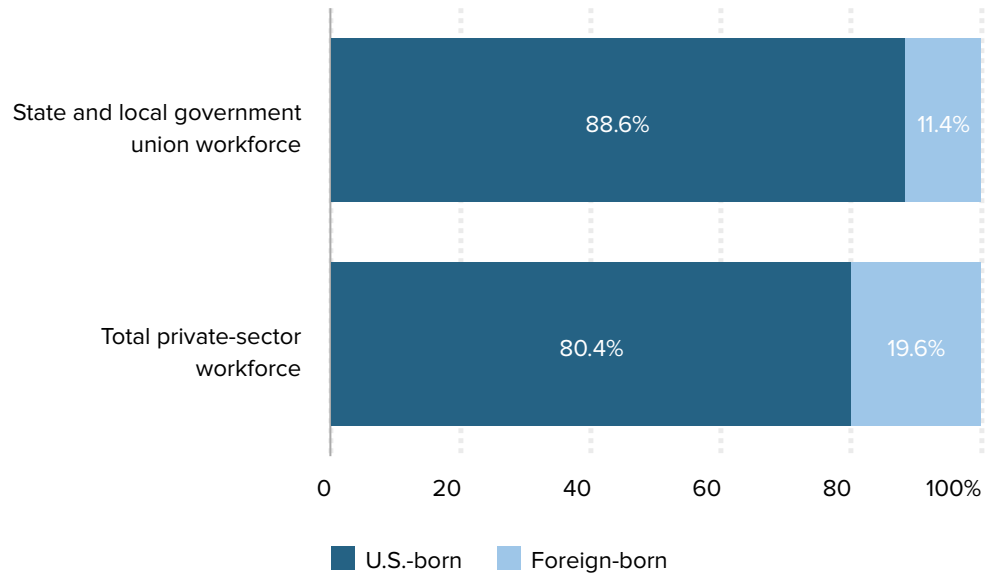
Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Figure J

Most union workers in state and local government are U.S.-born

Share of workforce by nativity (state and local government union vs. private-sector), 2017



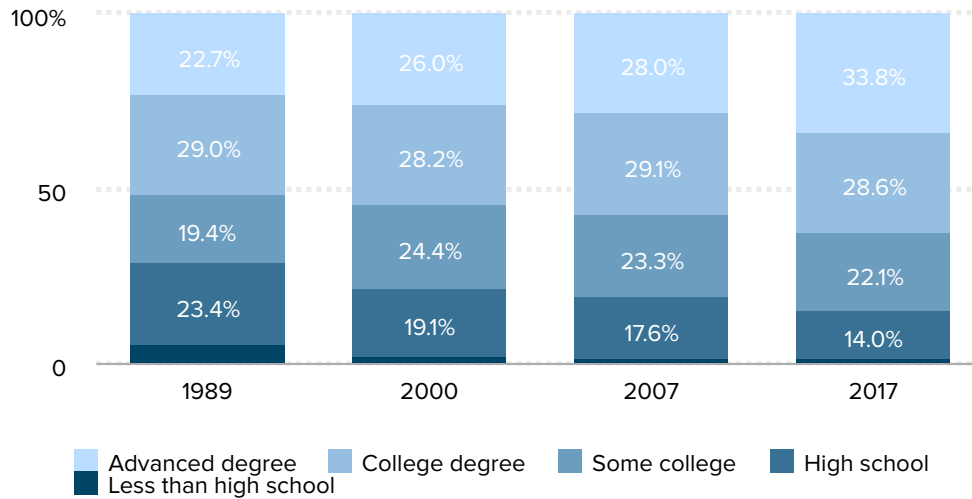
Note: The Current Population Survey first asked respondents for their country of origin in 1994.

Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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Appendix
Figure A

Share of state and local government union workforce with given level of educational attainment, selected years, 1989–2017

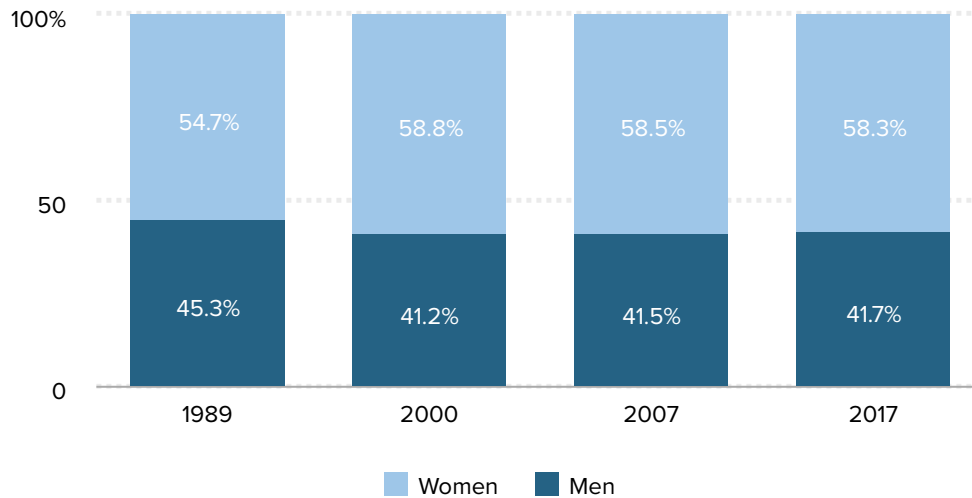


Source: EPI analysis of Current Population Survey Outgoing Rotation Group and May Extract microdata

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Appendix
Figure B

Share of state and local government union workforce by gender, selected years, 1989–2017

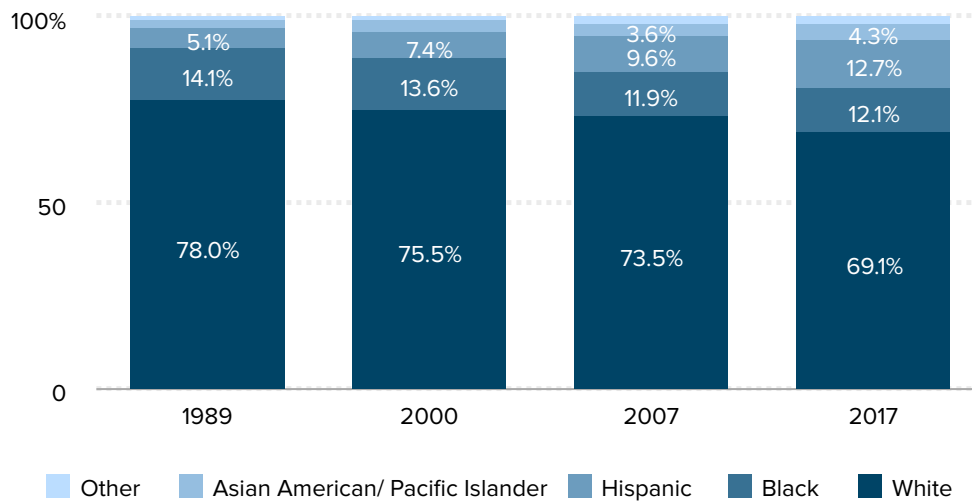


Source: EPI analysis of Current Population Survey Outgoing Rotation Group and May Extract microdata

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Appendix
Figure C

Share of state and local government union workforce by race/ethnicity, selected years, 1989–2017

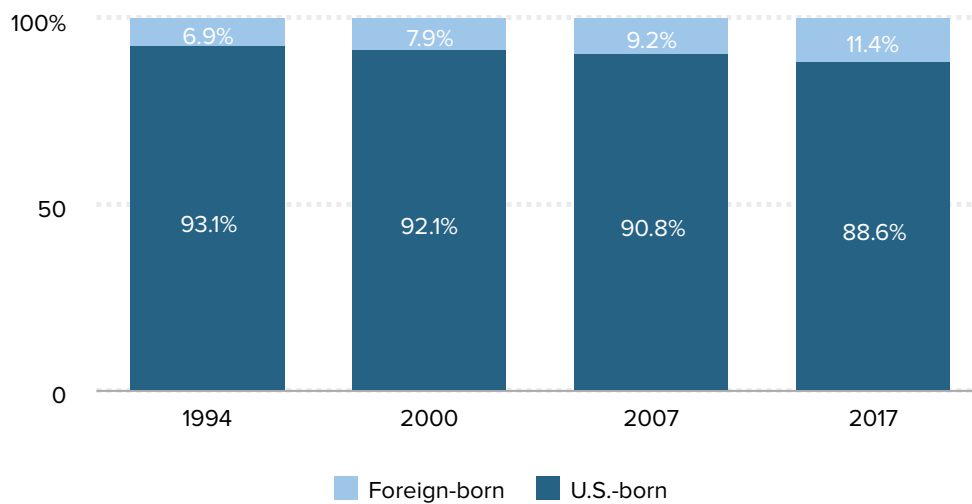


Source: EPI analysis of Current Population Survey Outgoing Rotation Group and May Extract microdata

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Appendix
Figure D

Share of state and local government union workforce by nativity, selected years, 1994–2017



Note: The Current Population Survey first asked respondents for their country of origin in 1994.

Source: EPI analysis of Current Population Survey Outgoing Rotation Group microdata

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