



# The role of local government in protecting workers' rights

A comprehensive overview of the ways that cities, counties, and other localities are taking action on behalf of working people

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**What this report finds:** In recent years, cities, counties, and other localities have become innovators and leaders in standing up for working people. A number of localities have come to view protecting workers and improving their working conditions as part of their core municipal function. Some of the most noteworthy ways in which localities have taken action on behalf of working people in recent years include:

- establishing dedicated local labor standards offices that enforce workers' rights laws
- establishing ongoing worker boards or councils
- passing local worker protection laws
- actively enforcing local worker protection laws
- setting job quality standards for contractors with the municipal government
- establishing legal consequences for labor violations among applicants for municipal permits or licenses
- practicing high-road employment principles in relation to municipal employees
- championing worker issues through public leadership

While other reports have done an excellent job of exploring local action on specific issues like paid sick leave, living wages, and creation of worker boards, this report identifies and examines the broader trend of increased local action and analyzes the landscape of cities and other localities' pro-worker actions in a comprehensive way.

**Why it matters:** Policies and enforcement that protect the rights of workers, ensure workers are able to meet their basic needs, and support workers' efforts to organize are foundational to building healthy, thriving, and equitable communities. Working people in the United States today face multiple crisis situations that not only adversely impact their well-being, but also undermine the health and well-being of communities. Outdated labor laws are skewed against workers trying to form and join unions, and workers who try often face retaliation and other violations by employers. Public

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enforcement resources are inadequate, and workers are increasingly unable to bring their claims in court because of forced arbitration. In this context, cities and localities are vitally important and necessary actors in the effort to expand and enforce workers' rights. They are close to their residents, and often are nimble and fast-moving in responding to emerging needs. A few cities (along with a few states) are also at the vanguard of innovating on policy and piloting new approaches to expanding and protecting workers' rights. There is very meaningful work currently happening at the local level, with untapped potential for much more local action.

**What can be done about it:** Local policymakers, enforcers, advocates, and community members can work together to pilot new local laws, create dedicated labor enforcement agencies and worker boards, develop strategic community enforcement partnerships, and use permits to drive compliance. Localities can fight abusive state preemption that impairs the abilities of local governments to build upon minimum standards set at the state level. Unions, worker advocates, and the public can think creatively about how to enact measures within their own localities and press for action. Other actors and observers in this space—federal and state government, the media, funders, academics, and more—should develop a greater understanding of the emerging role of cities in protecting working people. They should work to institutionalize and chronicle protecting and supporting workers as part of our understanding of what localities do. This report offers a road map of opportunities to enact policies at the local level that advance workers' rights and improve working conditions.

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## Executive summary

In recent years, cities, counties, and other localities have become innovators and leaders in standing up for working people. Responding to increased inequality, degraded working conditions, and insufficient or inconsistent worker protections at the state and federal level, localities have in many cases joined states as the “laboratories” of experimentation (as Supreme Court Justice Louis D. Brandeis described) in relation to workplace matters.<sup>1</sup> A number of localities have come to view protecting workers and improving their conditions as part of their core municipal function.

This report provides an overview of some of the most noteworthy ways in which localities have taken action on behalf of working people in recent years:

- Some localities have established dedicated local labor standards offices that enforce workers' rights laws; educate employers, workers, and the public about these laws; and in some cases help formulate or inform municipal policy in this area.
- Localities have established ongoing worker boards or councils to provide workers with a formal role in local government and/or access to local officials and agencies.
- Other localities have focused on passing local worker protection laws, including ordinances regarding minimum wages, paid sick leave, and fair scheduling; industry-

specific protections for sectors with high violation rates or specific vulnerability (such as the domestic worker, gig, hotel, retail, fast-food and freelance industries); broader anti-discrimination protections; and specific laws responsive to the COVID-19 pandemic.

- Localities are actively enforcing local worker protection laws, including with funded community partnership models in some instances.
- Some localities have established job quality standards for contractors, while others have established legal consequences (including denial and revocation) for applicants for initial or renewed municipal permits or licenses who have a history of wage theft violations or unresolved labor standards orders.
- Localities are demonstrating how to be a high-road employer of municipal employees, including by incorporating labor standards like higher minimum wages and paid sick leave, and enabling or facilitating collective bargaining among workers in local government.
- Active localities and local elected and appointed government leaders are exerting leadership in the public sphere, through education and outreach about labor laws, issuance of reports, convenings and public hearings, and use of the bully pulpit.

Federal—and in some cases state—preemption creates some limitations on what localities can do to expand and protect workers' rights. Preemption occurs when federal or state law prevents subordinate levels of government (in this case, municipalities) from legislating or acting on a given issue. Still, local governments have considerable opportunity to take meaningful action on behalf of the working people within their jurisdictions.

The time is ripe for local action to advance workers' rights. Working people are expressing dissatisfaction with worsening working conditions by resigning, forming and joining unions, and demanding change.

## Overview and introduction

Policies and enforcement that protect the rights of workers, ensure that workers are able to meet their basic needs, and support workers' efforts to organize are foundational to building healthy, thriving, and equitable communities (Bhatia et al. 2013; USC ERI 2020). Working people in the United States today face multiple crisis situations that not only adversely impact their well-being, but also undermine the health and well-being of communities. The COVID-19 pandemic has led to many workplace clusters. Federal and state workplace measures have been varied, yet insufficient, to provide adequate protection from the virus.

Even before the pandemic, working people had been experiencing a multitude of serious challenges. Two widespread challenges are wage theft—the practice of employers failing to pay workers the full wages to which they are legally entitled—and misclassification of workers as independent contractors—the practice of employers labeling workers as independent contractors, rather than employees, to avoid paying unemployment and

other taxes on workers and covering them with workers' compensation insurance. Outdated labor laws are skewed against workers trying to form and join unions, and workers who try often face retaliation and other violations by employers (McNicholas 2019). Public enforcement resources are inadequate, and workers are increasingly unable to bring their claims in court because of forced arbitration (Hamaji et al. 2019). Employers who fail to pay unemployment or other taxes deprive public coffers of resources needed for programs serving important human needs (Erllich 2019). Meanwhile, the labor market itself is skewed—workers' wages have not kept up with their productivity (Mishel 2021), and corporate concentration along with anti-competitive practices add to workers' challenges in getting a fair wage (Stansbury 2021). These challenges have fallen hardest on workers of color and workers in low-wage industries.

Federal and state leaders who wish to take action on these thorny and deep-seated issues often face significant obstacles when they seek to pass laws, promulgate regulations, or take other steps responsive to workers' needs. Such challenges can be even greater in relation to emerging developments in the workplace.

Supreme Court Justice Louis Brandeis famously described states as laboratories of public policy experimentation.<sup>2</sup> In relation to workers' rights, U.S. localities<sup>3</sup> have been true laboratories of experimentation in recent years (Diller 2014).<sup>4</sup> Historically, the federal government and states have been responsible for workplace regulation; over the years, cities and localities have not generally taken a leading role.<sup>5</sup> But in roughly the past decade, cities and localities have become increasingly important actors in expanding and enforcing workers' rights—what some commentators have called the “**municipalization**” of labor law (Sarchet 2021).

Cities and localities have introduced cutting-edge laws that do not exist at the federal or state level (including some responsive to newly emerging problems); established new offices devoted to protecting workers; used their contracting, licensing, and permitting powers to drive employer compliance; and implemented new methods of enforcement, including close and even funded partnerships with worker and community organizations. Such action by localities has occurred not only in traditionally worker-friendly regions, but also in progressive cities located within more conservative states. (Efforts in such locales have often, but not always, been met with state-level preemption measures, as noted by Blair et al. 2020 and Wolfe et al. 2021). And in some cases, such as the expansion of paid sick days, policy leadership at the local

#### **The District of Columbia**

Although the District of Columbia is a city and has passed notable workers' rights laws in recent years, it is not included in this report because of how it operates in relation to the subjects discussed here. Specifically, it operates more like a state than a city. It has long had an agency, the Department of Employment Services (DOES), that fulfills the functions that state labor departments or agencies typically do within states: administering the district's unemployment insurance and workers'

level has provided proof of concept and helped build momentum for states (and earlier in the pandemic, even the federal government) to take action. Local government action on workers' rights also often reflects efforts to address local conditions when it comes to cost of living, dominant and emerging industries, and the needs and organizing of specific communities (especially communities of color and immigrant communities).

compensation programs, implementing workforce development and employment services programs, researching labor statistics, offering onsite workplace safety and health consultations to private employers, and enforcing the district's labor standards laws.

This report provides both an outline and a road map: an outline of actions that cities and localities have taken in recent years to protect workers, and a road map of possible policy and enforcement options for local leaders, both elected and appointed, to consider.<sup>6</sup> Such actions include:

- establishing a dedicated department, office, or subagency within city government focused on worker issues
- creating boards or councils that provide workers with a voice, a role, and/or access to local government
- passing laws that create new and essential rights for workers
- enforcing worker protection laws, including through strategic, innovative, and/or collaborative approaches
- leveraging contracting, licensing, and/or permitting powers to raise and address worker issues
- incorporating high-road employment practices and labor policies in relation to their own municipal workforces
- using soft powers, including community education and outreach, issuance of reports, and other “bully pulpit” vehicles for reaching the community and highlighting worker needs and available resources

Notably, some cities and localities have taken meaningful action to protect workers and advance their rights and well-being during the COVID-19 pandemic; more should follow suit. This report also outlines a number of measures taken at the local level in response to COVID-19.

This report is intended not only for local leaders, but also for labor unions and worker advocates, to help deepen their understanding of policy and enforcement levers at the local government level in order to guide advocacy and collaborative governance efforts. This report can also inspire academics and other researchers to study local efforts to advance workers' rights. Finally, policymakers at all levels of government should pay attention to the innovative solutions advanced by localities.

# At least 20 localities have created or are creating dedicated local labor agencies

A number of localities have created agencies specifically dedicated to enforcing workers' rights under local ordinances, including laws addressing minimum wages,<sup>7</sup> wage theft, paid sick and safe leave, fair scheduling/fair workweek requirements requiring advance notice of scheduling, fair chance hiring laws, gig worker rights, and more. Several of these agencies are also charged with analyzing and potentially proposing local labor policies. In other instances, localities do not have a dedicated stand-alone office, but units of other municipal agencies focus specifically on workers' rights matters. And some localities without dedicated units have tasked specific government entities with enforcing wage theft or paid sick leave laws, such as a city manager, treasurer, or attorney; office of human rights; unit of the mayor's office; or other officials (A Better Balance n.d.b.; Boulder 2022; Pinellas OHR n.d.; Miami-Dade WTP n.d.).<sup>8</sup>

Creation of a dedicated unit within local government focused on workers' rights can be transformative. It ensures that municipal public servants will be involved in worker protection in a continuous, proactive, ongoing, and in-depth manner. It allows specialized staff to develop expertise on the relevant municipal laws and policies, as well as deep knowledge of issues affecting local workers. Where there is a dedicated worker-focused office in local government, staffers can develop ongoing relationships with relevant stakeholders like worker advocacy groups, unions, immigrant rights advocates or service providers, employment lawyers, and employer associations, as well as other relevant government enforcement agencies at the local, state, and federal levels. A dedicated office also can be mobilized to address emerging needs, including those that arose in the COVID-19 pandemic. Most importantly, establishment of a dedicated office institutionalizes and embeds the work within local government, ensuring the focus on workers and their challenges will continue beyond a particular administration.

Jurisdictions with dedicated agencies, subdivisions, or staff include [Berkeley](#) (California), [Boston](#), [Chicago](#), [Denver](#), [Duluth](#) (Minnesota), [Emeryville](#) (California), [Flagstaff](#) (Arizona), [Los Angeles City](#), [Los Angeles County](#), [Minneapolis](#), [New York City](#), [Philadelphia](#), [San Francisco](#), [San Jose](#), [Santa Clara County](#) (California), [Seattle](#), [St. Paul](#) (Minnesota), and [Tacoma](#) (Washington).<sup>9</sup> In addition, the [San Diego County Board of Supervisors](#) voted in 2021 to create a county labor office, and the [San Diego City Council](#) followed suit in 2022 by voting to create a labor enforcement office in a new Compliance Department.<sup>10</sup> Tucson, Arizona, voters in 2021 passed a [ballot initiative](#) to create a local minimum wage and also a city Department of Labor Standards.<sup>11</sup> Numerous Florida localities have created wage theft enforcement or mediation programs of various kinds: [Broward County](#) ([complaint form](#)), [Miami-Dade County](#), and [Pinellas County](#).<sup>12</sup> Via court order, Palm Beach County created a [Wage Dispute Division](#) within the [county civil court](#).<sup>13</sup>

More dedicated units to enforce workers' rights are likely on the horizon. For example, a legislative proposal resulting from the work of an Earned Sick and Safe Leave Task Force

is currently under consideration in Bloomington, Minnesota (population of approximately 90,000), home of the Mall of America.<sup>14</sup> The city manager there has stated that two full-time equivalent staffers (one attorney and one paralegal) would be needed for this work.<sup>15</sup>

## Snapshots of several local agencies in cities of varying size:

**Berkeley, California (Pop. 124,321):** The Workplace Enforcement and Standards Unit was created in 2014. It currently has a single full-time equivalent (FTE) employee, who also holds nonlabor-related responsibilities in addition to enforcing the city's minimum wage, living wage, paid sick leave, and other laws (U.S. Census Bureau 2022a).

**Chicago (Pop. 2.7 million):** Chicago's Office of Labor Standards, housed in the Department of Business Affairs and Consumer Protection, began operating in 2019 (its official launch date was in 2020). As of June 2022, the office has eight FTEs. It enforces the city's minimum wage, wage theft, paid sick leave, fair workweek, COVID and vaccine anti-retaliation laws, as well as a law effective in January 2022 requiring employers of domestic workers to provide them with written contracts (U.S. Census Bureau 2022b).

**Denver (Pop. 715,522):** Denver Labor, created in 2019, is a division enforcing wage and hour laws located in the Denver auditor's office. The office has 25 FTEs, and it enforces the city's minimum wage laws, as well as a number of laws related to government work: a minimum wage applicable to city contractors, the city's prevailing wage, the city's living wage, and more. The office also has a community education emphasis: there are full-time community education staff and an annual outreach/education plan, including radio and internet ads, weekly online training, hundreds of outreach events, and multilingual written materials (U.S. Census Bureau 2022c).

**Duluth, Minnesota (Pop. 86,697):** Enforcement of Duluth's earned sick and safe time law (effective in 2020) is handled through the equivalent of one employee housed in the city clerk's office (U.S. Census Bureau 2022d).

**Los Angeles City (Pop. 3.9 million):** The Office of Wage Standards in the city of Los Angeles was created in 2015. It is authorized to have 30 FTEs, although in February 2022, this figure included nine vacancies. It enforces the city's minimum wage, paid sick leave, and fair chance hiring laws (U.S. Census Bureau 2022f). (The county of Los Angeles has a separate enforcement agency that enforces the county's own workplace laws.)

**Minneapolis (Pop. 429,954):** The Labor Standards Enforcement Division was created within the city's Department of Civil Rights in 2016. The office has five FTEs, and it enforces the city's paid sick and safe time, minimum wage, wage theft, and freelance worker protections laws, as well as a law giving hospitality workers the right of recall, which will sunset one year after the COVID-19 public health emergency (U.S. Census Bureau 2022g).

**New York City (Pop. 8.8 million):** New York City's Office of Labor Standards and Policy was created in 2016, and is housed in the Department of Consumer and Worker Protection



(DCWP). (That agency was long known as the Department of Consumer Affairs; its **name changed** in 2019 (Greenbaum 2019) in part to convey the agency’s focus on workers as well as consumers.) In 2021, the office had 33 FTEs. While it lacks jurisdiction to set a city minimum wage, the office enforces the city’s Paid Safe and Sick Leave Law, Freelance Isn’t Free Act, and the Fair Workweek Law in retail and fast-food, as well as several new cutting-edge laws, including a “just cause” termination law giving fast-food employees protections against arbitrary termination, and a law giving food delivery workers greater control over their working conditions and authorizing DCWP to set a minimum pay rate (U.S. Census Bureau 2022h).

**Philadelphia (Pop. 1.6 million):** In the June 2020 primary election, voters of Philadelphia overwhelmingly approved a **ballot question** to amend the city charter to create a city department of labor, demonstrating widespread public support for municipal involvement in workers’ rights issues (U.S. Census Bureau 2022i; Ballotpedia n.d.). The head of the Philadelphia Department of Labor is the deputy mayor for labor, holding a high-profile position within city government. The Office of Worker Protections, located within the department, has a total of nine FTEs, and enforces wage theft, paid sick leave, and fair workweek laws; laws covering specific industries (domestic worker bill of rights, wrongful discharge of parking employment, recall and/or retention of hotel, travel and hospitality workers); and more. The office established a **domestic worker task force and has been tasked with creating a portable benefits system for domestic workers** (Orso 2020), likely to be the nation’s first. In addition, in 2020 and 2021, the office partnered with worker organizations on a citywide effort on the **Philadelphia Worker Relief Fund** (MF Phila. n.d.; Cox 2020), which distributed more than \$2.2 million to 2,820 families left out of COVID-19 government relief (Philadelphia 2020a). The office also collaborated on a referral system with the city health department’s COVID-19 containment unit to mediate paid sick leave when workers reported exposure.

**San Francisco (Pop. 873,965):** San Francisco’s Office of Labor Standards Enforcement (OLSE) was created nearly 20 years ago (San Francisco n.d.a; SF OLSE n.d.e). The office has 30 FTEs, and currently enforces more than 30 citywide laws, including **ordinances on minimum wage**, paid sick leave, fair chance employment, scheduling laws, and others, as well as a handful of other laws related to government contracting (SF OLSE n.d.f; U.S. Census Bureau 2022j).

**San Jose (Pop. 983,489):** San Jose’s Office of Equality Assurance, with a staff of eleven, implements, monitors, and administers the city’s wage policies, including the living wage law applicable to city service contracts, the prevailing wage law which covers public works (construction) projects, and the minimum wage ordinance applicable to employers for work performed within the city. The Office also contracts with a number of neighboring localities to provide minimum wage enforcement services for their own local minimum wages. For example, in 2020, the City of San Jose entered into contracts with the nearby cities of Burlingame, Cupertino, Milpitas, Redwood City, San Carlos, San Mateo, Santa Clara, South San Francisco, and Sunnyvale; maximum compensation under the contracts is \$40,000 to \$45,000 to cover a period of two and a half to three years. This arrangement allows smaller localities to functionally pool resources in order to have their local laws enforced (San Jose 2020; San Jose n.d.; U.S. Census Bureau 2022k).

**Santa Clara County, California** (Pop. 1.9 million): The County's Office of Labor Standards Enforcement was created in 2017. The office has capacity for five FTEs; four were filled as of May 2022. Among other things, the office ensures that recipients of county permits, licenses, and contracts comply with labor laws and satisfy outstanding judgments issued by the California Labor Commissioner's Office. The office also enforces wage theft prevention and living wage requirements related to contracting, contained in Chapter 5 of the **Santa Clara Board of Supervisors Policy Manual** (Section 5.5.5.4) (SC BOS 2020). In 2021, the office also enforced a hazard pay ordinance related to COVID-19 (SC OLSE n.d.c; U.S. Census Bureau 2022l).

## A deeper dive into Seattle's local labor agency

Seattle's Office of Labor Standards has grown rapidly since its creation in 2015 as a division within the Seattle Office of Civil Rights. The Office of Labor Standards became an independent, standalone city agency in 2017, and the breadth and impact of its activities provide a useful example of the potential of municipal labor agencies.

**Staffing:** As of February 2022, the office had 34 FTEs and one full-time temporary position. These positions include a director, deputy director, communications manager, seven outreach positions, four policy-focused positions, three operations and finance positions, and eighteen enforcement officials.

**Ordinances:** The office enforces 18 city laws. These include laws of broad application (paid sick and safe time, fair chance employment, wage theft, and commuter benefits ordinances); laws targeting specific industries (secure scheduling ordinance for retail and food services workers, as well as ordinances protecting domestic workers, transportation network company drivers, and hotel workers); and laws enacted during the COVID-19 pandemic (paid sick and safe time for gig workers, as well as premium/hazard pay for gig workers/grocery employees) (Seattle OLS 2012, 2013, 2015a, 2015b, 2017, 2020b, 2020d, 2020e, 2020h, 2021a). Finally, on September 1, 2022, the **Independent Contractor Protections Ordinance** (Seattle OLS 2021b) will take effect; it will require commercial hiring entities to provide certain precontract disclosures and payment disclosures, and also requires timely payment of contracts. See Section 6 for more in-depth discussion.

**Enforcement:** The office has brought a number of successful enforcement actions, including in fast-food, gig economy, construction, retail, grocery, and other industries. These cases are described in Section 7.

**Policymaking:** The office has helped develop city labor policy in various ways. The office ran a broad policymaking process to develop two labor standards ordinances for transportation network companies (TNC) drivers, including contracting for a **minimum compensation standard study** (Reich and Parrott 2020). The office conducted an extensive stakeholder process and drafted the eventual **TNC Driver Minimum Compensation Ordinance** (Seattle OLS 2020i), which went into effect in 2021 and the **TNC Driver Deactivation Rights Ordinance** (DRO). The DRO provides drivers protection against unwarranted termination from companies' platforms, a pathway to resolve deactivation

disputes before a neutral arbitrator, and which created a first-in-the-nation Driver Resolution Center to provide consultation and direct representation to drivers facing deactivation, along with culturally relevant outreach and education, and other support. The Office of Labor Standards completed a request for proposal to award an 18-month contract for just more than \$5 million to a community organization to get the **Driver Resolution Center** up and running (Seattle OLS n.d.h).<sup>16</sup>

In addition, pursuant to a city council **resolution** and recommendation by the city's Domestic Workers Standards Board,<sup>17</sup> the Office of Labor Standards will be crafting a proposal for portable paid time off for domestic workers.

**Pandemic response:** The Office of Labor Standards has taken numerous actions in response to the COVID-19 pandemic. In April 2020, following amendment of the city's Paid Sick and Safe Time Ordinance (PSST) to expand PSST uses in response to COVID-19, the office conducted emergency rulemaking to ease the burden of verification for use of PSST on workers and the health care system. The office provided updated information in more than 11 languages and, with the city's Department of Neighborhoods, increased access to this information through audio and video recordings, as well as through trainings and town hall meetings. Responding to the increase of domestic violence during the pandemic, the office also partnered on a safe leave training with a local community organization, API Chaya, and the Mayor's Office on Domestic Violence and Sexual Assault.

The office also assisted in distribution of food vouchers and masks via community-based organizations, including the office's Community Education and Outreach Fund partners, to workers who experienced structural or institutional barriers to accessing support from government (e.g., language barrier, fear of deportation, experienced domestic violence, did not qualify for other benefits). The community-based organizations enrolled more than 800 workers who had lost their jobs or experienced a decrease in hours or wages due to the pandemic. Each worker received \$1,920 in grocery vouchers over a seven-month period.

Finally, along with the mayor's office and the Office of Immigrant and Refugee Affairs, the Office of Labor Standards worked to increase access to unemployment funds for workers, especially for potentially misclassified gig workers and domestic workers, and also to enhance access to information about unemployment benefits in multiple languages. One effort included contracting with a community organization for three months to provide cultural- and language-specific outreach and referral assistance to transportation network company, taxi, and for-hire vehicle drivers seeking to access COVID-19-related relief resources. The community organization assisted 1,400 workers with their unemployment insurance claims in 12 languages, including Kiswahili, Nuer, Twi, and Hausa. Another effort included partnering with a local civil legal aid organization to provide training on unemployment insurance, and paid sick and safe time.

# Several cities have created boards or councils to provide workers with a formal role and/or access to local government

Workers' boards are bodies established by governments that include worker representation and that typically aim to provide workers with a voice and formal role in setting higher minimum standards for jobs in particular industries. These boards typically investigate challenges facing workers by conducting hearings and outreach activities, issuing reports on findings, and making recommendations regarding minimum wage rates, benefits, and workplace standards. By focusing on workers in specific industries, these boards are able to address industry-specific issues and involve workers and their organizations directly in governance decisions.

Professor Arindrajat Dube, based on his analysis of industry-specific wage boards in Australia, concludes that wage-setting boards “are much better positioned to deliver gains to middle-wage jobs than a single minimum pay standard” (Dube 2018); the local boards described here do not have wage-setting powers, but some may make recommendations. In 2019, the Center for American Progress issued a [how-to guide](#) for state and local governments and advocates interested in developing workers' boards or similar structures (Andrias, Madland, and Wall 2019). The guide's detailed recommendations include ensuring a broad mandate; requiring representative and democratic selection of members; granting boards authority to gather relevant information through hearings and investigations; granting boards authority to issue recommendations; creation of strong enforcement mechanisms to ensure compliance with new standards; and empowering worker participation in board activities by requiring employers to provide reasonable time to participate and compensating workers for their participation, among other things.

In some states, preemption of local wage or standard-setting limits potential recommendations a board could make that would result in material policy change; however, even then, workers' boards may be able to impact local government purchasing and contracting policies, workforce development programs, tax abatement and incentive policies, economic development planning and community benefits agreements, distribution of local government funding, and workplace safety trainings. They may also be able to provide independent monitoring of local, state, and federal public health and labor laws, and inclusive economic development planning. Worker boards are a relatively new development, mostly established in the last five years.

The following are examples of several local worker boards or similar structures:

**Seattle Domestic Workers Standards Board:** In 2019, Seattle passed the [Domestic Workers Ordinance](#), which along with establishing a minimum wage and entitling workers to rest and meal breaks, also created a Domestic Workers Standards Board (Seattle CC

2018). The board, members of which are appointed by the mayor and city council (and one member is appointed by the board itself), requires representation from domestic workers (including workers who are and are no members of worker organizations), employers, and the community (with an emphasis on vulnerable populations like people with disabilities) (Seattle OLS 2018a). The board is empowered to provide recommendations to the city council on workplace safety standards, discrimination and sexual harassment, training for workers and employers, access to leave, wage standards, workers' compensation, hiring agreements, and other topics, and has been granted funding to implement these recommendations.

**Detroit Industry Standards Boards:** Detroit **passed** an ordinance in November 2021 creating a structure for industry standards boards (SEIU Healthcare 2021; Detroit 2021). A standards board in a specific industry can be established under the ordinance by the city council, at the request of the mayor, or by petition of at least 225 workers in a given industry. The standards boards are composed of workers, employer representatives, and other individuals appointed by the mayor and city council. The industry boards are tasked with investigating industry conditions, conducting outreach to workers, making recommendations as to pay, benefits, training opportunities and scheduling, and forwarding complaints to relevant enforcement agencies.

**Harris County (Texas) Essential Workers Board:** Harris County established an essential workers board in 2021 to advise the county on programs and policies that support essential workers. All members must be "low-income essential workers," with at least one worker representative from each of the following essential industries: airport or transportation; construction; domestic work or home care; education or child care; grocery, convenience, or drug store; health care or public health; janitorial; food services, hospitality, or leisure services; and retail (Trovall 2021; Harris County 2021). In addition to advising the county on its overall approach to protecting essential workers' rights and providing a public forum, the board is also tasked with providing feedback on the county's "purchasing and contracting policies, workforce development programs, tax abatement and incentive policies, community benefits agreements, distribution of federal COVID-19 relief and recovery funds, disaster preparedness and recovery programs, OSHA trainings, independent monitoring of local, state, and federal public health and labor laws, and inclusive economic development planning."

**Durham (North Carolina) Workers' Rights Commission:** In 2019, Durham formed the Workers' Rights Commission as an advisory body to the city council on working conditions in Durham. Except for a liaison to the city council, all members are workers appointed by the city council and must include workers from the largest employers in Durham, workers in low-wage industries, workers organized in unions, and unorganized workers. The commission **aims to** provide a public forum for discussion and exploration of workers' rights, conduct studies, recommend pro-worker policies for the city council's state legislative agenda, craft a workers' bill of rights and develop a voluntary recognition program to reward employer compliance, propose standards to encourage all employers within the city to establish a minimum standard, support workers in union campaigns, and provide channels of communication between organized and unorganized workers (Durham WRC n.d.).

**Twin Cities' Workplace Advisory Committees:** In 2016, Minneapolis created a Workplace Advisory Committee in connection with passing the city's safe and sick time ordinance (Minneapolis 2016a). The committee is composed of representatives from organized labor, workers, and employer representatives, among others. The committee is tasked with providing advice on workplace initiatives, recommendations on community engagement, and monitoring and evaluating implementation of workplace policies (Minneapolis 2016a). St. Paul's **Labor Standards Advisory Committee** (St. Paul n.d.a) advises and supports the city's Labor Standards Enforcement and Education Division. The committee includes representatives of employers, employees, and the public, and advises in the development and implementation of policies, procedures, and rules related to the city's minimum wage and earned sick and safe time ordinances; recommends actions to improve strategic community outreach and education efforts; supports strategic enforcement and strategic outreach; explores and recommends opportunities and resources to help small businesses; assists with community partnerships; and engages business owners, workers, and community stakeholders to gather feedback and recommendations.

**Los Angeles County Public Health Councils** (LA PHC n.d.): In November 2020, Los Angeles County **approved** a program establishing public health councils to help ensure that employers follow COVID safety guidelines. Implemented and overseen by the county's Department of Public Health, the program empowers workers to form public health councils at their worksites to monitor compliance with county health orders in the following industries: food and apparel manufacturing, warehousing and storage, and restaurant (LA County BOS 2020). The Department of Public Health will enlist the help of certified worker organizations to conduct outreach and education to workers interested in forming public health councils.

## Localities can serve as model employers in relation to their own workforces

Localities can support working people by creating good working conditions for their own municipal workforces. Nationally, about **one-third** of state and local employees are paid less than \$20 per hour, and more than 15% are paid less than \$15 per hour. In 13 states, more than 20% of state and local workers are paid less than \$15 per hour (Sawo and Wolfe 2022). Women and Black workers **are more likely** to be employed by local and state governments, so improving working conditions for local government workers advances important equity goals (Cooper and Wolfe 2020).

A significant portion of local government employees are union members (**40.2% in 2021**) (BLS 2022); high unionization rates among law enforcement and teachers contribute to these numbers. Working conditions for these employees are established through collective bargaining agreements with the locality. Working conditions of nonunionized municipal workers are governed by applicable federal, state, and local laws, as well as municipal policy.

Localities can support workers by raising labor standards for their own employees regardless of union membership. They can also take steps to allow and facilitate collective bargaining by their employees.

Limited public funds can lead to concerns about the cost of supporting municipal workers in light of other pressing public funding needs. However, in addition to improving municipal job quality as a matter of values and commitment to working people, localities themselves can benefit from doing so. High-road job offerings can help attract better-qualified workers to local government and reduce turnover, both of which enable local governments to provide higher-quality public services, as well as avoiding the cost associated with employee turnover. Municipal employers are often **the largest employers** in many regions (Hain and Coffin 2020), and thus improved standards for municipal workers can also lead to additional benefits, like public health gains when paid sick leave prevents spread of illness, and stabilizing and stimulating the local economy in times of stagnation or recession. By exemplifying practices of a model employer, local governments also can play a leadership role for private and nonprofit employers, helping create local norms that lift local working standards generally. And collective bargaining in particular can help **reduce** racial and gender pay gaps, attract workers to local government, and create high-quality jobs (Morrissey and Sherer 2022).

Local governments can also support municipal workers by limiting and resisting **privatization**, defined as the shifting of governmental functions and responsibilities to the private sector through such activities as contracting out (Local Progress 2019). Privatization of local government functions has proliferated in the recent past, affecting services and infrastructure like water treatment, trash collection, and toll collection (Early 2021; Dutzik, Imus, and Baxandall 2009). Privatization not only denies opportunities to municipal workers who are more likely to be unionized and to have higher job standards, it also undermines democratic accountability. Moreover, projected cost savings from privatization often do not materialize, and service quality often declines under private provision (PWF n.d.b).<sup>18</sup>

## Localities have raised labor standards for municipal employees

A number of localities have raised the minimum wage paid to their own municipal workforce; recent examples include **Atlanta**; **Jersey City**, New Jersey; **Milwaukee**; **New Orleans**; **North Miami Beach**, Florida; **Tallahassee**, Florida; and **West New York**, New Jersey (Noble 2021; Fox 2021a, 2021b; Atlanta 2017; Miami Times Staff 2021). **More than 100 localities** have passed paid family or parental leave policies for their municipal employees (NPWF 2020). Many local governments **extended emergency paid sick leave** to their municipal workers during the pandemic, and some front-loaded the annual sick leave allotment for all employees (Hain, Yadavalli, and Wagner 2020). The city of Austin distributed **stipends** to some city workers who continued to provide in-person services during the COVID-19 pandemic (Newberry 2020).



## Localities can enable and support collective bargaining and union organizing by municipal workers

Localities also can enable or facilitate collective bargaining and unionizing among their municipal workforce. Public employee unions can be stable bargaining partners to local governments, promote labor peace, and ensure the delivery of high-quality services.<sup>19</sup> In addition, unions **reduce inequality** as well as race and gender disparities (EPI 2021; Bivens et al. 2017) and **boost democratic participation** (McElwee 2015).

Whether or not local government workers can form and join unions varies by state and by the type of municipal worker. Many state statutes expressly authorize collective bargaining by teachers, police officers, and firefighters (Sanes and Schmitt 2014). In some states, local governments are permitted to collectively bargain with all municipal workers (Monroe 2018; Vermont 1973).<sup>20</sup> In some states, local governments are prohibited from doing so.<sup>21</sup> In states where collective bargaining for local employees is neither guaranteed nor prohibited by state law, localities can facilitate unionizing and collective bargaining by their own workforces by passing local ordinances permitting collective bargaining. Two states where there has been heightened attention to this issue in recent years are Virginia and Colorado. In Virginia, the General Assembly in 2020 passed a law lifting a previous ban, thereby allowing localities to recognize and collectively bargain with unions by passing an ordinance. A number of Virginia localities have since passed collective bargaining ordinances, including the city of **Alexandria**, **Arlington County**, **Fairfax County**, **Loudoun County**, and the **Richmond School Board** (Alexandria Magazine Living Staff 2021; Armus 2021; Olivo 2021; Loudoun 2021; Hunter 2021). In 2022, the Colorado state legislature passed a bill granting public employees the right to collectively bargain; previously localities could decide whether to grant such rights, and out of approximately 270 localities in the state, only 16 had collectively bargained contracts with any of their workers (Colorado General Assembly 2022; Miller 2022; Vo 2022; Kenny 2021). For example, Adams County, Colorado, had passed a **resolution** in 2017 authorizing collective bargaining for county employees.<sup>22</sup> In states such as Colorado and Virginia, localities can explicitly grant their municipal workforce the right to collectively bargain. Cities like **Louisville**, Kentucky, **Memphis**, Tennessee, **Salt Lake City**, Utah, and **Tulsa**, Oklahoma, have recognized and entered into collective bargaining agreements with municipal unions (Louisville HR n.d.; AFSCME 1733 2021; SLC HR n.d.; Tulsa HR n.d.).

In addition, localities can emulate legislative measures taken by certain states to facilitate public employee union access to government workers in response to the Supreme Court's decision in *Janus v. American Federation of State, County, and Municipal Employees, Council 31, et al.* That case held that requiring public employees to pay union fair share agency fees to cover the costs of collective bargaining violates the First Amendment (McNicholas 2018).<sup>23</sup> The decision bars unions from requiring workers who benefit from union representation to pay their fair share of that representation, thereby reducing public employee union resources and potentially their stability. In the wake of the *Janus* decision, a number of states, including California, Massachusetts, New Jersey, Washington, and



several others, passed measures to reduce barriers to public-sector unionization, such as by requiring public employers to allow public employee unions access to new employee orientations, and to provide public employee unions with lists of new and current employees with contact information (NCSL 2019).

Finally, the 2022 [Report of the White House Task Force on Worker Organizing and Empowerment](#) (Harris and Walsh 2022) contains a number of recommendations for the federal government to increase unionization rates among federal employees. While some of the measures contained in the report would potentially be preempted by the National Labor Relations Act, many of them could be adopted readily by local governments, such as:

- facilitating exposure to unions during the hiring process for job applicants and onboarding process for new employees, including listing information about whether a position is in a bargaining unit and the relevant union in job opportunity announcements, and encouraging agencies to offer their unions more opportunities to communicate with new hires during onboarding
- developing guidance and labor relations materials for agencies to use in trainings for managers and supervisors regarding unfair labor practices and neutrality in union organizing campaigns
- increasing and visibly supporting workers' right to organize, including a know-your-rights initiative on the right to organize and collectively bargain

The report contains extensive analysis and practical suggestions about ways to encourage and facilitate collective bargaining.

## Localities have enacted worker protection laws on a range of topics

Local governments typically have some authority to initiate legislation, subject to their authority under the relevant state constitution, state statutes, and city charters. In recent years, local governments have increasingly used this power to pass laws to advance workers' rights.<sup>24</sup>

### Laws setting higher minimum wages

In recent years, localities have often led the nation in policymaking to raise workers' wages. The Fight for 15 campaign and other worker advocates and organizations have played a key role in seeking increased local minimum wage floors, which has paved the way for more innovative policymaking to advance workers' rights by local governments (Meyerson 2019).<sup>25</sup> Local wage and hour laws exist in a statutory landscape, including the federal Fair Labor Standards Act (FLSA), which establishes a federal minimum wage, overtime pay, record-keeping, and youth employment standards, and state laws that similarly establish their own state-level minimum wage and hour standards. The FLSA, and

in some cases state law, acts as a floor, permitting local governments to provide more generous protections for workers. **Some states**, however, preempt local governments from setting higher local requirements, as discussed in further detail below (EPI 2019).

Currently, 52 cities and counties have local minimum wage laws that raise the minimum wage above the level established by state and federal governments (UC Berkeley Labor Center 2022; Lathrop 2021).<sup>26</sup> Local minimum wages aim to keep workers out of poverty and to increase consumer purchasing power to spur economic growth. Such wages sometimes are enacted in metropolitan areas where the costs of living are higher relative to the rest of the state or region. Local minimum wages may vary in terms of wage levels, implementation timelines, and exemptions (for example, based on the size or classification of an employer, such as employers with more than 25 employees or nonprofits). Since 2012, local minimum wage increases have affected more than 4 million workers, more than half of whom are workers of color, and generated more than \$33 billion in additional income for these workers each year (Lathrop, Lester, and Wilson 2021).

One way to increase the wages of many service workers without setting a higher minimum rate is for a locality to disallow **the lower minimum wage that is permitted in many states and under federal law for workers who customarily and regularly receive tips (USDOL 2022b)**. Tipped workers **are more likely to be** women and people of color, and more likely to be subject to sexual harassment (Schweitzer 2021).<sup>27</sup> In 2016, the city of Flagstaff **eliminated the tipped minimum wage** by referendum (Results for America n.d.). Las Cruces, New Mexico, also has enacted **a higher tipped minimum wage** than the state.<sup>28</sup>

In some instances, laws setting local minimum wage rates have focused on particular industries. Seattle's **Domestic Workers Ordinance** requires domestic workers be paid at least the city's minimum wage (Seattle OLS 2018a). At least four California cities—Los Angeles, Oakland, Santa Monica, and West Hollywood—have required a higher minimum wage for their hotel workers (LA DPW n.d.; Oakland n.d.; Santa Monica n.d.; West Hollywood n.d.).<sup>29</sup>

## Laws addressing wage theft

Wage theft occurs when employees do not receive wages to which they are legally entitled for their work, including paying workers less than the minimum wage, not paying overtime premiums to workers who work more than 40 hours a week, or asking employees to work “off the clock” before or after their shifts. Cooper and Kroeger (2017) investigated just minimum wage violations, and found that in the 10 most populous states in the country (California, Florida, Georgia, Illinois, Michigan, New York, North Carolina, Ohio, Pennsylvania, and Texas), 17% of eligible low-wage workers reported being paid less than the minimum wage, amounting to 2.4 million workers losing \$8 billion annually. Cooper and Kroeger estimate that workers nationwide lose \$15 billion annually from minimum wage violations alone. A 2021 **study** found that more than \$3 billion was recovered on behalf of workers by federal and state enforcers and through private litigation (Mangundayao et al. 2021).

In addition to setting up dedicated enforcement agencies and ensuring that these agencies are robustly funded to pursue violations, local governments can pass laws to address the problem of wage theft. For example, Denver passed a **wage theft ordinance** that classifies wage theft as a criminal misdemeanor and empowers the city attorney's office to prosecute claims of \$2,000 or less and seek restitution (Denver 2021).

In some instances, such measures may be a way for cities preempted from setting minimum wage rates to nonetheless have an impact on wage-related concerns and to protect workers within their jurisdiction from predation and abuse. Numerous localities in Florida have passed ordinances setting up administrative processes that make it easier for workers to file a complaint and recoup stolen wages without retaining a lawyer. In Florida, Miami-Dade County led the way, followed by Alachua County, Broward County, Hillsborough County, Osceola County, Pinellas County, and the city of St. Petersburg (Huizar 2019b). These ordinances set out a procedure for administrative resolution of wage theft claims by first allowing workers with claims of more than \$60 in unpaid wages to settle claims with the city's help. If those claims are not resolved, workers then may proceed to a hearing where the employer may be exposed to additional penalties (Miami-Dade WTP n.d.). An analysis of the Miami-Dade County Wage Theft Program found that between its adoption in 2010 and September 2014, workers **recovered \$2,039.83 in unpaid wages, on average**, an amount researchers found was "well above the average recovered by federal enforcement" (RISEP-FIU 2014).

Finally, more wage theft protections at the city level may be on the horizon. The Austin (Texas) City Council passed a **resolution** in early 2022 directing the city manager to develop an ordinance on wage theft, with stakeholder input.<sup>30</sup> Houston and El Paso, Texas, had previously passed similar resolutions (Ramirez 2022).

## **Paid sick and safe leave**

Presently, 19 cities and counties have laws requiring employers to permit workers to take time to recover from an illness or care for a sick loved one and to be compensated for that time (A Better Balance n.d.b, 2021).<sup>31, 32</sup> Now **14 states and Washington, D.C.**, also have passed laws requiring paid sick leave (A Better Balance n.d.b), but local governments first led the way. For example, Jersey City, New Jersey, first enacted a paid sick leave ordinance in 2013, followed by 12 additional cities before a statewide law took effect in 2018.<sup>33</sup> Research shows that paid sick leave ordinances effectively **slow and reduce the spread of contagious illnesses** by reducing the likelihood that workers will go to the workplace sick (otherwise referred to as sick presenteeism) (WCEG 2020). Especially for workers in low-wage industries, paid sick leave provides economic security when facing illness. Meanwhile, research has shown that businesses do not find such laws to be particularly burdensome once they are in effect. For example, a **study** of New York City employers revealed that "[b]y their own account, the vast majority of employers were able to adjust quite easily to the new law, and for most the cost impact was minimal to nonexistent" (Appelbaum and Milkman 2016). Moreover, 86% of the employers surveyed expressed support for the paid sick days law.

Local paid sick leave laws vary—i.e., exemptions for smaller employers, how family and loved ones are defined, the rate at which workers accrue sick time, and when workers start to earn sick time and whether it rolls over. However, many of them were developed with the technical assistance of groups like the nonprofit organization [A Better Balance](#) (A Better Balance n.d.a), and therefore have similar features. They generally provide somewhere in the range of 40 to 48 hours of leave annually, and prohibit retaliation against workers for taking leave.

Some of these laws also create a right to “[safe leave](#)” for situations in which workers or their family members are victims of domestic violence, stalking, and sexual assault (A Better Balance 2019). Safe leave laws can be used, for example, to obtain a protective order, access social services, or relocate.

## Fair scheduling

Eight cities—Chicago; Emeryville, California; New York City; Philadelphia; San Francisco; San Jose, California; SeaTac, Washington; and Seattle—have laws to ensure workers have predictable schedules, more opportunities for existing employees to work, and sufficient periods of rest between shifts (A Better Balance 2022c). This set of policies, which have commonly been referred to as fair workweek or fair scheduling laws, have been championed and implemented because workers, particularly in the service sector, commonly receive their weekly work schedules only a few days in advance, and their scheduled work hours and workdays often change substantially from week to week. Fair workweek laws were first passed at the local level (Fair Workweek Initiative n.d.), paving the way for state-level action; Oregon has now adopted a statewide fair scheduling law.

Research suggests that unstable and unpredictable work scheduling practices undermine workers’ health and well-being and also lead to economic insecurity and income volatility, and that the fair workweek law in Seattle increased not only schedule predictability, but also subjective well-being, sleep quality, and economic security (Harknett, Schneider, and Irwin 2021). Most fair scheduling laws cover specific industries, such as retail or fast-food. They require covered employers to provide an initial estimate of a worker’s schedule upon hiring, advance notice of schedules, and compensation (predictability pay) for employer-initiated schedule changes with less than the requisite notice; workers also typically have the right to decline shifts that do not allow for a requisite period of rest, and the right to request a modified schedule.

In addition, because many workers in the relevant sectors seek additional work hours, fair workweek laws generally require employers to offer additional hours to existing employees before hiring new staff. Such laws also typically include provisions that prohibit employers from retaliating against workers for exercising rights under fair scheduling laws. Fair scheduling laws differ as to which employers are covered (typically limited by size and industry), notice and rest times, the level of predictability pay, and the like. San Francisco’s [Family Friendly Workplace Ordinance](#) specifically entitles workers to request a flexible or predictable schedule to assist with caregiving responsibilities, and requires employers to engage in an interactive process with the worker (San Francisco 2013).

## Laws governing platform companies in the ‘gig’ economy

Almost all federal and state laws governing the workplace protect employees and not independent contractors. Platform companies in the so-called “gig” economy, in which workers are hired via apps, treat workers as independent contractors instead of as employees, thereby avoiding the obligations of an employer. This practice has led to considerable litigation, including [lawsuits by the attorneys general of California and Massachusetts](#), alleging that such workers are misclassified (Gerstein 2020). Employer misclassification of workers as independent contractors is a longstanding, pervasive [problem](#) affecting millions of workers annually (Rhinehart et al. 2021).

New York City and Seattle have both passed ordinances creating various rights and protections for these workers, even as the cities have refrained from determinations about employee status. In 2018, New York City passed [legislation<sup>34</sup> empowering the relevant regulatory agency, the Taxi and Limousine Commission \(TLC\), to set minimum pay rates; accordingly, later that year, the TLC issued a rule](#) (NYC TLC 2018) setting a minimum pay standard based on a [study](#) it had commissioned (Reich and Parrott 2020). In 2020, Seattle passed a similar [ordinance](#) (Seattle OLS 2020i) setting minimum pay for transportation network company drivers. New York City has also passed [legislation<sup>35</sup>](#) allowing a city agency to set minimum payments for third-party (typically app-based) food delivery and courier providers. A [comprehensive proposal](#) to improve pay and transparency about working conditions for such workers was passed in 2022 by the Seattle City Council (Bull 2022, Taylor 2022a).

Seattle also passed a [Transportation Network Company \(TNC\) Driver Deactivation Rights Ordinance](#) (Seattle OLS 2021l), which grants drivers the right to challenge unwarranted deactivations before a neutral arbitrator, and creates a Driver Resolution Center to provide representation for drivers.<sup>36</sup>

Finally, in 2021, New York City passed a series of policies to protect delivery workers whose [precarity was made clear during the COVID-19 pandemic](#) (Figueroa et al. n.d.). An organization of bicycle delivery workers, [Los Deliveristas Unidos](#), played a significant role in advocating for the new law (Los Deliveristas Unidos n.d.; City Staff 2021). The policies include a requirement that restaurants allow delivery workers to use their restrooms as long as they are picking up an order; minimum per-trip payments; transparency for customers and workers about tips (whether the tip goes to workers, in what form, and on what timeline); a prohibition on fees for receiving payment and a requirement that payments are made weekly, including at least one option that does not require a bank account; a prohibition on charging workers for insulated delivery bags; and permission for workers to limit their personal delivery zones (Sugar 2021).

## Protections for freelancers or independent contractors

Minneapolis, New York City, and Seattle have passed laws to aid freelancers and independent contractors in securing timely payment for their work. Because such workers are not generally protected by employment law, they often face challenges in securing payment for their work, which is enforced by contract law and therefore typically requires securing legal counsel for any enforcement action (Yang et al. 2020). These local ordinances protecting freelancers require a written contract that includes certain written terms (e.g., pay rate and payment schedule) for a value greater than a minimum amount, require payment within 30 days of completion of the contract, offer protection against retaliation, and set up an administrative enforcement process. In 2022, the New York State legislature passed a state-level Freelance Isn't Free Act based on New York City's model (Maher 2022).

## Protections against discrimination

Although the focus of this report is labor standards, not discrimination, it is worth noting that local governments have passed laws to expand protections from employment discrimination beyond what is protected under federal and state law. These local laws are typically enforced by local fair employment practices agencies (FEPAs), which are typically separate from agencies that enforce labor laws that regulate workers' wages, hours, and benefits. For example, **at least 330 local governments** have passed nondiscrimination ordinances protecting workers from discrimination at work on the basis of sexual orientation, and **at least 225** have done so to protect workers from discrimination on the basis of gender identity as well (MAP n.d.; HRC n.d.). Some local ordinances also protect workers from discrimination on the basis of marital or partnership status, family status, immigration status, status as a veteran, credit history, caregiver status, sexual and reproductive health decisions, salary history, weight and height, and status as a victim of domestic violence, stalking, or sex offenses (Vanderbilt 2012; Eidelson 2022; Brown 2002). In addition, federal employment discrimination protections only apply to employers with 15 or more workers, and local ordinances also often cover smaller workplaces (Clampitt n.d.). New York City in 2022 included domestic workers in the **law** prohibiting workplace discrimination (NYC CHR 2021). In addition, San Francisco in 2017 passed a **law** requiring employers to provide a reasonable break for a worker desiring to express breast milk for their child and to provide a space for lactation, other than a bathroom, that is shielded from view and intrusion (San Francisco 2017).

Several types of local anti-discrimination laws are described in more detail below.

### Fair chance hiring

**At least 22 local governments** have passed laws requiring private and public employers to consider a candidate's job qualifications before inquiring about a candidate's criminal history—commonly referred to as “ban-the-box” or “fair chance” policies (Avery and Lu

2021). They may also prohibit consideration of certain types of past offenses, or require hiring entities to consider evidence of an applicant's rehabilitation. Even more cities and counties have adopted fair chance hiring for their vendors' or their own hiring. Fair chance policies vary as to the size of covered employers, when a background check is permitted in the job application and interview process, penalties, and enforcement.

## Salary history bans

At least 20 local governments have passed laws prohibiting employers from inquiring about a job applicant's salary history during the hiring process (HR Dive 2022; AAUW 2022).<sup>37</sup> These ordinances seek to remedy systemic pay discrimination against women and people of color by allowing applicants to negotiate a salary based on their qualifications and earning potential, rather than being measured by their previous salary. Some local ordinances apply to private employers operating in the jurisdiction, whereas others apply only to local government hiring processes.

## Pay transparency law

In January 2022, New York City became the first city<sup>38</sup> to enact a **pay transparency law**,<sup>39</sup> which requires employers to list a minimum and maximum salary for positions located in the city. This type of pay transparency law helps curb pay inequities. The law amends the New York City Human Rights Law (NYCHRL), the city's ordinance that protects against employment discrimination, and makes any failure to post salary ranges an "unlawful discriminatory practice." Ithaca, New York also **passed** a similar pay transparency law in May 2022 that applies to any employer with more than three permanent workers based in Ithaca (Zerez 2022).

## Crown Act

Twenty eight municipalities, including **New York City**, have passed laws prohibiting discrimination based on a worker's hairstyle or hair texture (NYC CHR 2019). Often known as the **Crown Act** (NAACP LDEF n.d.), these laws aim to address the impact of natural hair-based discrimination Black workers face in the workplace.

## Protections against wrongful termination

Throughout the United States, almost all states have what is known as at-will employment; employers may terminate workers for reasons unrelated to job performance, as long as they are not discriminatory, retaliatory, or otherwise violative of the law. **Just cause protections** prevent employers from legally firing workers without warning or explanation (Tung, Sonn, and Odessky 2021). Such laws promote economic security and stability for workers and their families; they also protect workers from retaliation for raising concerns about violations of workplace laws.

Both Philadelphia and New York City have adopted ordinances that prohibit employers in certain industries from arbitrarily terminating employees. In **Philadelphia**, parking workers



may only be terminated for just cause (which requires progressive discipline) or a bona fide economic reason (Philadelphia DOL 2021). New York City passed similar **legislation** applicable to fast-food workers (NYC OM 2021e).<sup>40</sup> That legislation was recently upheld in the face of a legal challenge.<sup>41</sup>

In addition, in the wake of Hurricane Irma in 2017, the Miami-Dade Board of County Commissioners passed an **ordinance** (Miami-Dade Cty. 2018) prohibiting employers from retaliating or threatening to retaliate against nonessential employees for complying with county evacuation or other county executive orders during a declared state of local emergency.

## Worker retention laws

Some localities have passed laws to protect workers' employment when services are contracted out or when a contract changes hands (see Weil 2014, Weil n.d. on the "fissured workplace"). At least four cities (Hoboken, Newark, New York City, and Philadelphia) have passed laws that generally require successor contractors that operate in those cities to retain employees for at least 90 days, provide written offers of employment, retain employees by seniority, and maintain a preferential hiring list of employees not retained (Keon 2021; Kiefer 2022; Hoboken n.d.b., Jackson Lewis P.C. 2016). These laws differ in the categories of workers that are covered; Philadelphia's ordinance provides the broadest coverage including security, janitorial, building maintenance, food and beverage, hotel service, and health care services workers (Keon and Sopher 2021). Unlike the policies addressing contractors discussed in Section 8, these ordinances apply to all contractors and subcontractors, not only those contracting with the relevant local government.

## Industry-specific protections

Workers in certain industries may be subject to specific harms or be especially vulnerable to violations of the law. As a result, some local governments have passed laws specifically protecting workers in those industries.

### Domestic workers

Chicago, Philadelphia, and Seattle have passed laws to provide domestic workers' rights. In Seattle and Philadelphia, domestic worker bills of rights seek to ensure healthy working hours, sufficient earnings, and protections from sexual harassment and other exploitation. There are 2.2 million domestic workers in the United States—these housekeepers, child care workers, and home care workers are overwhelmingly (91.5%) women and are likely to be people of color, born outside of the United States, and older than other workers (Wolfe et al. 2020). Domestic workers are three times as likely to be living in poverty as other workers, and often are not protected by federal and state labor laws (Wolfe et al. 2020).<sup>42</sup> Bill of rights ordinances typically provide domestic workers with meal and rest breaks, paid time off, and protections from sexual harassment and discrimination. Seattle's **law** also



created a Domestic Workers Standards Board, which provides a forum for employers, domestic workers, worker organizations, and the public to consider, analyze, and make recommendations to the city on other possible legal protections and standards for domestic workers (Seattle OLS 2018a). [Chicago](#) and [Philadelphia](#) have laws that provide domestic workers with the right to a written contract in English, as well as the language preferred by the worker (Chicago Dept. BACP 2021b; Philadelphia 2021b; Esposito 2021).

## Hotel workers

At least seven cities have passed laws requiring hotels to equip workers with panic buttons, GPS-enabled devices that alert security when activated, and other protections ([Hotel Tech Report 2022](#); [Oakland OCA 2019](#)). Entering a hotel room occupied by a visitor often places workers at risk of sexual harassment and assault, and data show that women in the hospitality and restaurant industries have the highest rates of sexual harassment on the job (Campbell 2019). In addition to requiring panic buttons, local ordinances typically require notice in each hotel room indicating that workers are equipped with panic buttons, and, in some cases, require hotel employers to develop and comply with a sexual harassment policy, take safeguarding steps after receiving an allegation of harassment, and prohibit retaliation for reporting sexual harassment or assault ([UNITE HERE Local 1 2022](#); [West Hollywood CC 2021](#)). At least five cities have also passed laws regulating workloads, including regulation of hours and amount of work denoted in maximum square footage cleaned in a day ([Stokes and Sarchet 2018](#); [Santa Monica 2019](#); [Sarchet 2021](#); [Wagner 2020](#); Seattle OLS 2020f; [Emeryville 2022](#)). A few localities require additional payments from employers to increase health care access, and preferential hiring to retain workers when hotel ownership changes ([Wagner 2020](#); [Sarchet 2021](#); [Santa Monica 2019](#)).

## Fast-food workers

New York City in 2017 passed [a law](#), which is no longer in effect, requiring fast-food employers, upon authorization by an employee, to deduct voluntary contributions from workers' paychecks and remit them to a nonprofit organization (not a labor union) designated by the employee (NYC n.d.c).<sup>43</sup> The voluntary contributions were intended to enable and facilitate such workers having support and assistance from an organization advocating on their behalf, addressing work-related issues and other matters affecting working people.

## Grocery workers

Los Angeles, [New York City](#), and San Francisco have grocery worker retention policies that require new grocery store owners to retain employees of the previous owner for a 90-day transitional period after a change in ownership of the grocery store (NYC OLPS n.d.a; PWF n.d.e).<sup>44</sup> The ordinances also establish a review process through which workers will be considered for continued employment.

## Car wash workers

New York City's car wash accountability law requires car washes to obtain a **license** to operate (NYC DCWP n.d.a). In addition to a license application, car washes must provide proof of workers' compensation insurance, proof of disability benefits insurance, proof of commercial general liability insurance, and proof of unemployment insurance. Notably, car washes must also post a surety bond (also known as a wage bond) to cover potential wage claims as a condition of doing business.

## Adult entertainment workers

Minneapolis in 2019 passed an **ordinance** requiring adult businesses to give workers copies of their contracts, post rules for customer conduct and workers' rights, and prohibit retaliation against workers who report violations (Otárola 2019). Under the law, managers and owners are also prohibited from taking tips from workers, and workers will be provided security escorts when leaving after a shift. The ordinance also requires businesses to follow standard cleaning procedures, clear tripping hazards, and install security cameras to monitor all areas where entertainers interact with customers.

## Wage standards and other requirements for local contractors or license/permit holders

Many localities have placed requirements on their contractors, including prevailing wage laws, living wage laws, and responsible bidder rules. In addition, some localities have created requirements for license or permit holders, in relation to compliance with labor laws or disclosure of past violations. Section 7 contains a detailed discussion of local laws affecting government contractors, and those affecting license and permit applicants and holders.

## Higher labor standards for airport workers

Airports throughout the country are owned and operated by public entities—local and state governments, and regional entities composed of such governments (NASEM 2017).<sup>45</sup> These public entities have required minimum wages for contractors and vendors at airports as a condition of being permitted to operate there. Many airport workers are low-paid; research has shown declining or stagnant wages, and poor working conditions (Sainato 2018; Editorial Board NYT 2018; Houston n.d.; Dietz, Hall, and Jacobs 2013). The Service Employees International Union (SEIU) has catalyzed airport-driven wage increases as a way to improve the working conditions of poorly paid janitorial, catering, food service, and other workers in airport facilities.

In places where local governments have authority to regulate the airport, many localities have exercised this authority to require all airport contractors to pay a higher minimum wage than the wage broadly required within the surrounding jurisdiction. Counties that have taken such action include **Broward County** (Fort Lauderdale, Florida) and **Miami-Dade**

County, Florida (Miami-Dade Cty. n.d.a, n.d.b; Broward 2021). Cities taking similar action include Chicago, Denver, Houston, Los Angeles, Oakland, Philadelphia, Portland, Oregon, St. Louis, San Francisco, and San Jose, California (Spielman 2022; SEIU 2019; Houston n.d.; LAWA n.d.; Philadelphia CC 2021b; Holton 2021; Philadelphia CC 2021a; Port of Portland 2020; Port of Oakland 2001, 2021; STL Air Portal n.d.; SF OLSE n.d.d; Aitken 2021). In some instances, additional labor standards are required of airport contractors; for example, San Francisco also applied its **health care ordinance** to airport workers (San Francisco 2020), and the city of Los Angeles includes a **worker retention provision** (LAWA n.d.).

Some localities like Miami-Dade County, Philadelphia, and San Francisco, require certain contractors operating at the airport to enter into labor peace agreements with labor unions (LAWA n.d.).<sup>46</sup> A labor peace agreement generally requires the employer and union to waive certain rights under federal law with respect to union organizing (for example, neutrality and nonopposition to the union on the employer side and a promise not to strike, picket, or disrupt the employer's operations on the union side) to ensure uninterrupted workflow or, in the case of government, uninterrupted delivery of public services. In addition, the city of SeaTac, Washington, does not contain Seattle's airport, but largely surrounds the airport; it passed **an ordinance** setting minimum employment standards for hospitality and transportation industry employers that requires higher wages for hotels and other businesses in the airport's immediate vicinity (SeaTac n.d.).

## Protecting workers and public health during the COVID-19 pandemic

Local governments have played a crucial role in protecting public health and worker safety during the COVID-19 pandemic. Especially given the failure of the federal government to take actions to protect worker safety in the beginning of the pandemic—and then subsequent action by the U.S. Supreme Court preventing the federal government from implementing a vaccine-or-test standard for workplaces—local and state governments have had to take emergency action to protect workers and public health (Rosenberg 2021; Totenberg 2022). Given that COVID-19 spreads through airborne transmission of respiratory droplets from infected people, protecting workers from contracting and spreading COVID-19 also plays an important role in protecting overall community public health and safety. Moreover, because of racial health disparities and the overrepresentation of people of color as essential workers, Black and Latino workers have been and remain at higher risk of contracting and developing serious complications from COVID-19 (UIC SPH 2021).

Local governments have used myriad authorities and programs to address the challenges facing workers during the pandemic, including emergency authorities often pegged to the duration of a local public health emergency order.<sup>47</sup> Local governments—most typically by mayoral executive order—have used these emergency authorities to issue stay-at-home orders, as well as masking, testing, quarantine, and vaccination requirements (Foster n.d.; Kim and Romero 2021). For example, in December 2021, New York City's mayor issued **an**

**order** requiring all workers who perform in-person work or who interact with the public to be vaccinated (NYC DOH n.d.). These orders were typically enforced by local public health departments which, in some places, have taken complaints from workers and taken enforcement actions to stop workplace spread. Although these local public health measures are not always tied to the workplace, they are crucial to worker health and safety by ensuring that workers can stay home when necessary and reducing the likelihood of unmasked interactions.

In addition to the specific policies and programs intended to protect workers and public health during the pandemic outlined below, local governments also have established worker boards to hear from workers affected by the pandemic;<sup>48</sup> mounted **public education campaigns** to inform workers, employers, and patrons about COVID safety at work (SAW LA n.d.); **provided personal protective equipment (PPE)** to employers for distribution to workers (St. Louis 2020); and **set up funds** for undocumented workers who were excluded from unemployment insurance and other federal funding (MF Phila. n.d.).

## **Paid sick leave: Modifications, enforcement, and emergency policies**

As discussed above, 19 local governments have permanent paid sick leave laws. At least 16 local governments have made clear that paid sick leave may be used when their workplace or their child's school or child care facility is closed due to a public health emergency (A Better Balance 2020, 2022b).<sup>49</sup> **Philadelphia**, **San Francisco**, and **Seattle** temporarily limited employers from requiring a doctor's note for employees to take sick leave (Philadelphia OMD 2020; SF OLSE 2020; Seattle OLS 2020g).

In addition to clarification and enforcement of permanent paid sick leave policies, local governments have also enacted emergency paid sick leave policies to supplement or extend federal emergency protections.<sup>50</sup> For a period, the federal Families First Coronavirus Response Act required employers with fewer than 500 employees to provide workers with paid sick leave or expanded family and medical leave for reasons related to COVID-19, including the need to quarantine, care for an individual in quarantine, or care for a child whose care or schooling has been disrupted by the pandemic. Several local governments have passed paid sick leave legislation that supplements federal protections, for example by applying to employers with more than 500 workers, adding eligibility by permitting workers to take paid leave because they are older than 65 or are particularly vulnerable to COVID-19, and expressly permitting workers to take leave for vaccination-related illness (A Better Balance 2020). Local governments like Burlington, Vermont; Flemington, New Jersey; Shelby County, Tennessee; and Wilmington, North Carolina, enacted such emergency paid sick leave policies for their local government employees (A Better Balance 2020). **Philadelphia**<sup>51</sup> and **Seattle**<sup>52</sup> have passed emergency paid sick leave policies that extend to food delivery and transportation gig workers. Los Angeles County passed **legislation** requiring employers to provide additional paid leave for vaccination and recovery for workers who had exhausted their paid leave (LA County LED 2021).

## Protection against retaliation in connection with workplace safety

Los Angeles County and Philadelphia passed ordinances prohibiting employer retaliation against workers in connection with workplace safety and compliance with COVID-19 public health orders. Los Angeles County’s **law** prohibits any adverse action by an employer against a worker for blowing the whistle on noncompliance with public health orders; discussing any perceived noncompliance with the county, other employees, or members of a public health council; belonging to a public health council; or informing employees of their rights under this ordinance (LA LED 2020; LA County n.d.). Notably, Los Angeles County’s law does not sunset. Philadelphia’s **law**<sup>53</sup> prohibits employers from taking any adverse action against a worker for refusing to work in unsafe conditions if the worker reasonably believes the employer is operating in violation of a public health order and has notified the employer. An anti-retaliation law passed in **Chicago** (Chicago Dept. BACP 2022) protects against retaliation in relation to compliance with COVID-19 public health orders.

## Hazard and premium pay

More than two dozen local governments in California and in the Seattle metropolitan area **passed laws** mandating hourly hazard pay bonuses of typically \$4 or \$5 per hour for grocery store workers (Egan et al. 2021; King 5 Staff 2021). **Some laws** also cover drugstore employers and vary as to the size of the employer covered (Kinder and Staterler 2021). Seattle also passed **an ordinance** providing food delivery gig workers premium pay on a per pick-up and drop-off basis (Seattle OLS 2020c).

## Right to recall

At least 18 cities (Fair Hotel 2021) have passed laws—commonly referred to as “right to recall” or “right to return” laws—to protect workers in certain affected industries that were laid off during the pandemic. In particular, the leisure and hospitality sector accounts for **39% of total jobs** lost due to the pandemic, which disproportionately affected workers of color (Huang 2021). These laws require employers to offer positions that become available first to qualified laid-off workers, typically in order of seniority. The laws vary as to which employers are covered (hospitality, event centers, commercial real estate), and whether laid-off workers can become qualified for the position with the same training that would be provided to a new employee hired into that position, enforcement, and notice. Detroit also passed a **resolution** in support of the right of recall, but is preempted by the state of Michigan from enacting an ordinance to that effect (DeVito 2021). **Five cities** have also applied this right to recall to changes in ownership of the employer (Fair Hotel 2021).

## Severance

Shortly after emergency federal unemployment insurance relief in response to the COVID-19 pandemic expired, New York City passed a **severance law** requiring hotels with at least 100 rooms to pay a weekly severance of \$500 per employee per week to laid off-

employees for up to 30 weeks until the hotel has recalled 25% or more of its employees or reopened to the public (Moss 2022).

## Vaccination

In addition to providing emergency paid sick leave for vaccination and recovery, local governments also have partnered with worker organizations to promote vaccination. Philadelphia partnered with the National Domestic Workers Alliance to transport workers to vaccine sites, where city officials addressed concerns by providing information about paid sick leave laws. Houston **partnered** with SEIU to deliver vaccines to janitors (Gerstein and Salas 2021).

## Discrimination

San Francisco enacted **an ordinance** prohibiting employers from discrimination based on exposure to or having tested positive for COVID-19 (SF OLSE n.d.b). Employers are prohibited from taking any adverse action (i.e., firing, threatening to fire, suspending, disciplining, rescinding an offer) against a worker because the worker tested positive for COVID-19 or is isolating or quarantining due to COVID-19 symptoms or exposure.

### Opportunity for action: Funding under the American Rescue Plan Act (ARPA)

Funding under the American Rescue Plan Act of 2021 (ARPA) may provide an opportunity for more localities to enact laws or programs that benefit workers (**Local Progress** n.d.a, 2021). Among other things, ARPA established the Coronavirus State and Local Fiscal Recovery Funds to “provide state, local, and Tribal governments with the resources needed to respond to the pandemic and its economic effects and to build a stronger, more equitable economy during the recovery.” The **final rule** released by the U.S. Treasury Department explains that such funding may be used to support several kinds of programs to support workers.<sup>54</sup> Specifically, funds may be used to “respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits,” and to “respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers.” As a result, for example, permissible uses of the funds would include creating, expanding, or financially supporting **paid sick leave programs** (A Better Balance 2022a) or provision of **premium (i.e. hazard) pay**; (Kamper 2022). Indeed, the Mayor of Minneapolis has proposed committing **\$750,000 of ARPA funding** for “Labor Standards and Workers Center Co-Enforcement and Trafficking Prevention” within the city’s Civil Rights Department, which houses the Labor Standards Enforcement Division.<sup>55</sup>

Local governments throughout the country have been allocated significant

amounts of funding (Treasury 2021, n.d.), and are making their own determinations about how to use it, using their own processes. There does not appear to be **uniform transparency** about ARPA funding decisions (Furtado 2021),<sup>56</sup> so it ultimately may require targeted efforts to track how much funding is used for worker-related purposes.

## Federal and state preemption should be considered but still permit considerable action on workers' rights matters

Preemption occurs when a higher level of government (for example, the federal or state government) restricts or withdraws the authority of a lower level of government (such as a city council) to act on a particular issue. While a detailed discussion of preemption is beyond the scope of this report, it is important for local governments to consider potential preemption by federal or state law.

### Federal preemption

An analysis of federal preemption starts with the question of congressional intent: Did Congress intend to displace state or local law? Federal preemption limits some possibility for local action on workers' rights, but still leaves significant room for legislation, enforcement, contracting consequences, and other local innovation. Some relevant federal laws and points to consider are as follows:

- The National Labor Relations Act (NLRA) guarantees and regulates the right of private-sector workers to organize into unions, bargain collectively, and take collective action to improve their working conditions. NLRA preemption is quite broad, and for workers covered by the NLRA, local and state governments are preempted from regulating workers' rights to form and join labor unions or to bargain collectively with their employers, employer speech about unionization, and bargaining rules and obligations (Sachs 2011). Notable exceptions are when a state exercises traditional police powers; also when a state or local government acts as a "market participant," it enjoys the same freedom to structure its labor policies as a private party and is not limited by NLRA preemption. Thus, local governments can require contracts to honor prehire agreements, for example.<sup>57</sup> Moreover, local governments are free to enact labor laws that otherwise would be preempted by the NLRA for workers who are not covered by the law (i.e., farmworkers and domestic workers).
- The Occupational Safety and Health Act (OSH Act) regulates workplace safety nationally. It only preempts local and state action when there is a standard set by the Occupational Safety and Health Administration (OSHA) addressing a particular and



specific workplace hazard (Flanagan, Gerstein, and Smith 2020). However, even if there is an OSHA standard, a local law, regulation, order, or government action will not be preempted if it protects the general public; to wit, laws of “general applicability (such as laws regarding traffic safety or fire safety) that do not conflict with OSHA standards and that regulate the conduct of workers and non-workers alike would generally not be pre-empted.”<sup>58</sup> For example, a New York City building code provision regulating cranes was found not to be preempted because it protected not only workers, but also the “safety of the general public in the vicinity.”<sup>59</sup> In addition, 21 states and Puerto Rico have become OSHA-approved “state plans” (USDOL OSHA n.d.) that regulate private-sector workplace safety and health themselves; they are subject to OSHA oversight and their provisions must be as protective of workers as OSHA standards and regulations (USDOL OSHA n.d.).<sup>60</sup> In such states, federal OSHA preemption would not apply.

- There is no preemption of local standards that are more protective of workers under the Fair Labor Standards Act (FLSA), which sets the floor for minimum wage, overtime pay, record-keeping, and youth employment standards nationwide.<sup>61</sup> In other words, the FLSA does not preempt higher minimum wages at the state and local levels.
- As a general matter, exercise of traditional police powers (civil or criminal) does not lead to preemption concerns. Longstanding principle in preemption cases requires courts to “start with the assumption that the historic police powers of the states are not to be superseded...unless that was the clear and manifest purpose of Congress.”<sup>62</sup> For example, criminal prosecutions of employers, or civil tort lawsuits, for conduct that would also give rise to occupational safety and health violations generally would not be preempted (Flanagan, Gerstein, and Smith 2020).

## State preemption

Local policymaking to advance and expand and protect workers’ rights, as well as other progressive causes, is substantially hindered by the emergence of state preemption used in a punitive manner (Briffault 2018).<sup>63</sup> In particular, conservative state legislatures have increasingly preempted local efforts to increase the minimum wage, guarantee paid sick leave, require fair scheduling, regulate gig employers, and set prevailing wages for municipal contracts (Wolfe et al. 2021). For example, at least 26 states have passed preemption laws to prohibit local governments from setting minimum wages higher than the state minimum wage (EPI 2019). The preemption of local policies to support workers’ rights is most common in the South and Midwest, where these laws are part of a long history of efforts to limit the rights and freedoms of Black people (Blair et al. 2020; Wolfe et al. 2021). Even a progressive state like Washington recently moved in this problematic direction when the state legislature passed a bill on transportation network companies (like Uber and Lyft) that preempts any local regulation of the industry.<sup>64</sup>

An encouraging development in this area occurred in Colorado, when the state in 2019 reversed its prior preemption of local labor standards, providing cities and worker advocates in other states with potential lessons in how to do the same elsewhere (Huizar 2019a).



Even in the face of state and local preemption, there are still opportunities for localities and local government leaders to take action to protect workers: passing legislation that is not preempted; setting high standards in relation to local government employees; conducting extensive know-your-rights outreach and public education about workers' rights; supporting pro-worker state legislation; conducting research and issuing reports on worker issues; documenting the extent of labor violations; promoting labor compliance by local government contractors, permit-holders, and licensees; and advocating for an end to state-level preemption. In addition, the Local Solutions Support Center and National Employment Law Project have created [resources](#) to assist localities in making assessments regarding preemption of desired action (Huizar 2021; LSSC 2020a, 2020b).

## Enforcing local worker protection laws

This section provides examples of the enforcement cases brought by local labor agencies in recent years. However, it is important to note that the case descriptions are just a sampling of enforcement work performed at the city level, based on publicly available media coverage and press announcements. Only a few city agencies routinely issue news releases or disclose employer information about their investigations. More could recognize news releases as a tool in their worker protection toolkit, given the [documented impact](#) (Johnson 2020) of deterring employer violations by issuing press releases in workplace enforcement.

Some office websites include dashboards, posted annual reports, or other compilations of enforcement work, which should be consulted in conjunction with the below case descriptions, in order to obtain a fuller picture of the work being done. For example, Denver Labor, a division of the Denver Auditor's office created in 2019, posts [restitution stories](#) (Denver n.d.b) on its website, summarizing the office's enforcement work, including industry of employers, type of work, amount of money recovered, and the number of workers involved, although it does not mention specific employer names. The Seattle Office of Labor Standards has a [Resolved Investigations](#) (Seattle OLS n.d.e) section of its website, with detailed information about closed cases, and in 2021 released a press [announcement](#) (Seattle OLS 2021h) commemorating the office's six-year anniversary and detailing accomplishments in that time. In addition, a number of offices post annual or periodic reports that include information not only about enforcement actions, but also about legal developments, outreach and public education activities, regulations issued, and more. (See Section 9 for more detail).

In addition to dedicated labor standards offices, it should be noted that city and county attorneys, who represent local government entities in legal proceedings, have sometimes enforced local worker protection laws. Some city and county attorneys have criminal authority to prosecute misdemeanors, but they typically bring and defend civil suits on behalf of local governments. Many city and county attorneys have the authority to enforce local ordinances to protect workers, although such enforcement is uncommon in many jurisdictions. In some states, they also have the authority to enforce select state laws,<sup>65</sup> and they also can bring [impact litigation](#) on behalf of local governments (Justice Catalyst

et al. 2019). In some cases, city or county attorneys have enforced workplace laws, either independently or in conjunction with municipal labor standards offices or other government entities.<sup>66</sup> District attorneys, and in some places county or state's attorneys, are responsible for criminal enforcement, and are increasingly using those powers to prosecute employer crimes involving serious violations of workers' rights. In some jurisdictions, they have authority to bring civil cases as well.<sup>67</sup> Criminal prosecutors have also been **increasingly active** in bringing charges against employers to protect workers' rights (Gerstein 2021). In addition, some local auditors and controllers also enforce workplace laws. For example, in New York City, the comptroller plays a significant role in enforcing prevailing wage and other laws within the city (NYC Comptroller n.d.), and the city controller also enforces Pittsburgh's **prevailing wage ordinance** (Pittsburgh 2010). Local departments or agencies that focus on contract enforcement may also enforce worker protections and standards in local governments contracts (LA City BCA n.d.). While enforcement action by these various officials is noteworthy, the cases outlined below generally include those brought by local labor standards agencies.

## Examples of enforcement

In the compilation of cases below, where the same employer has committed multiple violations of law, to avoid duplication, cases are listed in one category only.

### Paid sick leave

Enforcing paid sick leave laws has been a significant focus for many local agencies, particularly since these laws often exist only at the local level. New York and Seattle have been particularly active in this area. Agencies have obtained restitution for workers, as well as reinstatement in some cases. In some instances, settlements have also included crediting workers with additional paid sick leave in the future. New York City required Starbucks to educate the public about paid sick leave laws through posters in public areas, and Minneapolis required a home health agency to train all managers and staff on the relevant law.

New York City's Department of Consumer and Worker Protection has enforced paid sick leave laws in multiple industries, with noteworthy cases involving fast-food, home care, and airline industry workers.

- The department conducted **multiple investigations** of paid sick leave violations involving home health agencies, including a 2021 collaborative **case** with the New York state attorney general's office resulting in the recovery of up to \$18 million for 12,000 home health aides at two agencies that underpaid workers and did not provide paid sick leave. In 2022, the department also reached **settlements** involving two domestic workers who had been denied paid sick leave (NYC DCA 2018a; NYC OM 2020a, 2021c; NYC DCWP 2022).
- Fast-food industry cases include a \$155,000 **settlement** with a McDonald's franchisee in 2019 (also involving fair workweek violations); an ongoing case against Chipotle, in the midst of which the city **obtained reinstatement** for a worker who had been

unlawfully terminated; and a 2019 **settlement** with Starbucks, jointly with the New York state attorney general's office, in which the company agreed to create a \$150,000 restitution fund for employees whose rights had been violated, and to promote public education about the paid sick and safe leave law by requiring Starbucks to post an educational poster about paid sick leave in public locations in all New York City stores (NYC OM 2019b, 2020c NYC OM 2019c).

- The department in 2019 **sued** American Airlines for violating the paid sick and safe leave law by assigning disciplinary points and thereby illegally retaliating against workers for taking leave. American Airlines later sued New York City challenging the law. The case was ultimately **settled** in 2021; the airline agreed to pay workers restitution and to comply with the law going forward. The department in 2021 also settled a **case** involving a Southwest Airlines ground crew worker who was illegally fired for using sick leave; the resolution required reinstatement and payment of restitution. And in 2020, the department **settled** a case with an American Airlines contractor that staffed wheelchair attendants, customer service representatives, baggage handlers, and cargo agents; the contractor was required to pay more than \$100,000 in restitution, and also to credit workers with additional prospective paid sick leave (NYC DCWP 2019b, NYC OM 2021b, 2021d, 2020b).
- In one case involving a law firm that violated the paid sick leave laws, the department obtained a hearing officer **decision** requiring payment of \$172,000 to the worker (NYC DCWP 2019a).
- The Department of Consumer and Worker Protection **settled** two cases involving domestic workers who were denied paid sick leave (one was fired for using sick leave and for filing a complaint, ultimately losing their housing as a result) (NYC DCWP 2022).
- New York City's law also requires paid safe leave to be used by those experiencing domestic violence, human trafficking, stalking, or similar offenses; the office in 2020 obtained a \$25,000 settlement in its **first paid safe leave case** (NYC DCWP 2020b).

The Seattle Office of Labor Standards in 2011 **recovered** (Seattle OLS 2021i) more than \$290,000 from a cleaning company for paid sick leave and other violations, including not paying for all hours worked, paying subminimum wages, and making unauthorized deductions from workers' pay for training and other costs. In 2021, Seattle's Office of Labor Standards resolved a paid sick and safe leave (Seattle OLS 2021c) involving Compass, a multinational food service company with hundreds of thousands of employees worldwide.

The Labor Standards Enforcement Division of the Minneapolis Department of Civil Rights has brought a number of paid sick leave enforcement cases, including against the national sandwich shop **Jimmy John's** (Mahamud 2021) and a **local gas station** (Minneapolis 2018), as well as a **home care business** (Du 2021). In that last settlement, the division required the employer to train managers and staff on the relevant law, and to credit all workers with 80 hours of sick leave.

Chicago's Office of Labor Standards in 2021 **reached** (Chicago OM 2021) **paid sick leave settlements** (Channick 2021) with a Burger King franchisee, recovering more than

\$458,000 in restitution for workers plus \$100,000 in city fines, and with global snack food company Mondelez Global LLC, recovering \$476,000 in restitution for workers plus \$95,000 in fines.

## Wage theft

Some city agencies have authority to enforce municipal minimum wage or other wage-related laws. Wage theft<sup>68</sup> cases brought by city enforcement agencies include the following.

Seattle's Office of Labor Standards has been a national leader in enforcement activities in this area. Cases include:

- a \$2 million **settlement** with a Domino's franchisee in 2022 based on the employer paying workers below the city's minimum wage and failing to pay overtime when employees' work at multiple locations led to workweeks in excess of 40 hours; the case also involved fair scheduling violations (Seattle OLS 2022a)
- a 2022 **settlement** for more than \$250,000 with a national traffic control company that paid below the city's minimum wage, among other things (Seattle OLS 2022b)
- a **finding** in 2021 that construction contractors and subcontractors were jointly and individually liable for \$2 million in underpayment based on a host of violations, including unauthorized deductions from workers' paychecks, subminimum wages, uncompensated work time, nonpayment of overtime, and failing to provide paid sick and safe time (Seattle OLS 2021g)
- a 2021 **settlement** for more than \$290,000 with a cleaning company for minimum wage paid sick and safe time violations, and retaliating against workers (Seattle OLS 2021i)
- a 2019 **settlement** for \$182,000 with two Hyatt hotels that were paying a lower minimum wage for small employers instead of the applicable higher wage, and a \$686,000 **settlement**, also in 2019, with a staffing company based on similar violations; the office also reached a \$120,000 **settlement** for underpaid home care providers (Seattle OLS 2019d, 2019c, 2019b)
- after **finding** wage theft and other violations by two painting contractors, the office provided trainings in 2018 to the industry trade association
- the office also **recovered** more than \$40,000 on behalf of workers with disabilities after the city eliminated a previously existing subminimum wage for such workers
- in one 2018 case involving a restaurant that had retained workers' tips and failed to provide paid sick time, the **employer apologized** to employees (Seattle OLS 2018c, 2018d, 2018b)

Other local enforcement actions include a 2018 **settlement** (Minneapolis 2018) for \$20,000 with McDonald's by the Labor Standards Enforcement Division of the Minneapolis Department of Civil Rights, and a 2021 **lawsuit** (Chicago Dept. BACP 2021c) by the city of Chicago against DoorDash that focused on other legal issues, but also contained

allegations that the company illegally retained workers' tips.

In addition, Denver Labor **reported** (Denver OA 2021a) multiple successful enforcement actions in 2021 involving cases under the city's minimum wage law, contractor minimum wage law, and prevailing wage law. Minimum wage cases included investigations involving a local restaurant, home improvement sales workers, a national retailer, a janitorial company, a fast-food chain, and a hair salon; sample prevailing wage cases involved a custodial contractor at the Denver Zoo, a crane contractor on a federal prevailing wage project, and solar power contractors at Denver International Airport.

## COVID-19 pandemic-related enforcement

Seattle's Office of Labor Standards has brought several actions enforcing the city's gig worker paid sick and safe time law passed in June 2020. These enforcement actions have resulted in a \$3.4 million **settlement with Uber** (Seattle OLS 2021d), a nearly \$1 million **settlement** (Seattle OLS 2021e) with Postmates, and a \$160,000 **settlement** (Seattle OLS 2021f) with DoorDash, all in 2021. In addition, the office **recovered** (Seattle OLS 2021j) more than \$330,000 for 101 wine and alcohol shop workers who did not receive hazard pay as required by city law, as well as **more than \$100,000** (Seattle OLS n.d.g) for workers for the gig delivery company Go Puff. Los Angeles County also took **enforcement** (LA County CBA 2021b) actions against a number of employers based on pandemic-specific workplace protections, including a grocery store that failed to pay "hero pay" (also known as premium pay during the pandemic), and a construction company that terminated a worker for requesting indoor use of face coverings. Pursuant to New York City's Grocery Worker Retention Act, the city's Department of Consumer and Worker Protection **filed a case** (NYC DCWP 2020c) against a Bronx supermarket in 2020 and **resolved it several months later** (NYC DCWP 2021a) with payment of restitution and reinstatement of most of the discharged workers.

## Protections for gig workers and freelancers

The broader issue of classification of workers for app-based driving and delivery companies generally has been playing out at the federal and state, and not local, level. The issue has emerged, for example, in relation to state laws on wages, workers' compensation, and unemployment insurance (NELP 2019).<sup>69</sup> However, there have been some instances of localities challenging misclassification of such workers as independent contractors rather than as employees. In other cases, several cities have created municipal-level wage, paid sick leave, or other protections that apply broadly, including for so-called gig workers, and have taken action to enforce those municipal laws in relation to app-based companies.

In addition to the COVID-19-related cases brought by Seattle described above, other cases include a civil **lawsuit** (SF ODA 2021) against the cleaning company Handy filed in 2021 by the district attorneys of Los Angeles and San Francisco, as well as a 2021 **letter inquiry** (Fox, Marchese, and Shimko 2021) regarding Handy's potential misclassification, sent by the Seattle and Chicago Offices of Labor Standards and the Philadelphia Office of Worker

Protections. Also, in 2021, the San Francisco city attorney, San Francisco Office of Labor Standards and Enforcement (OLSE) and a city supervisor **announced** (SF OCA 2021) a \$5.3 million settlement with DoorDash, the largest in the OLSE's history, after an investigation into allegations of violations of San Francisco's paid sick leave law and a separate **health care security ordinance** (SF OLSE 2022), which creates an employer spending requirement to fund health care benefits (health insurance, dental, or vision coverage) for employees in the city. In 2020, OLSE reached a settlement of nearly \$750,000 with grocery delivery company **Instacart** (Said 2020).

In addition, New York City agencies have taken action to enforce the city's **Freelance Isn't Free Act** (NYC DCWP n.d.e), which **gives freelance workers** (NYC DCA 2018c) the legal right to written contracts, timely payment, and freedom from retaliation. In late 2021, the New York City Law Department and Department of Consumer and Worker Protection **announced** (NYC OM 2021f) a **lawsuit** (NY Supreme Court 2021) against French global fashion media company L'Officiel, based on a pattern of failing to pay freelancers on time or at all, including writers, editors, photographers, videographers, graphic designers, and illustrators. According to DCWP, the agency has received 2,024 complaints from freelancers since the law's inception in 2017, and has helped freelancers recover more than \$2.1 million in owed compensation for their work.

## Fair scheduling laws

Several cities have fair scheduling or fair workweek laws, which require employers in certain industries (usually retail and/or fast-food) to provide workers with their schedules with advance notice. These laws ensure that workers can plan for child care, elder care, education, second jobs, and other responsibilities, without having the insecurity of unstable and unpredictable schedules. In some cases, fair workweek laws also require employers to offer current part-time workers additional hours before hiring new employees, thereby increasing opportunities for full-time employment.

Seattle's Office of Labor Standards has resolved a number of investigations under its secure scheduling ordinance, including **recovery** (Seattle OLS n.d.f) in 2020 of nearly \$2 million from Macy's in a case involving more than 800 workers, and **recovery** (Seattle OLS 2020a) that same year of more than \$600,000 from Fred Meyer's supermarkets in a case involving approximately 750 workers. In 2019, Seattle resolved a secure scheduling **case** (Seattle OLS 2019a) involving two franchises operating nine Jack in the Box locations and employing more than 500 workers.

New York City's fair workweek law applies only to fast-food employers, and the Department of Consumer and Worker Protection has brought a number of actions. Most notably, in 2021, the department **sued** (Scheiber 2021) fast-food chain Chipotle for extensive and ongoing violations at several dozen stores, alleging that workers are owed \$150 million as a result. The 2021 filing followed a prior **case** (NYC OM 2019a) in 2019. New York City also enforced its fair workweek law in cases involving **McDonald's and Pizza Hut** (NYC OM 2021a) locations, the **owner of 30 KFC stores** (NYC DCA 2018b), and **multiple other fast-food employers** (NYC DCWP 2020a).

Philadelphia's fair workweek law covers service, retail, and hospitality workers. A 2021 case involved the [resolution](#) (Reyes 2021a) of allegations of violations by a local Target.

## **Additional cases: Just cause termination rights, health care, and consumer protection**

In addition to the broad categories described above, offices also have brought cases under other laws to protect workers and consumers. For example, in 2021, the New York City Department of Consumer and Worker Protection [announced](#) (NYC DCWP 2021b) the resolution of its first investigation of a termination of two Subway workers in violation of a [new city law](#) (NYC OM 2021e) protecting fast-food workers from being fired without just cause or for a bona fide economic reason. And in a consumer-related case, the department [settled charges against](#) (NYC DCA 2017) a large New York City parking garage company that began charging monthly customers an additional "living wage fee" after an increase in the city's minimum wage under state law. The San Francisco city attorney has worked with the Office of Labor Standards in bringing cases under the city's health care security ordinance, including a 2019 [lawsuit](#) (SF OCA 2019) against a tour bus company, and recovery in 2014 of [\\$1.34 million from a janitorial company](#) (SF OCA 2014).

## **Funded strategic enforcement partnerships with worker organizations**

Some local labor agencies have explicitly and formally included worker organizations in aspects of the labor law enforcement process, by contracting with community organizations to support community partnerships that conduct public education and outreach, and refer violations to the enforcement agencies. Such relationships are sometimes referred to, most commonly by worker advocates, as "co-enforcement."

This model has long existed at the federal level: The Occupational Safety and Health Administration (OSHA)'s Susan Harwood Training Grant Program since 1978 has awarded grants to nongovernmental entities, including worker organizations, "to provide training and education programs for employers and workers on the recognition, avoidance, and prevention of safety and health hazards in their workplaces and to inform workers of their rights and employers of their responsibilities" under the Occupational Safety and Health Act.

Several local agencies in more recent years have created similar formal, funded partnerships with worker organizations, including unions, worker centers, and community-based organizations. Some of these organizations played a role in advocating for what is now the longest-standing local program of this type, in [San Francisco](#) (Patel and Fisk 2017). The city was a forerunner in creating its community partners program was established under a 2006 amendment to the city's minimum wage law, requiring the Office of Labor Standards Enforcement to create a community-based education and outreach program focused on workers in particular industries (San Francisco 2011).



The Office of Labor Standards in Seattle has a Community Outreach and Education Fund that grants money to community organizations focused on workers who experience high rates of workplace violations, including women, workers of color, immigrants and refugee workers, LGBTQ workers, workers with disabilities, veterans, and youth workers. The most recent round of grants was **announced** (Seattle OLS 2021k) in December 2021; nearly \$3 million in funding will be provided over two years to nine organizations that will provide outreach, education, and support to low-wage workers. The office also has a **Business Outreach and Education Fund** (Seattle OLS n.d.a), which provides assistance and outreach to small businesses owned by low-income and historically disenfranchised communities, in order to increase their compliance with city labor laws. For the two-year period starting in January 2021, the fund committed \$1.1 million to five organizational grantees. In 2021, the office also granted \$50,000 to an organization to provide outreach to domestic employers about their obligations.

In 2021, the Chicago Office of Labor Standards **announced** (Chicago Dept. BACP 2021a) a \$100,000 grant, funded in part by the city and in part by the Chicago Foundation for Women, to the nonprofit Arise Chicago. The funding is for outreach and education on city labor laws, with additional activities focused on domestic workers: providing trilingual trainings in developing contracts, and offering template contracts in Spanish, Polish, and English, among other things.

A Minneapolis ordinance requires the development and implementation of “a multilingual and culturally specific outreach and community engagement program to educate employees and employers about their rights and obligations under this chapter...[with] media, trainings and materials accessible to the diversity of employees and employers in the city.”<sup>70</sup> Accordingly, the Office of Labor Standards has devoted \$300,000 annually to contracting with community organizations for these purposes. The **Centro de Trabajadores Unidos en La Lucha** (CTUL)(CTUL n.d.) is a grantee and also helps administer the contract; in 2021, CTUL subcontracted also to **Awood** (a worker center serving the East African community) (Awood n.d.) and the local chapter of **Restaurant Opportunities Centers United** (ROC-United n.d.; Walsh 2021).

Finally, the Santa Clara County Office of Labor Standards Enforcement also provides funding for education and outreach to community-based organizations providing services to workers and businesses in Santa Clara County (SC OLSE n.d.e, n.d.b, and n.d.a).



# Localities have created labor standard requirements and consequences for their government contractors, and for applicants/holders of licenses and permits

A considerable number of businesses interact with localities not just as regulated entities, but also as government contractors or vendors, or as holders of local government-issued permits or licenses. These relationships present opportunities for localities to improve working conditions or drive compliance with worker protection laws. Local governments may have more ability or leverage to positively affect employer conduct in these situations, when businesses are actively seeking approval, funding,<sup>71</sup> or a contract from the government.

In relation to contractors or vendors, localities may wish to ensure their contracting funds family-supporting employment, not low-road, underpaid, precarious jobs. They may wish to ensure contractors do not win contracts through a race to the bottom on working conditions. They may also be aware of the practical benefits of contracting with companies that employ highly skilled unionized workers, where turnover and job disruptions may be reduced and product quality may be higher. Or they may wish to ensure their contractors—even if they are not high-road employers—at the very least do not have a history of violating basic workplace and other laws. This report provides a general overview of some options, but localities wishing to achieve these goals should consult more comprehensive and informative resources on this topic (Walter and Madland 2015; Walter, Rowell, and Wall 2020; IIFFC 2017).

Before approving license/permit applications or renewals, localities may wish to ensure that applicants and license/permit holders are financially responsible, and that they are at least in compliance with the basic applicable workplace statutes.

In relation to contracts, permits, and licenses, localities also may wish to have laws and operations in place to allow termination of such relationships in the event of established and unremedied violations.

Accordingly, localities have passed laws and taken other actions in relation to their contractors, as well as license and permit holders.

## Wage theft ordinance enacted in Somerville, Massachusetts

The city of Somerville, Massachusetts, enacted a **wage theft ordinance** that took effect in 2020.<sup>72</sup> The ordinance provides a good example of a comprehensive local ordinance, and covers five categories of companies that do business with the city: (1) licensees, (2) city contractors, (3) recipients of **tax increment financing agreements** (Good Jobs First n.d.), (4) all tiers of contractors on municipal construction projects, and (5) recipients of major building permits (defined by the project's estimated dollar amount or planned number of units).

With regard to licensees, the ordinance:

- allows the city to deny an application for a license or permit if the applicant was found guilty, liable, or responsible for any wage theft violation in the three years prior to the application date
- allows current permits or licenses to be suspended or revoked for this same reason
- in both cases uses a one-year period of nonissuance, revocation, or nonrenewal
- must be provided to applicants, who must certify wage and hour compliance as part of the application process

With regard to city contractors:

- The Request for Proposals must state that a bidder's wage theft history and any debarments from the past five years must be disclosed.
- If a company was debarred by the federal government or any state, it cannot contract with the city during the period of that debarment.
- City contractors have to provide monthly certified payrolls to the city.
- If a city contractor discloses a prior wage theft history or debarment in the prior five years, they must obtain a sizeable wage bond (a form of insurance).
- Violation can lead to revocation of the contract, suspension of the contract, or imposing conditions (like requiring a wage bond) on future contracts.

With regard to recipients of tax increment financing agreements:

- There are compliance requirements related to compliance history, proper classification of workers, tracking of employee time worked, and more.
- Potential consequences for violation include the city taking steps leading to

termination of tax relief and repayment to the city of tax relief already received under the agreement.

With regard to municipal construction contracts:

- The ordinance creates strict requirements regarding compliance history, proper classification of workers, and other compliance measures for all tiers of employers (lead contractor, contractor, subcontractor).
- Potential consequences of violating the ordinance include a stop-work order, withholding of payment due under the contract until compliance is obtained, permanent removal from the project, and liquidated damages payable to the city amounting to 5% of the contract's dollar amount, as well as graduated time periods of debarment up to permanent debarment for a third violation.

With regard to recipients of major building permits:

- The law requires disclosure of past compliance, and a history of compliance with certain key measures, as well as ongoing compliance with worker classification, workers' compensation, and other obligations.
- Violations can lead to issuance of a stop-work order.

Finally, the Somerville ordinance also establishes a Wage Theft Advisory Committee that meets every two months, publishes an annual report, and meets with the state attorney general's office twice a year to discuss any complaints involving Somerville employers, and to coordinate generally on wage theft issues.

## Localities have imposed requirements related to public projects or projects seeing public approvals

Localities have imposed prevailing wage and living wage requirements on contractors, passed responsible bidder ordinances, and used project labor and community benefits agreements

### Prevailing wage

Prevailing wage laws require covered government contractors to pay a wage and benefit rate based on similarly employed workers in a given geographic region (ILEPI n.d.a; Mahalia 2008). Sometimes ordinances also will require payment of prevailing wages by entities like developers and owners that receive local subsidies or tax abatements. These laws can help make sure that public funds support good jobs, and that bidders do not win

government contracts through race-to-the-bottom labor practices. The federal prevailing wage laws (the Davis-Bacon and Service Contract Acts) cover federally funded construction and service contracts. Roughly **half of U.S. states** (USDOL 2022a) have prevailing wage laws. A number of localities do as well; for example, New York City **requires** payment of prevailing wage on city-contracted construction projects, to service workers (such as security guards) working for city contractors, and to service workers in residential projects that receive more than \$1 million in city financial assistance with 120 or more residential units (Wall, Walter, and Madland 2020; NYC DHPD n.d.). In early 2022, San Diego County passed the “Working Families Ordinance,” which requires contractors for construction projects on county land working on projects of more than \$1 million to use skilled, trained workers and pay prevailing wages. It also requires employers on county-leased land to provide paid sick leave. (Brennan 2022). Local prevailing wage laws more commonly cover construction of “public works,” or public buildings, roads, and structures, but they also may be enacted to cover service contracts with the locality as well (Walter, Rowell, and Wall 2020). Studies have found that prevailing wage laws have an overall positive economic impact, and also that costs savings **were not realized** in jurisdictions where such laws were repealed (Manzo IV 2018). The Center for American Progress in 2020 published a **how-to guide** with information for states and localities wishing to enact or expand prevailing wage laws within their jurisdictions (Walter, Rowell, and Wall 2020).

## Living wage

Living wage laws require employers who receive contracts, tax benefits, or government subsidies from a locality to pay their workers a higher-than-minimum wage (PWF n.d.d; **Bernstein 2002**). These policies are meant to cover the cost of living, and the wage rates are often calculated based on ensuring that a family would be raised to or above the poverty threshold. Living wage policies in some cases establish different wage levels for employers who provide health insurance and those who do not. A 2011 **compilation by the National Employment Law Project** (NELP 2011) reported there were more than 120 localities with living wage requirements at that time.

As an example, Boston’s living wage law, enacted in the late 1990s, has as its purpose “to assure that employees of vendors who contract with the City of Boston to provide services earn an hourly wage that is sufficient for a family of four (4) to live at or above the Federal poverty level. This Chapter is also designed to maximize access for low- and moderate-income Bostonians to the jobs that are created, maintained or subsidized through service contracts with the City of Boston.”<sup>73</sup> It covers city vendors and beneficiaries of city financial assistance. The law defines financial assistance broadly (Boston n.d.a),<sup>74</sup> and covers any employer with at least 25 employees who has been awarded a service contract or subcontract with the city (Boston n.d.a).<sup>75</sup> The law contains employee notice and employer reporting requirements, and a mechanism for enforcement, with potential penalties and remedies including fines, restitution, suspension of ongoing contracts and subcontract payments, and ineligibility for future city contracts for three years or until all penalties and restitution have been fully paid (Boston n.d.b).<sup>76</sup> Companies bidding or negotiating on a service contract must complete an **affidavit regarding the living wage** (Boston 2022) prior to the awarding of the contract.

A major shortcoming of Boston’s law is that its formula for calculating the living wage can result in a relatively low dollar amount (the 2022 living wage is **\$15.87 per hour** (Boston OWD n.d.), compared with the **state’s 2022 minimum wage** (Massachusetts n.d.b) of \$14.25.

By contrast, the County of Santa Clara for 2021–2022 has a living wage set at **\$25.31 per hour** (SC OCE n.d.) for employers who do not provide health or retirement benefits; employers who provide such benefits may pay a lower rate (\$23.31 per hour with either health or retirement benefits; \$21.31 per hour with both). In addition, Santa Clara County’s living wage **requires**<sup>77</sup> provision of up to 12 paid days off to be used either as paid sick leave for the worker or for that worker to care for a family member or designated person.

Some city living wage laws incorporate other kinds of requirements, such as **worker retention policies** (PWF n.d.e). Hoboken, New Jersey, recently enacted a living wage ordinance for building service workers that includes both a monetary wage component and paid leave requirements.<sup>78</sup> The city also passed an ordinance requiring contractors or subcontractors with a service contract in the city to ensure that when there is a change in employer, the successor employer must retain building service workers for 90 days.<sup>79</sup> In 2022, the Newark (New Jersey) City Council **passed an ordinance** (TAPinto Staff 2022) to protect subcontracted janitors, security officers, and door attendants from losing their jobs for 90 days when a contract changes hands through no fault of workers.

## Responsible contractor requirements

Numerous local governments have passed laws requiring contractors bidding for public projects (above a certain value) to meet certain **“responsible contractor” criteria** (ILEPI n.d.b). A responsible bidder ordinance is a policy that sets minimal requirements for all contractors bidding on publicly funded projects in a given political jurisdiction.

Criteria may include, for example, previous compliance with worker protection laws (i.e., laws prohibiting wage theft, misclassification, etc.), appropriate insurance coverage (i.e., for workers’ compensation), participation in a registered apprenticeship training program, and appropriate professional licenses (ILEPI n.d.b). While such requirements are based in commonsense and noncontroversial approaches, they do diverge from the frequently taken approach of awarding contracts to the lowest bidder based solely on price alone (IIFFC n.d.d).

The Indiana, Illinois, Iowa Foundation for Fair Contracting has developed a **Responsible Bidder Toolkit** (IIFFC 2017) providing guidance to municipalities wishing to pass such measures; the organization also compiled a list of nearly 50 responsible contractor ordinances in municipalities within those three states (IIFFC n.d.a, IIFFC n.d.b; IIFFC n.d.c). Other localities are considering such requirements. New Orleans, for example, **passed** (New Orleans MO 2021) a responsible contractor ordinance after the collapse of the Hard Rock Hotel, which was under construction; three workers died in the accident. New Orleans also specified that the primary contractor would be responsible for any subcontractor violations.

Seattle’s minimum wage ordinance contains a provision disallowing employers from bidding on city contracts if they are the subject of a final order and have not paid all money owed; if an employer has been the subject of a final order twice or more within five years, the contractor cannot bid on city contracts for two years.<sup>80</sup> Most of the city’s other labor ordinances contain similar language.

San Diego’s municipal code requires city contractors, during the term of a contract, to “comply with all applicable local, state, and federal laws, including health and safety, labor and employment, and licensing laws, that affect the employees, the worksite or performance of the contract.”<sup>81</sup>

Minneapolis **bars** the city from contracting with entities included on a list of companies with outstanding violations of the city’s wage theft law (Minneapolis n.d.c). The city of Omaha, Nebraska, **sets** contractor rules for contracts greater than \$500,000. These rules include a “bid incentive” for contractors to use apprenticeship training programs (allowing them to be competitive while submitting slightly higher bids), and also require proof of workers’ compensation insurance, proper classification of workers as employees, and disclosure of subcontractors; penalties for noncompliance include withholding by the city of any payments still owed to the contractor, as well as a year of being debarred from bidding on contracts if there are two violations (Omaha n.d.).

Toledo, Ohio, has a municipal code that **requires** payment of prevailing wages for contracts of \$10,000 or more, and prohibits awards of such contracts to bidders who have been convicted or found liable under the city’s wage-related law in the previous two years. For construction projects of more than \$100,000, city law sets criteria, including continuity and experience of the workforce, local hiring, whether there is an apprenticeship program, and whether the employer provides benefits (health insurance and retirement or pension plan), as well as the bidder’s record of compliance with tax, wage and hour, and unemployment laws (Toledo n.d.b).

Other cities that disqualify contractors with a history of wage theft and other labor standards violations from winning city contracts include **Cincinnati** (Hussein and Coolidge 2016); Columbus, Ohio (**Columbus n.d.a, n.d.b**); Coralville, Iowa (**Zaluska** 2021); El Paso, Texas; and Houston.

In 2021, New York City **amended its law** to include a requirement, currently being challenged in litigation, that human services contractors and subcontractors must agree to labor peace agreements as a condition to being able to win or renew a city service contract with city agencies. Among other things, they must file an attestation that the employer has entered into a labor peace agreement with a labor union, or that no union has sought to represent their workers, and if a union seeks to represent their employees during a contract, they must enter a labor peace agreement within a set period of time (NYC n.d.a).<sup>82</sup>

## Local and targeted hiring policies

Local and targeting hiring programs require or incentivize businesses that receive public

dollars to hire workers from the local community, or from targeted populations in the community. Local hiring creates hiring preferences for people who live in a specific geographic area, which can be as large as an entire city or county, or as small as specific zip codes or neighborhoods. Targeted hiring refers to hiring preferences based on a range of worker characteristics, such as veteran status, gender, race or ethnicity (where allowed), residency in a low-income neighborhood, having been formerly incarcerated, having a disability, or being long-term unemployed (Gross and PolicyLink 2019). Local and targeted hiring policies can be implemented by ordinance, as part of responsible contractor standards, or negotiated as part of project labor agreements or community benefits agreements (UCLA Labor Center 2014). Baltimore's [local hire law](#), for example, requires compliance by vendors, contractors, and subcontractors who do business with the city, and is applicable to city-awarded contracts of more than \$300,000, and city-subsidized projects of more than \$5 million. The law requires businesses and all of their subcontractors to post new jobs with the mayor's Office of Economic Development exclusively for a period of seven days, that 51% of all new hires are Baltimore residents, and for businesses and subcontractors to submit monthly reports (Baltimore OED n.d.).

## Project labor and community benefits agreements

Project labor agreements (PLAs) are used primarily in the construction industry to establish the terms of employment for all workers on a project. Generally, PLAs [specify](#) workers' wages and benefits, and may include provisions requiring contractors to hire workers through union hiring halls, otherwise establish a unionized workforce, or develop procedures for resolving employment disputes. PLA terms often also prevent workers from striking, and employers from locking workers out, during the project (Mangundayao, McNicholas, and Poydock 2022). PLAs can help eliminate costly delays caused by labor conflicts or shortages of skilled workers. While many states have policies that promote PLA use in state-funded projects, some states restrict or disallow them (Brubeck 2018; FC and SLC 2018; Von Wilpert 2017). Local governments such as those in Boston, Los Angeles, and New York City have successfully used PLAs for years; more localities could use PLAs on major projects.

Community benefits agreements are made between developers of a commercial and/or residential project and representatives of community groups where the project is being developed (PWF n.d.a). Communities can stipulate certain requirements for the projects, such as hiring from the local community, or guaranteed financial or social benefit from the project; in return, the developer receives the community's support for the project (Island Institute 2021). Major development often occurs on city land, receives public funding or tax breaks that can accrue value to the developer, and in almost all cases require land use approvals that require the support of local government officials (PWF and LP 2019). Consequently, local governments are sometimes parties to community benefits agreements directly, may have a separate agreement with developers that is also part of negotiations, or may otherwise leverage their land use or funding powers as a part of these community benefits agreement negotiations.

Some examples of community benefits and labor peace agreements are as follows:



- In 2012, a community coalition and the city of Oakland **negotiated** a community benefits agreement that included requirements for local and targeted hire, living wages, fair chance hiring, limitations on the use of temporary workers, and community oversight and enforcement (PWF n.d.c).
- In 2018, the city of Nashville supported a community coalition in winning a community benefits agreement that included requirements for local hire, a \$15.50/hour minimum wage, mandatory worker safety training for construction workers and supervisors, and workforce development (Porterfield 2021).
- A 2008 **community benefits agreement** regarding the development of the Bayview-Hunters Point neighborhood of San Francisco included a labor peace agreement in key industries related to the project (PWF n.d.c).
- Pittsburgh also has an ordinance from 1999 that requires hotel contractors and employers to sign labor peace agreements when city financing has been involved in the development of the hotel (Pittsburgh 1999).

## **Some localities created compliance requirements to obtain, retain, or renew permits or licenses; however, limited enforcement lessens deterrence**

The licensing and permitting process can be used to drive improved labor standards and conditions; accordingly, some localities have incorporated labor-related requirements into these processes (Madland and Rowell 2017). This can take the form of requiring disclosures or evidence of compliance as part of the application or renewal process, or imposing potential permitting or licensing consequences in the event of certain established violations.

One caveat regarding the numerous laws that have been passed in this area: lack of media reports suggests very limited exercise of these powers by localities that have passed them. As with any law, the effectiveness of these provisions depends in large part on enforcement. Economists have observed that “employers will not comply with the law if the expected penalties are small either because it is easy to escape detection or because assessed penalties are small” (Ashenfelter and Smith 1979). Licensing and permitting consequences change both parts of the equation—the ease of escaping detection, and the scale of the assessed penalties. In addition, as discussed in Section 9 below, media coverage of these consequences would likely significantly drive deterrence.

Localities face several challenges in operationalizing these requirements. First, there is the need for at least some dedicated staff time on the local level to make the program work. There is also the logistical challenge of ensuring that local licensing or permitting agencies learn about serious violations, which will require proactive outreach and research. In addition, unless they are given very clear direction or mandates from the ordinance and/or from their chain of command, licensing or permitting agencies may be reluctant or

resistant to imposing consequences based on workplace violations (even those that are proven and unremedied), seeing these issues as outside of their substantive purview.

There also may be concerns about revocation of a license or permit possibly leaving workers out of jobs. However, licensing and permitting provisions generally provide ample opportunities to cure, as well as a range of consequences—not only the most severe—including a period of temporary suspension for a license or permit, or a probationary period. In addition, the existence of licensing or permitting consequences could permit an agency to reach a negotiated settlement with terms to ensure future compliance, such as requiring an employer to engage an independent monitor. Such negotiated settlements or less punitive measures could in many cases be preferential to revocation.

In addition, it is likely that even one or two well-selected, well-publicized uses of these powers would achieve much of the desired deterrence in a given industry or neighborhood. Further, the limited available examples suggest that these consequences work: as described below, the Santa Clara County Office of Labor Standards Enforcement has operationalized food permit consequences for restaurants with unpaid wage-related determinations from the state labor commissioner. In response, almost all employers involved have paid what they owed in order to avoid further consequences.

In short, this tool appears to be underutilized despite its apparent untapped potential in terms of deterring violations. Localities without these laws might consider passing them, along with required annual reports on activities. Localities with such laws might wish to systematically enforce them through leveraging the license application and renewal process, and through scheduled routine checks with local, state, and federal labor enforcers, and routine searches of court filings.

## Sample legislative language

Even without language specifically addressing wage theft or other labor conditions, licensing or permitting laws may contain general language with catch-all provisions that may be used for the purposes of ensuring licensees or permit holders comply with workplace laws. The [Minneapolis Code](#) (Minneapolis n.d.d) section on business license holders provides several examples of this:

- It requires license holders to “maintain and operate the business in compliance with *all applicable laws and ordinances*, including the zoning, fire, environmental health, environmental management, license, food, liquor, housing and building codes” (emphasis added).<sup>83</sup> The “all applicable laws and ordinances” provides a basis for taking adverse action against a licensee based on proven violations of wage or other workplace laws.
- It requires license holders to “pay all delinquent court judgments arising out of their business and business operations.”<sup>84</sup> This provision could provide a basis for adverse action in a situation where a judgment related to wage, discrimination, or other workplace violations remains unsatisfied.

- Finally, the code states, “The provisions of this section are not exclusive. Adverse license action, inclusive of, but not limited to, revocation, may be based upon good cause at any time upon proper notice and hearing. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.”<sup>85</sup> This broad “good cause” language again provides an opening for action based on workplace practices, such as persistent ongoing violations or egregious infractions.

In addition to potential use of this type of general language, some city laws specifically reference working conditions and labor violations in relation to issuance or revocation of permits and licenses.

For example, Philadelphia’s **city code** allows the city to “deny, suspend, or revoke any license or permit issued or pending” for a period of up to one year if the applicant or licensee was found guilty, liable, or responsible for violating the city’s anti-wage theft ordinance. In addition, all applicants for a commercial or business license must certify that they have not been found guilty, liable, or responsible for violating wage theft laws within the past three years (Philadelphia n.d.b). Similarly, Jersey City, New Jersey’s **wage theft prevention law** prohibits issuance or renewal of a license or permit to an applicant or entity that has been found liable for wage theft and has not come into compliance within 90 days of any final judgment. It also requires disclosure of wage theft cases within the two years prior to license or permit application, and requires the city to make an annual request to the state labor department for any wage claims (and associated documents) filed against licensees in the past two years (Jersey City n.d.).

## Permits

Some localities have used the permitting process to drive labor compliance. Prior to issuance of a permit for construction of a building above a threshold size, the city of Milpitas, California, **requires** applicants to sign a **form** (Milpitas n.d.) acknowledging responsibility for complying with certain state and local labor laws. They must also sign a form certifying compliance before a certificate of occupancy will be issued for the project (Milpitas n.d.). For issuance of a special construction permit under the Quincy, Massachusetts, city code, all levels of entities involved in the project (construction manager, lead contractor, contractor, subcontractor, etc.) must comply with wage payment-related laws; if not, the city’s measures to achieve compliance include issuance of a stop-work order until there is compliance.<sup>86</sup>

Michigan City, Indiana, creates **requirements** for issuance of building permits for construction projects of more than \$250,000, including that in the past three years, the contractor must not have been barred from bidding on public work because of, or been found to have committed, legal violations pertaining to wages, taxes, workers’ compensation, or misclassification. It also requires contractors who receive permits to comply with these laws as well, and requires the property owner applying for a building permit to use their best efforts to require all contractors to comply with these obligations. The law contains serious potential consequences, including suspension of the permit (requiring stoppage of work), or even revocation (Indiana n.d.).

The Better Builder Program in Austin, Texas, uses a carrot instead of a stick. The program, in partnership with the [Workers Defense Project](#) (WDP n.d.), provides an innovative example of creating permit-related incentives for employers willing to commit to higher labor standards. In the program, construction companies willing to ensure certain protections for construction workers on commercial projects may receive expedited handling of their permits ([Austin n.d.](#), [Hasan 2017](#); [Anderson 2017](#)).

## Licenses

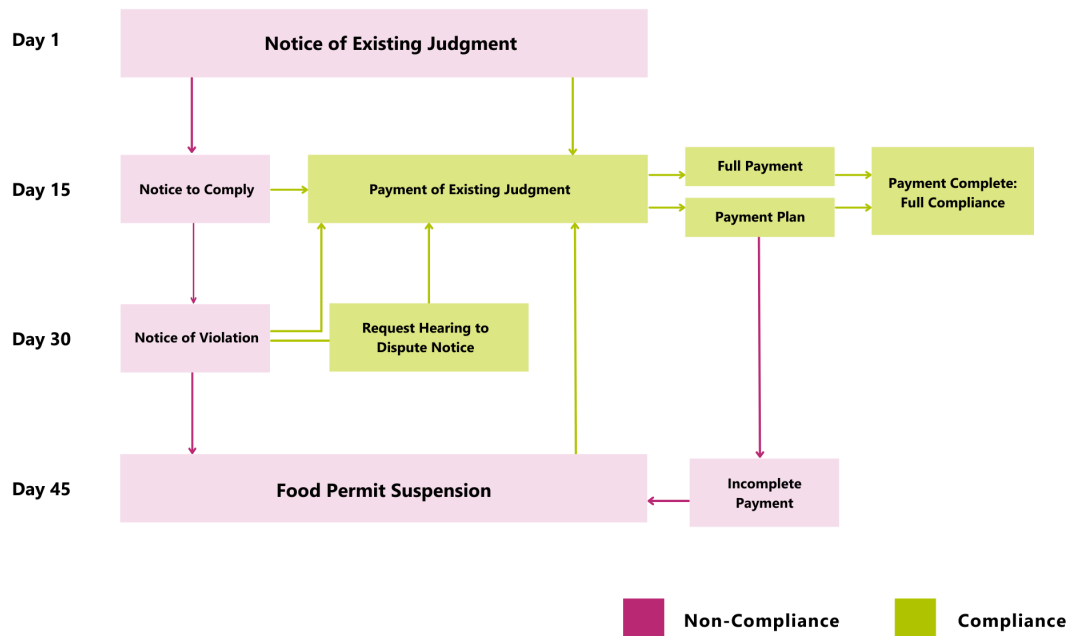
A number of localities incorporate wage theft and labor compliance into their business licensing laws and practices. For example, the city of Toledo prohibits issuance of a license to any applicant who has found liable or been convicted pursuant to the city's anti-wage theft laws or any other wage-related provisions of local, state, or federal law within the previous two years.<sup>87</sup> The Seattle municipal code empowers the Department of Finance and Administrative Services to deny, refuse to renew, or revoke an employer's business license, if requested to do so by the Office of Labor Standards as a result of an unsatisfied settlement or order.<sup>88</sup>

In Boston, a [2017 executive order](#) allows the city's licensing board to take into consideration whether a licensee has been found to have violated state or federal wage laws in determining whether to reissue, modify, suspend, or revoke a license (Boston MO 2017). A number of localities in Massachusetts have similar provisions. In Northampton, the [License Commission](#) has authority over issuance and administration of licenses for a range of types of businesses: service and sale of alcoholic beverages; operation of restaurants, hotels, inns, and lodging houses; indoor and outdoor entertainment for licensed and nonlicensed premises; car dealers; and more. When issuing a new license or a renewal, the License Commission requires completion of a [Fair Wage Compliance Certificate](#) (NLC n.d.), attesting that the business is not subject to a judgment or final determination resulting from a violation of state or federal wage protection laws. If they do not certify as such, they may be required to provide a wage bond for the time period covered by the license (Northampton n.d.). [The media](#) reported on a case in which this wage bond requirement could potentially be triggered, based on citations issued by the Massachusetts attorney general's office (Fieldman 2021).

The Santa Clara County (California) Office of Labor Standards Enforcement is an agency that has begun to meaningfully operationalize permitting consequences for violators of labor standards laws. Data from the California Division of Labor Standards Enforcement showed that Santa Clara County workers filed the highest number of wage theft claims in the state: over a nearly five-year period, retail food vendors were found to owe nearly \$5 million in back wages, an estimated \$2,900 per employee. In addition, worker advocates [reported on](#) (Gleeson, Taube, and Noss 2014) the high incidence of wage theft and highlighted potential responses by local government. Accordingly, the county established a [food permit enforcement program](#) (SC OLSE n.d.d) to encourage payment of existing judgments by conditioning the issuance, renewal, or retention of food facility permits on compliance with labor standards.

If a retail food vendor is determined to be in violation of a judgment for nonpayment, the

Figure A **Workflow of Santa Clara food permit enforcement program**



**Source:** Reprinted with permission from Office of Labor Standards Enforcement of the County of Santa Clara (Santa Clara n.d.b).

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county may elect to temporarily suspend or revoke the vendor's food health permit. The program, which is being rolled out gradually to all zip codes in the county, contains graduated measures to encourage payment of outstanding wages: the county sends three notices (a notice of outstanding judgment, notice to comply, and notice of violation, with 15 days to respond to each), and ultimately, continued nonresponsiveness or noncompliance will lead to a food permit suspension of at least five days (with notice provided to the public regarding the reason for the suspension). The county created a flow chart to explain the process, contained in **Figure A**. One noteworthy aspect of this process that may increase its likelihood of success and effectiveness is its focus on only one industry (restaurants), and its gradual rollout plan, based on zip codes. This kind of approach—targeting a problem industry and gradual implementation—could readily be replicated elsewhere. The county also added ongoing wage theft violation information to its “SCCDineOut” app, which allows county diners to view restaurants’ food safety records on their smartphones (Ochavillo 2019).

Retail food vendors may have food health permit suspended or revoked for noncompliance. In addition, in 2010, the San Francisco Department of Public Health, recognizing the socioeconomic determinants of health and the poor health outcomes resulting from labor violations, incorporated certain labor elements into its restaurant permit review process, including requiring proof of workers’ compensation insurance by all

applicants, as well as successfully leveraging the permitting process in relation to unremedied serious labor violations by several employers (Bhatia et al. 2013).

## **Localities can support workers through exercise of public leadership: education and outreach, issuing reports, holding hearings, and general advocacy**

Localities have leveraged their soft powers to support workers' rights and organizing. Local agencies devoted to protecting workers' rights have used a range of tools to educate workers about their rights, inform employers about their obligations, and share information with the broader community about issues affecting workers. They have issued reports, conducted extensive public education and outreach, made materials available on their websites, garnered media coverage, and more. Localities without dedicated labor agencies can also use these soft powers to promote public and worker education. Moreover, local elected officials—whether individually or collectively alongside other officials and community labor groups—can use their public platforms and convening authority to provide public education and support workers, including those who are actively forming and joining unions.

Strategic communications, including use of media, is particularly important in educating workers about their rights and deterring violations. Media coverage increases employers' knowledge about their legal obligations; it also increases their perceptions about the likelihood and cost of detection of violations. A recent study showed that press releases about OSHA enforcement of workplace safety violations deterred other workplace safety violations, an effect likely applicable to other labor standards laws as well (Johnson 2020). In addition, many workers, especially low-wage workers, have limited knowledge about the laws that affect them (Rankin and Lew 2018; Miller and Tankersley 2020). There are numerous communications tools that localities can use to reach the public (Gerstein and Goldman 2020).

## **Many local labor agencies have issued reports on worker issues or on their activities supporting workers**

Several local agencies have issued regular reports on their activities or on the state of workers' rights within their jurisdiction. Annual reports generally provide a comprehensive overview of an office's work. In some jurisdictions, such as [Chicago](#), [Duluth](#), and [St. Paul](#), annual reports are required by statute, a beneficial requirement that ensures transparency and continued focus on the labor offices' work (Chicago n.d.c; Duluth n.d.; St. Paul n.d.c). In

other jurisdictions, such as New York and Seattle, there are not annual report requirements per se, but other mandates for regular report-backs; Seattle's [ordinance](#) requires an annual report regarding required funding for the Office of Labor Standards (Seattle n.d.a) (which necessarily requires an accounting of the past year's activities), and [individual laws](#) in New York City have their own specific reporting requirements (NYC n.d.b).

Here's a look at some local reports:

- The Chicago Office of Labor Standards issued annual reports covering its activities in [2019](#) (Chicago OLS 2019), [2020](#) (Chicago OLS 2020), and [2021](#) (Chicago OLS n.d.).
- The Denver auditor issues an [annual report](#) (Denver OA 2021a), and the 2021 version has a [section](#) (Denver OA 2021b) on wage-related enforcement.
- The city of Los Angeles issued a [milestone report](#) (LA City OWS 2022) in January 2022, detailing its activities and accomplishments since 2016.
- The Minneapolis Labor Standards Enforcement Division has a running [dashboard](#) (Minneapolis n.d.a) on its website, with data about the division's activities, and issues an annual [report](#) (Minneapolis 2020).
- St. Paul includes labor enforcement data in the [annual report](#) (St. Paul 2020) of the Department of Human Rights and Equal Opportunity.
- The New York City Department of Consumer and Worker Protection has issued [annual reports](#) (NYC n.d.d) on the state of workers' rights since 2017. The department in 2018 issued a [report](#) (NYC 2018) specifically on paid care workers.
- The Philadelphia Department of Labor issued [annual labor policy and compliance reports](#) (Philadelphia OLS & OWP n.d.) in 2019, 2020, and 2021. In addition, the department issued a [report](#) (Cox 2020) in 2020 on the Philadelphia Worker Relief Fund, which provided foundation and city-funded cash assistance to workers excluded from unemployment insurance and pandemic-related stimulus, through distributions via 14 community-based organizations.
- The San Francisco Office of Labor Standards has issued three [annual reports](#) (SF OLSE n.d.a).
- The Santa Clara County Office of Labor Standards Enforcement has issued several reports, including an [annual report](#) (SC OLSE 2020) in 2020.
- The Seattle Office of Labor Standards has an extremely detailed interactive [dashboard](#) (Seattle OLS n.d.b).

## Local labor agencies have launched campaigns to educate communities about workers' rights

Many local labor offices are extremely active in reaching out to the public and educating workers about their rights as workers. The New York City Department of Consumer and Worker Protection has engaged in a number of targeted campaigns, including educating the public about the city's paid sick leave law when it first took effect, introducing the



Figure B

## Chicago's Office of Labor Standards has a campaign to protect the rights of domestic workers

Screenshot of the page on Chicago.gov educating domestic workers on their rights



### Frequently Asked Questions

<a href="#">I am a domestic worker for a family. What am I entitled to for pay?</a>	+
<a href="#">I'm really nervous to return to work due to COVID19. How can I prepare myself?</a>	+
<a href="#">I have several employers. Am I entitled to minimum wage?</a>	+
<a href="#">I work for an agency. Do I have to be paid minimum wage?</a>	+
<a href="#">How do I keep myself safe while cleaning someone's home during COVID-19?</a>	+
<a href="#">Am I allowed to take paid sick time?</a>	+

Source: Reproduced with permission from the Chicago Office of Labor Standards

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agency's new name (NYC 2019c) to include the word "worker," and reaching out to **nail salon workers** (NYC 2019b). During the early months of the COVID-19 pandemic, the department **set up a hot line** (NYC 2020a) for workers with questions about the city's reopening.

The Minneapolis Labor Standards Enforcement Division held a workshop to help employers plan for a minimum wage increase, (Minneapolis 2018), as well as a workshop on paid sick and safe time for immigrant-owned small businesses (Minneapolis 2017). The Philadelphia Department of Labor has extensive know-your-rights resources on its **web page** (Philadelphia DOL n.d.), including access to a **video** (Philadelphia 2021a) about city worker protections during the COVID-19 pandemic.

The Chicago Office of Labor Standards and Denver Labor are both relatively new offices that have taken considerable action to educate the public in their cities. In Chicago, the Department of Business Affairs and Consumer Protection, within which the Office of Labor Standards is located, has its own **YouTube channel**, and the Office of Labor Standards has posted numerous **webinars** there on a wide range of labor-related topics (Chicago Dept. BACP n.d.; Chicago n.d.b). The office also created a "Your Home is Someone's Workplace" campaign focused on domestic workers, and has a **web page** specifically focused on this workforce, as shown in **Figure B** (Chicago n.d.a).

The Chicago Office of Labor Standards also engaged in an outreach campaign about a new law giving **domestic workers** the **right to a written contract** from their employer (Chicago n.d.a; Chicago Dept. BACP 2021b). Some **outreach** took place in conjunction with the nonprofit worker organization Arise Chicago, which provided trilingual (English, Spanish, and Polish) sample contracts for employers' use (Arise Chicago n.d.).

Los Angeles County **announced** a similar “Your Home is Someone’s Workplace” campaign to educate employers about domestic workers’ rights, and the Philadelphia Labor Department conducted a fair workweek survey in **English** and **Spanish** (LA County CBA 2021a; Chewning 2021b, 2021a).

Denver Labor has an extensive outreach and public education function. The office holds “**Wages Wednesday**” live on Wednesdays on the Denver Labor Facebook page, including programs in English and **Spanish** (Denver 2022b, n.d.a). The office held nearly 50 live Facebook trainings in 2021, and had bilingual (English and Spanish) staff available to answer questions (Denver OA n.d.a). The office web page highlights **restitution stories**, and contains online **resources** for small businesses about compliance (Denver n.d.b, n.d.c). It also contains tools for workers and employers: a regional address finder to assess whether work performed was in the relevant local boundaries, and a minimum wage and tip calculator, among other things. Also, the office launched an “Earned It, Deserved It” campaign to raise awareness of the city’s minimum wage ordinance, with bilingual ads at regional bus stops, and on radio, television, and social media platforms (Denver OA 2021a, p. 16).

## Local labor agencies have highlighted worker issues in their jurisdictions through advocacy, hearings, and convenings

Several city labor agencies have gotten involved in various worker advocacy efforts.

In 2021, officials from several local enforcement agencies, including Chicago, New York City, Philadelphia, Seattle, and the district attorneys of Suffolk County, Massachusetts, and Washtenaw County, Michigan, all signed a **joint letter** (NYC DCWP 2021), along with 11 state attorneys general, to the U.S. Department of Homeland Security (DHS) supporting the agency’s plan to change its approach to worksite enforcement to support labor rights, and recommending changes to DHS policies and practices to facilitate the ability of state and local labor officials to enforce workplace laws. The letter was in response to a recent DHS **memorandum** (USDHS 2021) to Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS), directing them to adopt practices and policies to deliver more severe consequences to exploitative employers, and increase workers’ willingness to report violations of worker protection laws.

In March 2020, agency officials in four cities (Chicago, New York, Philadelphia, and Seattle) **called on** (NYC 2020b) FedEx, UPS, and XPO to improve their policies in response to the

then-new pandemic, particularly in relation to paid sick leave. Also in 2020, four localities (Chicago, New York, Philadelphia, and Pittsburgh) **joined** (NY AG 2020) a coalition of 24 state attorneys general in submitting a **comment letter** (NY AG et al. 2020) to the U.S. Department of Labor opposing a proposed regulation that would make it easier for employers to classify workers as independent contractors instead of as employees.

Finally, the New York City Department of Consumer and Worker Protection has held a number of hearings and convenings. For example, in 2017, it held a **public hearing** (NYC 2017) on the state of workers' rights in the city, along with the Mayor's Office of Immigrant Affairs and the New York City Commission on Human Rights, and in 2019, the same three agencies, along with partner organizations, held a **convening** (NYC 2019a) focused on immigrant workers.

## **Making know-your-rights resources, labor law posters, and other materials widely available, including in multiple languages**

Some local agencies have been particularly aware of the need to reach the broad range of workers within their jurisdictions, and have translated materials into multiple languages. Cities and counties operate on the ground serving diverse communities, and may sometimes be more attentive to language access concerns than agencies at other levels of government.

The New York City Department of Consumer and Worker Protection has produced workers' bill of rights booklets in 15 languages and audio files in five indigenous languages (Garifuna, K'iche, Kichwa, Mixteco, and Nahuatl), as well as an animated video. The animated video and audio files also enhance access for people with varying literacy levels. The Philadelphia Department of Labor **web page** (Philadelphia DOL n.d.) contains workers' rights resources in 12 languages. Los Angeles City has minimum wage and paid sick leave posters available in **13 languages** (LA City OWS n.d.a). Santa Clara County's Office of Labor Standards' web page provides **information** (SC OLSE n.d.f) in five languages. Even smaller jurisdictions, like Emeryville, California, with a **2020 population** (U.S. Census Bureau 2022e) of less than 13,000, offers minimum wage and paid sick leave **notices and posters** (Emeryville n.d.) in six languages.

## **Local labor agencies have generated media coverage about worker issues**

In addition to issuing press releases and reports, some offices have been effective in helping to catalyze coverage of workers' rights issues in the local press. The Philadelphia Department of Labor has been especially effective in this regard, helping place news stories about workers' rights under the city's fair workweek law when it was first enacted, about its issuance of an annual report that would shame employers with records of violations, and about the Philadelphia Worker Relief Fund for workers excluded from other public assistance during the pandemic (Dorfman 2021; Reyes 2021b, 2020; Marin 2020).

The Santa Clara County Office of Labor Standards received [coverage](#) (Reese 2021) on a county contracts enforcement pilot program, in which the office reviews judgments and orders from state and federal labor authorities to determine whether a contractor should be disqualified from working with the county. The office also received [coverage](#) (Telemundo n.d.) on Telemundo about its enforcement program related to county food permits.

Finally, workers themselves can catalyze coverage of enforcement actions by local labor enforcement agencies, as when a worker whose case was handled by the San Francisco Office of Labor Standards gave a [TEDx Talk](#) (Winner 2019) and was featured in a [PBS NewsHour program](#) (Nawaz and Carlson 2021) about the city's fair chance ordinance, which requires employers to consider mitigating circumstances and rehabilitation evidence for job applicants with a criminal record.

## Local elected officials have used their public platforms and convening authority to support workers

Local elected officials have used their public platforms to demonstrate their support for working people in many ways. Such officials have shown up at rallies, events, and actions (including [strikes](#) (Aponte 2021) and walking workers back to work after days of action). Local elected officials have also written [opinion pieces](#) (op-eds) in support of worker advocacy and to bring attention to harms and challenges experienced by workers (Rosenthal 2021), and have written and signed letters to employers expressing concerns about worker treatment. Moreover, local elected officials can hold hearings, which allow workers an opportunity to share about their experiences and for officials to ask employers relevant questions.

Local elected officials can also show support for ongoing worker organizing campaigns. For example, in 2022, New York City Comptroller Brad Lander, as a public pension fund trustee, led a shareholder effort to address high injury rates and turnover at Amazon warehouses (Newman 2022). Also in 2022, the Seattle and Philadelphia city councils both passed resolutions supporting Starbucks workers seeking to unionize (Taylor 2022b; Valentine 2022). A Local Progress website provides additional ideas and resources for local elected officials wishing to show support for the Starbucks worker organizing campaign (Local Progress, n.d.b.).

# Conclusion: Localities throughout the country can adopt supporting workers' rights as among the core functions they perform for their communities

There is a wealth of possibilities for localities that wish to get involved in expanding and enforcing workers' rights. While some recent local action emerged in response to the Trump administration's hostility to workers' interests, much of cities' work in this area pre-dated 2016. Accordingly, the local role in protecting working people continues to be relevant and critically important, even in the context of a worker-friendly federal administration.

Localities have been key innovators on labor matters, piloting new laws on such issues as paid sick leave and fair workweek; with proof of concept at the local level, such laws are later adopted at the state level (and perhaps eventually at the federal level as well). Creation of worker boards, strategic community enforcement partnerships, and using permits to drive compliance are also local innovations that help move the field forward. In addition, expansion and robust enforcement of workers' rights at the local level serves as a hedge in our federal system, helping ensure at least some continued protection of workers in times when federal or state government is unfriendly to workers or insufficiently effective in protecting them. Moreover, public enforcement of workers' rights is of even greater urgency when skyrocketing use of forced arbitration blocks workers from bringing their cases in court.

Localities in states without preemption of local laws may undertake any and all of the actions described above. However, even localities facing serious legal, political, or financial constraints in relation to their involvement in worker issues still can take action that will have a meaningful impact on workers' lives.

Specifically, even in states with preemption:

- Localities can offer high-road standards to their own workforces, including enabling or facilitating collective bargaining where permitted, as well as sufficient minimum wage and paid sick/family leave for municipal employees.
- Localities can consider enacting laws that may not be preempted, such as those that do not set labor standards. These might include anti-wage theft ordinances that do not set a local minimum wage, but simply enforce existing rates; responsible bidder ordinances; ordinances concerning licensing or permitting consequences or incentives; or laws on salary transparency, for example. Local leaders can examine their state's preemption law to assess the realistic possibilities.
- Localities can assess whether there is authority to require increased labor standards at the local airport.
- Localities can establish a worker advisory board to create a vehicle for open lines of

communication and opportunities for worker leaders to raise newly emerging issues that the locality may be able to help address.

- Localities can establish a dedicated labor office or at the very least, a dedicated labor liaison at the local level. Even in a state with strong preemption, such an office could likely do some or all of the following:
  - Conduct outreach and public education on workers' rights. Create a workers' rights landing page on the locality website (in languages commonly used in the locality), with information about federal, state, and local workers' rights applicable within the jurisdiction, (however expansive or limited they may be), as well as hyperlinks to relevant government agencies and other worker-oriented resources. Conduct outreach and include basic workers' rights information in community outreach by existing local officials (such as by Fair Employment Practices Agencies, where they exist).
  - Review contracting, licensing, permitting standards, especially in industries with high rates of violation. Consider whether new laws are needed in order to impose compliance prerequisites or consequences for violations of labor laws. If so, try to enact them. In either case, routinely review labor compliance records of recipients of local government contracts, permits, or licenses, and consider whether action can be taken by contracting, licensing, or permitting agencies.
  - Review forms used for contracting, permitting, and licensing. Incorporate workplace law information about employer responsibilities on application forms and require signed certification by bidders or applicants that they will comply with these laws.
  - Research working conditions within the locality (possibly in conjunction with local or state academics), and issue and publicize reports on findings
  - Hold convenings or hearings to uncover and highlight problems facing workers, and to generate media coverage of these issues.
  - Create a comprehensive complaint form for workers and become a one-stop shop for reporting violations, serving as a gateway to help workers navigate other agencies and resources.
  - Publish enforcement data and stories to demonstrate effectiveness and deter violations.
  - Enlist and/or organize local resources, such as law school clinics or the local bar, to address worker issues. For example, the Massachusetts attorney general's office holds a monthly **wage theft clinic** for cases it cannot handle, with nonprofit organizations, pro bono lawyers, legal services offices, lawyers who can take contingency cases, etc. (Massachusetts n.d.a). Along similar lines but addressing a problem unrelated to labor, the California Attorney General's office in 2015 convened a roundtable of law firms and immigrants' rights advocates about the legal needs of unaccompanied minors fleeing Central America; these efforts led to the legal representation of more children in immigration cases (CA DOJ 2015).

Localities in states *without preemption*, in locales more friendly to workers' rights, can

consider enacting any and all of the above measures. In addition, they have even more leeway to act, since they can:

- enact higher labor standards for all workers within their jurisdiction
  - minimum wage, overtime, paid sick and safe leave, fair workweek, expansive anti-discrimination laws, strong anti-retaliation protections
  - protections needed in particular industries: domestic workers, hotel, retail, fast-food, car wash workers, freelancers, etc.
  - cutting-edge worker protections such as just cause termination, gig worker pay or termination standards, salary transparency, and more
- meet with local worker organizations to learn what issues they identify as pressing
- create, fund, and empower a robust local office of labor standards with
  - enforcement power, including subpoena power
  - the ability to inform the administration and legislators on policy matters
  - a strategic enforcement approach
  - a funded community partnership model
- enact and enforce job quality standards (prevailing wage, living wage) and responsible bidder ordinances for local government contractors
- enact and fully operationalize workplace law compliance prerequisites and consequences for applicants and holders of locally issued permits and licenses.

In all localities—those in states hostile to workers, friendly to workers, and in between—there are opportunities to stand up for working people and take action.

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## About the authors

**Terri Gerstein** is the director of the [State and Local Enforcement Project](#) at the Harvard Law School Labor and Worklife Program and a senior fellow at the Economic Policy Institute. She was recently an Open Society Foundations Leadership in Government Fellow. Previously, Terri was the labor bureau chief in the New York State Attorney General's Office and a deputy commissioner in the New York State Department of Labor. Before her government service, Gerstein was a nonprofit lawyer in Miami, Florida, where she represented immigrant workers and co-hosted a Spanish language radio show on workers' rights. She was a law clerk for Judge Mary Johnson Lowe of the U.S. District Court for the Southern District of New York. Her writing on workers' rights issues has



appeared in numerous outlets, including the *New York Times*, *Washington Post*, NBC News Think, *The American Prospect*, *Politico*, *Slate*, *The Nation*, and more; a complete listing is available at [www.terrigerstein.com](http://www.terrigerstein.com). She is a graduate of Harvard College and Harvard Law School.

**LiJia Gong** is the policy and legal director at Local Progress. She leads the development of Local Progress' policy and research capacity to support members, and drives the development and growth of national program areas. Gong is an attorney with more than a decade of experience in policy, litigation, and political strategy. Prior to joining Local Progress, she served as counsel at Public Rights Project, an organization that empowers local and state governments to advance civil rights, worker and consumer rights, and environmental justice. At Public Rights Project, she launched a partnership with Local Solutions Support Center to fight abusive state preemption of local policymaking. Gong worked on the 2018 campaign to re-elect Sen. Elizabeth Warren of Massachusetts and served as a law clerk for Judge Kiyo Matsumoto of the U.S. District Court for the Eastern District of New York. Prior to becoming a lawyer, Gong worked as a research assistant at the Federal Reserve Board of Governors. LiJia earned her J.D. from Georgetown University Law Center and her B.S.F.S. from Georgetown University.

## Endnotes

1. *New State Ice Co. v. Liebmann*, 285 U.S. 262, 311 (1932) (Brandeis, J., dissenting).
2. *New State Ice Co. v. Liebmann*, 285 U.S. 262, 311 (1932) (Brandeis, J., dissenting).
3. This report uses the terms “localities” and “local governments” as an umbrella term for political subdivisions of a state that include, for example, counties, cities, townships, villages, and school districts. Local government decision-making structures and authorities vary significantly—in some localities the executive has far more authority than the legislative body (often referred to as “strong mayor” systems as applied to cities), while in some localities significant control rests with appointed offices like a city manager. Localities also vary tremendously in terms of size—some towns have only a few hundred or thousand residents, whereas Los Angeles County has more than 10 million residents. Accordingly, the capacity for policymaking and enforcement among localities also varies greatly. Due to this diversity across localities, this report uses “localities” and “local governments” generally to refer to powers that may belong to the local executive, legislature, administrative agencies, or some combination thereof in a given jurisdiction.
4. Diller argues that cities' smaller scale, concentrated political preferences, and streamlined lawmaking processes facilitate public health innovation.
5. Many localities have longstanding agencies that enforce human rights, civil rights, or other anti-discrimination laws; this report touches on the work of such agencies, but they are not the focus.
6. Because in its employment-related lawmaking and enforcement, Washington, D.C., operates more akin to a state than a city, it is not included in this report. For more information for enforcement actions taken by D.C.'s attorney general, please see [Gerstein 2020](#).
7. The federal government sets the federal minimum wage; that rate serves as a national floor. Under the federal minimum wage law, the Fair Labor Standards Act, states and localities may pass

minimum wages that are higher. Many, but not all states, also allow localities to require pay higher than the state minimum wage.

8. The advocacy group “A Better Balance” has an option on its website that enables filtered searches of enforcement agencies handling paid sick day enforcement (A Better Balance n.d.b). Several localities assign this function to their offices of community relations or of human rights (Boulder 2022; Montgomery n.d.; Pinellas OHR). In Duluth, Minnesota, the city clerk has authority to enforce the law (Duluth 2022b). In Miami-Dade County, a consumer mediation center handles wage disputes (Miami-Dade WTP). This list is illustrative but not exhaustive.
9. UC Berkeley 2022; Boston OWD n.d.; Chicago OLS 2022; Denver 2022a; Duluth 2022a; Emeryville 2022; Flagstaff 2022; LA City OWS n.d.a; LA City BCA n.d.; Minneapolis n.d.b; NYC OLPS n.d.b; Philadelphia n.d.a; SF OLSE n.d.c; Santa Clara n.d.a; SJ 2022; Seattle OLS n.d.d; St. Paul n.d.b; Tacoma n.d.
10. Brennan 2021; San Diego 2022.
11. Kelty 2022; Ludden 2021.
12. Miami-Dade WTP n.d.; Pinellas OHR n.d.; Broward OPSHR n.d.; Broward OIAPS 2022.
13. In re: Palm Beach County Wage Dispute Docket and Creation of “WD” Division, [Administrative Order No. 3.907-3/15](#), March 9, 2015. Fifteenth Judicial Circuit Court in and for Palm Beach County, Florida. See Palm Beach 2015.
14. Bloomington n.d.
15. Bloomington 2022.
16. In March 2022, a Washington state bill was signed into law that will preempt Seattle’s local regulations of TNCs HB 2076, 2021–22 House of Rep., Reg. Sess. (Wash. 2022). See Washington 2022.
17. Res. 32038, 2021 City Council, Seattle (Seattle 2021). See Seattle CC 2021.
18. For an in-depth analysis of privatization generally, see Cohen and Mikaelian 2021.
19. Brief for the States of New York, Alaska, Connecticut, Delaware, Hawaii, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington, and the District of Columbia as Amici Curiae in Support of Respondents, *Janus v. American Federation of State, County and Municipal Employees, Council 31, et al.*, 138 S. Ct. 2448 (2018); see also Brief for the City of New York as Amicus Curiae in Support of Respondents, *Janus v. American Federation of State, County and Municipal Employees, Council 31, et al.*, 138 S. Ct. 2448 (2018); Brief of Mayor Eric Garcetti, County Executive Dow Constantine, Mayor Jenny Durkan, Mayor Rahm Emmanuel, Mayor James Kenney, and Mayor Bill de Blasio as Amici Curiae in Support of Respondents, *Janus v. American Federation of State, County and Municipal Employees, Council 31, et al.*, 138 S. Ct. 2448 (2018).
20. See, e.g., Louisiana (Louisiana Revised Statute 44:671(a), *Davis v. Henry*, 555 So.2d 457, 459 (La., 1990).
21. See, e.g., North Carolina (N.C. Gen. Stat. Ann. § 95–9).
22. Res. 2017–259 2017, Adams County Board of County Commissioners (Colo. 2017). See Adams Cty. BOC 2017.

23. *Janus v. American Federation of State, County, and Municipal Employees, Council 31, et al.*, 138 S. Ct. 2448 (2018).
24. This authority typically derives from the “police power”—as in the power to promote the health, safety, welfare, and morals of the community—among the powers delegated to local governments. See, for example, Utah Const. art. XI, § 5 (delegating “the authority to adopt, and enforce within its limits, local police, sanitary, and similar regulations”).
25. Before 2012—the beginning of the Fight for 15 movement—only five local governments had minimum wage laws (UC Berkeley Labor Center 2022).
26. Birmingham, Alabama; Johnson, Lee, Linn, Polk, and Wapello counties, Iowa; Kansas City, Missouri; Louisville and Lexington, Kentucky; Miami Beach, Florida; and St. Louis, Missouri, passed local minimum wages that were higher than the state minimums, but they were subsequently preempted by state legislation, thereby rendering the local ordinances ineffective (UC Berkeley Labor Center 2022).
27. Dependency on tips often makes workers more vulnerable to sexual harassment.
28. Council Bill 18–008, 2018, Las Cruces City Cncl. (N.M. 2018). See Las Cruces 2018.
29. Oakland’s hotel minimum wage is higher than the citywide minimum wage for hotel workers who do not receive employer benefits.
30. Res. No. 20220127–053, 2022, Austin City Cncl. (Texas 2022). See Austin 2022.
31. There is a distinction between paid sick leave, and paid family and medical leave laws. Paid sick day laws require employers to pay workers for a modest number of days out of work for the short-term health needs of themselves and their families, while paid family and medical leave laws establish social insurance programs, typically funded by employer contributions and employee payroll deductions, to be used for longer-term medical issues, care for a new child, or care for a family member who is ill. This discussion addresses paid sick leave. Paid family and medical leave has been generally addressed in the United States at the state level, although some local governments do provide paid family and medical leave for their own employees. See Onuma 2015.
32. Austin, Dallas, and San Antonio passed paid sick leave laws that subsequently were found to be preempted in litigation. The laws were challenged by business groups arguing that the local ordinances were preempted by a Texas law that prohibits localities from enacting a minimum wage higher than the state’s. As a result, workers in these three cities lack the legal right to paid sick time. See A Better Balance 2021.
33. The state law in New Jersey mooted and preempted the numerous local paid sick leave laws.
34. Law 2018/150, 2018, New York City Cncl. (N.Y. 2018). See NY City Council 2018.
35. Law 2021/aa5, 2021, New York City Cncl. (N.Y. 2021). See NY City Council 2021.
36. Seattle’s local regulations of transportation network companies will be preempted pursuant to a state law passed in March 2022. See Washington 2022.
37. These localities include Albany County (New York), Atlanta, Chicago, Cincinnati, Columbia (South Carolina), Jackson (Mississippi), Kansas City (Missouri), Louisville, Montgomery County (Maryland), New Orleans, New York City, Philadelphia, Pittsburgh, Richland County (South Carolina), Salt Lake City, San Francisco, St. Louis, Suffolk County (New York), Toledo, and Westchester County (New

York).

38. **Colorado** had passed a similar law in 2021. S.B. 19-085, 2019 Gen. Assemb., Reg. Sess.
39. Law 2022/031, 2022, New York City Cncl. (N.Y. 2022). See NY City Council 2022.
40. N.Y.C. Admin. Code § 20–1271 *et seq.*
41. **Rest. Law Ctr. v. City of New York**, 2022 U.S. Dist. LEXIS 24268, \_\_\_ F. Supp. 3d \_\_\_, 2022 WL 409190.
42. **Rest. Law Ctr. v. City of New York**, 2022 U.S. Dist. LEXIS 24268, \_\_\_ F. Supp. 3d \_\_\_, 2022 WL 409190.
43. N.Y.C. Admin. Code § 20–1301 *et seq.*
44. City of Los Angeles Municipal Code Chapter XVIII § 181.00 *et seq.*; San Francisco Police Code Article 33D.
45. A 2003 survey conducted by Airports Council International-North America concluded that city ownership accounts for 38%, followed by regional airports at 25%, single county at 17%, and multijurisdictional at 9%.
46. 8 Phila. Code § 18–201(8); Miami-Dade Cty. Res. No. R–148–07 (Feb. 6, 2007); Rules and Regulations, San Francisco Airport, Rule 12.1.
47. By using a state’s grant of local emergency authority, local governments might plausibly be able to adopt temporary emergency policies even when state law preempts such policies under normal circumstances (Haddow, Davidson, and Huizar 2020).
48. See discussion in Section 4.
49. These local governments include Chicago; Cook County, Illinois; Duluth, Minnesota; Emeryville, California; Los Angeles; Minneapolis; Montgomery County, Maryland; New York City; Philadelphia; Pittsburgh; San Diego; San Francisco; Seattle; St. Paul, Minnesota; Tacoma, Washington; and Westchester County, New York. In general, this clarification of existing paid leave laws was permanent.
50. Many of these ordinances are no longer in effect, and the remainder that are still in effect are set to sunset on a specified date or after the conclusion of the relevant COVID-19 emergency order.
51. Bill No. 200303, 2020, Philadelphia City Cncl., (Pa., 2020). See Philadelphia CC 2020a.
52. CB 119793, 2020, Seattle City Cncl., (Wash., 2020).
53. Bill No. 200328, 2020, Philadelphia City Cncl. (Pa., 2020) See Philadelphia CC 2020b.
54. Coronavirus State and Local Fiscal Recovery Funds [rule], 87 Fed. Reg. 4338–4454 (January 27, 2022).
55. Minneapolis n.d.e.
56. The nonprofit organization Good Jobs First has lamented the lack of transparency in relation to state use of ARPA funds; it is likely that similar concerns exist in relation to local decision-making. See Furtado 2021.
57. *Building & Construction Trades Council v. Associated Builders & Contractors of Massachusetts/*

*Rhode Island, Inc.*, 507 U.S. 218 (1993).

58. *Gade v. National Solid Wastes Management Association*, 505 U.S. 88, 99–100 (1992).
59. *Steel Inst. of New York v. City of New York*, 716 F.3d 31, 34 (2d Cir. 2013).
60. In addition, five state plans cover only local and state government workers.
61. 29 USC § 218 (“No provision of this [Act] shall excuse noncompliance with any Federal or State law or municipal ordinance establishing a minimum wage higher than the minimum wage established under this [Act] or a maximum work week lower than the maximum workweek established under this chapter.”)
62. *Wyeth v. Levine*, 555 U.S. 555 (2009).
63. Also referred to as the “new preemption” or “abusive preemption” by some legal scholars.
64. HB 2076, 2021–22 House of Rep., Reg. Sess. (Wash. 2022). See Washington 2022.
65. For example, many state consumer protection and public nuisance laws empower city, county, and district attorneys to bring actions to enforce those laws. See, e.g., N.C. Gen. Stat. §§ 160A–193, 153A–140 (providing cities and counties with authority to abate public nuisances); Cal. Bus. & Prof. Code § 17204 (2019) (providing city and county attorneys in local jurisdictions with more than 750,000 residents the authority to bring unfair competition claims).
66. The Oakland city attorney’s office brought a case alleging wage and hour violations alongside a civil legal services organization to vindicate the rights of hotel cleaners ([Oakland OCA 2018](#)). In 2019, the San Diego city attorney’s office brought suit against Instacart alleging misclassification of its shoppers who obtain and deliver groceries and obtained an injunction, which was rendered inoperative by the passage of Proposition 22 in 2020 ([Allsup and Mulvaney 2021](#)).
67. In Alabama, California, Colorado, Florida, Kansas, Kentucky, Michigan, Minnesota, Missouri, and Montana, district attorneys have civil authority to enforce the state unfair deceptive acts and practices (UDAP) law. Ala. Code § 8–19–4, 8–19–8 (2019); Cal. Bus. & Prof. Code § 17204 (2019); Colo. Rev. Stat. § 6–1–103 (2018); Fla. Stat. § 501.203, 501.207 (2019); Kan. Stat. Ann. § 50–626(a)–632(a)(3) (2018); Ky. Rev. Stat. Ann. § 367.300 (West 2019); *Wayne Cty. Prosecutor v. Wayne Cty. Bd. of Comm’rs*, 93 Mich. App. 114, 127 (1979); Minn. Stat. § 325F.67, 325F.70 (2019); Mo. Rev. Stat. § 407.020 (2018); Mont. Code Ann. § 30–14–121 (2019).
68. Wage theft is the practice of employers failing to pay workers the full wages to which they are legally entitled. It includes situations in which employers refuse to pay promised wages, pay less than legally mandated minimums, fail to pay for all hours worked, keep worker tips or deductions intended for worker benefits, or do not pay overtime. In some states, the term “wage theft” is defined in the law, but more commonly it is used as a colloquial and descriptive term to refer to a set of practices. See Rosado Marzán 2020 for a detailed description of wage theft.
69. See also, *In re Vega*, 2020 N.Y. Slip Op. 02094 (N.Y. Court of Appeals March 26, 2020).
70. Minneapolis Code 40.110.
71. Localities also may provide conditions on grants to improve worker standards. For example, Boston funded a pilot program to support small restaurants and their workers during the COVID-19 pandemic. The grants were conditioned on the small businesses paying workers \$12.75 an hour, as compared with the \$5.55 tipped minimum wage under Massachusetts law (Edwards n.d.).

72. Somerville Code of Ordinances, Chapter 9, Article III, Division 2. See Somerville n.d.
73. City of Boston Municipal Code Chapter 24. See Boston n.d.a, n.d.b.
74. “*Assistance* shall mean any grant, loan, tax incentive, bond financing, subsidy, or other form of assistance of one hundred thousand (\$100,000.00) dollars or more realized by or through the authority or approval of the City of Boston, including, but not limited to industrial development bonds, Community Development Block Grant (CDBG) loans and Federal Enhanced Enterprise Community designations awarded after the effective date of this Chapter. The forgiveness of a loan shall be regarded as financial assistance. A loan shall be regarded as financial assistance to the extent of any differential between the amount of the loan and the present value of the payments thereunder, discounted over the life of the loan by the applicable Federal rate as used in 26 U.S.C., Section 1274(d) 7872(f). A recipient of assistance shall not be deemed to include leases and subleases.” City of Boston Municipal Code Chapter 24 § 24-2(a).
75. City of Boston Municipal Code Chapter 24 § 24-2(e). See Boston n.d.a.
76. City of Boston Municipal Code Chapter 24 § 24-11(a). See Boston n.d.b.
77. Res. BOS-2016-196, 2016 Board of Supervisors, Santa Clara County (Santa Clara 2016). See Santa Clara n.d.c.
78. Hoboken Municipal Code Chapter 23. See Hoboken n.d.a.
79. Hoboken Municipal Code Chapter 199. See Hoboken n.d.b.
80. *Seattle Municipal Code § 14.19.080 (l)*. See Seattle n.d.b.
81. *San Diego Municipal Code Article 2 Division 30 § 22.3004(c)*. See San Diego n.d.
82. Social service agencies have filed a lawsuit challenging this law. See Blau 2022.
83. Minneapolis City Code § 259.250 (2). See Minneapolis n.d.d.
84. Minneapolis City Code § 259.250 (5). See Minneapolis n.d.d.
85. Minneapolis City Code § 259.250 (5). See Minneapolis n.d.d.
86. *City of Quincy, Massachusetts, Code § 9.4.9-9.4.10*. See Quincy n.d.
87. *City of Toledo, Ohio, Municipal Code § 701.04 (b)*. See Toledo n.d.a.
88. *Seattle Municipal Code 14.19.100 (A) (4)*. See Seattle n.d.b.

# References

## Court Decisions and Orders

*Building & Construction Trades Council v. Associated Builders & Contractors of Massachusetts/Rhode Island, Inc.*, 507 U.S. 218 (1993).

Florida, Palm Beach County, Fifteenth Judicial Circuit Court, [Administrative Order No. 3.907-3/15](#).

*Gade v. National Solid Wastes Management Association*, 505 U.S. 88, 99–100 (1992).

*New State Ice Co. v. Liebmann*. 285 U.S. 262, 311 (1932).

*Restaurant Law Center v. City of New York*, U.S. District Court, S.D.N.Y., Case 1:21-cv-04801-DLC, Document 68, Filed 02/10/11, [Opinion and Order](#).

*Steel Inst. of New York v. City of New York*, 716 F.3d 31, 34 (2d Cir. 2013).

*Wyeth v. Levine*, 555 U.S. 555 (2009).

## References in text

A Better Balance. 2019. “[To Support Survivors of Domestic or Sexual Violence, We Need Paid Safe Leave Laws](#).” *A Better Balance Blog*, October 18, 2019.

A Better Balance. 2020. “[Public Health Closures and Paid Sick Time: What You Should Know](#).” *A Better Balance Blog*, March 6, 2020.

A Better Balance. 2021. “[Texas Local Paid Sick Time Laws \(Now Preempted\)](#).” *A Better Balance Blog*, August 11, 2021.

A Better Balance. 2022a. “[A State and Local Opportunity to Advance Paid Leave for Workers: American Rescue Plan State and Local Funds Can Be Used for Paid Leave](#).” *A Better Balance Blog*, January 26, 2022.

A Better Balance. 2022b. “[Emergency Paid Sick Leave Tracker: State, City, and County Developments](#).” *A Better Balance Blog*, February 22, 2022.

A Better Balance. 2022c. “[State and City Laws and Regulations on Fair and Flexible Scheduling](#).” *A Better Balance Blog*, January 14, 2022.

A Better Balance. n.d.a. “[A Better Balance](#)” (web page). Accessed March 31, 2022.

A Better Balance. n.d.b. “[Overview of Paid Sick Time Laws in the United States](#)” (web page). Accessed March 23, 2022.



Adams County, Colorado, Board of Commissioners (Adams Cty. BOC). 2017. “[Resolution Authorizing Collective Bargaining for Adams County Employees](#).” Adams County website, May 30, 2017.

Aitken, John. 2021. “[Airport Living Wage Ordinance Rate Increase](#)” (memorandum). City of San Jose, April 1, 2021.

Alexandria Magazine Living Staff. 2021. “[Alexandria Passes First Collective Bargaining Ordinance in Virginia](#).” *Alexandria Living Magazine*, April 19, 2021.

Allsup, Maeve, and Erin Mulvaney. 2021. “[California Courts Grapple With Proposition 22’s Gig Fallout](#).” *Bloomberg Law*, February 25, 2021.

American Association of University Women (AAUW). 2022. [State and Local Salary History Bans](#). American Association of University Women. Accessed March 21, 2022.

Anderson, Will. 2017. “[Austin OK’s Fast-Track Construction Permitting Process, Including ‘Living Wages’ for Large Commercial Projects](#).” *Austin Business Journal*. March 3, 2017.

Andrias, Kate, David Madland, and Malkie Wall. 2019. [A How-To Guide for State and Local Workers’ Boards](#). Center for American Progress, December 2019.

Aponte, Claudia Irizarry. 2021. “[‘We’re Not Asking For Very Much’: Hunts Point Market Workers Strike for a \\$1 Raise—and Respect](#).” *The City*, January 19, 2021.

Appelbaum, Eileen, and Ruth Milkman. 2016. [No Big Deal: The Impact of New York City’s Paid Sick Days Law on Employers](#). Center for Economic Policy Research, September 2016.

Arise Chicago. n.d. “[Domestic Worker Contracts](#)” (web page). Accessed March 30, 2022.

Armus, Teo. 2021. “[Arlington Approves Collective Bargaining for County Employees, Marking Shifting Tides on Labor in Virginia](#).” *Washington Post*, July 17, 2021.

Ashenfelter, Orley, and Robert S. Smith. 1979. “[Compliance with the Minimum Wage Law](#).” *Journal of Political Economy* 87, no. 2. (April).

Atlanta, City of (Atlanta). 2017. “[Mayor Kasim Reed Raises Minimum Wage to \\$15 Per Hour for City Workers](#)” (press release). June 21, 2017.

Austin, City of (Austin). 2022. “[An Ordinance to Assist Employees Working Within the City-Limits to File Complaints for Unpaid Wages and Require Those Employers to Take Certain Actions to Ensure Employees are Paid Wages Due](#).” Res. 20220127–053. Accessed May 23, 2022.

Austin, City of (Austin). n.d. “[Expedited Building Plan Review](#)” (web page). Accessed March 30, 2022.

Avery, Beth, and Han Lu. 2021. [Ban the Box: U.S. Cities, Counties, and States Adopt Fair Hiring Policies](#). National Employment Law Project, October 2021.

Awood Center (Awood) (website). n.d. Accessed May 23, 2022.

Ballotpedia. n.d. “[Philadelphia, Pennsylvania, Question 1, Department of Labor Amendment \(June 2020\)](#)” (web page). Accessed March 29, 2022.

Baltimore Mayor’s Office of Employment Development (Baltimore OED). n.d. “[Local Hiring](#)” (web page). Accessed March 24, 2022.

Berkeley, City of (Berkeley). 2022. “[Workforce Standards and Enforcement](#)” (web page). Accessed February 28, 2022.

Bernstein, Jared. 2002. “[The Living Wage Movement—Viewpoints](#).” Economic Policy Institute, March 4, 2002.

Bhatia, Rajiv, Megan Gaydos, Karen Yu, and June Weintraub. 2013. “[Protecting Labor Rights: Roles for Public Health](#).” *Public Health Reports* 128 (Suppl 3): 39–47.

Bivens, Josh, Lora Engdahl, Elise Gould, Teresa Kroeger, Celine McNicholas, Lawrence Mishel, Heidi Shierholz, Marni Von Wilpert, Valerie Wilson, and Ben Zipperer. 2017. *[How Today’s Unions Help Working People: Giving Workers the Power to Improve Their Jobs and Unrig the Economy](#)*. Economic Policy Institute, August 2017.

Blair, Hunter, David Cooper, Julia Wolfe, and Jaimie Worker. 2020. *[Preempting Progress: State Interference in Local Policymaking Prevents People of Color, Women, and Low-Income Workers from Making Ends Meet in the South](#)*. Economic Policy Institute, September 2020.

Blau, Reuven. 2022. “[Social Service Nonprofits Sue City Over Pro-Union Law](#).” *The City*, January 9, 2022.

Bloomington, City of (Bloomington). n.d. “[Earned Sick and Safe Leave Task Force](#)” (web page). Accessed May 31, 2022.

Bloomington, City of (Bloomington) 2022. [City Council Meeting, Approved Minutes](#), p. 3. April 22, 2022.

Bonta, Rob, California Attorney General and attorneys general and officials from multiple other cities, states, and counties (Bonta et al. 2021). “[Policy Statement 065-06, Worksite Enforcement](#).” Commonwealth of Massachusetts website, November 15, 2021.

Boston, City of (Boston). 2022. “[Vendors Living Wage Affidavit](#)” (web page). Accessed May 23, 2022.

Boston, City of (Boston). n.d.a. “Municipal Code Chapter 24-2(e).” Accessed March 2022.

Boston, City of (Boston). n.d.b. “Municipal Code Chapter 24-11(a).” Accessed March 2022.

Boston Mayor’s Office (Boston MO). 2017. “[Mayor Walsh Issues Wage Theft Executive Order](#)” (press release). April 10, 2017.

Boston Mayor's Office of Workforce Development (Boston OWD). n.d. "[Wage Theft & Living Wage Division](#)" (web page). Accessed February 28, 2022.

Boulder, City of (Boulder). 2022. "[Community Relations Page](#)" (web page). Accessed February 28, 2022.

Brennan, Deborah Sullivan. 2021. "[San Diego County Creates Labor Office to Protect Workplace Pay and Safety Standards](#)." *San Diego Union-Tribune*. May 4, 2021.

Brennan, Deborah Sullivan. 2022. "[San Diego Adopts Prevailing Wage Policy for Projects on County Land](#)." *San Diego Union-Tribune*, February 17, 2022.

Briffault, Richard. 2018. "[The Challenge of the New Preemption](#)." *Stanford Law Review* 70 (June): 1995.

Broward County, Florida (Broward). 2021. "[Your Rights Under the Broward County Living Wage Ordinance](#)" (web page). Accessed March 30, 2022.

Broward County, Florida, Office of Intergovernmental Affairs and Professional Standards (Broward OIAPS). 2022. "[Wage Recovery Complaint Form](#)." Accessed February 28, 2022.

Broward County, Florida, Office of Professional Standards/Human Rights (Broward OPSHR). n.d. "[Wage Recovery Ordinance](#)" (web page). Accessed February 28, 2022.

Brown, Patricia Leigh. 2002. "[240 Pounds, Persistent and Jazzercise's Equal](#)." *New York Times*, May 8, 2002.

Brubeck, Ken. 2018. "[A Total of 24 States Restrict Government-Mandated Project Labor Agreements](#)" (blog post). The Truth About Project Labor Agreements website, January 26, 2018.

Bull, Karina. 2022. "[Pay-Up Proposal \[Draft Legislation\]: App-Based Worker Minimum Payment Ordinance](#)." Seattle City Council Central Staff. Presented at the Public Safety and Human Services Committee, February 8, 2022.

Bureau of Labor Statistics (BLS). 2022. "[Union Members Summary](#)" (press release). January 20, 2022.

California, state of, Department of Justice (CA DOJ). 2015. "[Attorney General Kamala D. Harris Convenes Immigration Advocates, Law Firms to Provide Legal Support to Children Seeking Refuge in the U.S.](#)" (press release). December 16, 2015.

Campbell, Alexia Fernández. 2019. "[How a Button Became One of the Greatest #MeToo Victories: Inside Hotel Workers' Fight for Their Own Safety](#)." *Vox*, October 1, 2019.

Centro de Trabajadores Unidos en La Lucha (CTUL). n.d. "[CTUL](#)" (website). Accessed March 18, 2022.

Channick, Robert. 2021. "[Chicago Reaches \\$1.1 Million in Settlements with Mondelez and a Burger King Franchisee for Violations of City's Paid Sick Leave Ordinance](#)." *Chicago*

*Tribune*, July 29, 2021.

Chewning, Candace. 2021a. “[Empleados de Servicios, Comercio Minorista y Hosteleria ¡Nos Interesa su Opinion!.](#)” City of Philadelphia website, November 9, 2021.

Chewning, Candace. 2021b. “[Service, Retail and Hospitality Workers: We Want to Hear from You!.](#)” City of Philadelphia website, October 29, 2021.

Chicago, City of (Chicago). n.d.a. “[Domestic Worker Rights](#)” (web page). Accessed March 22, 2022.

Chicago, City of (Chicago). n.d.b. “[Office of Labor Standards Education and Outreach](#)” (web page). Accessed March 22, 2022.

Chicago, City of (Chicago). n.d.c. [Chicago Municipal Code § 2–25–200](#). Accessed via American Legal Publishing website on March 25, 2022.

Chicago Department of Business Affairs and Consumer Protection (Chicago Dept. BACP). 2021a. “[BACP Awards Grant to Arise Chicago to Raise Awareness of Chicago’s Labor Laws](#)” (press release). September 2, 2021.

Chicago Department of Business Affairs and Consumer Protection (Chicago Dept. BACP). 2021b. “[Chicago Domestic Workers Contract Mandate Protects Care Workers](#)” (press release). December 29, 2021.

Chicago Department of Business Affairs and Consumer Protection (Chicago Dept. BACP). 2021c. “[City of Chicago Files Consumer Protection Lawsuits Against DoorDash and Grubhub for Engaging In Deceptive and Unfair Business Practices](#)” (press release). August 27, 2021.

Chicago Department of Business Affairs and Consumer Protection (Chicago Dept. BACP). 2022. “[Anti-Retaliation Ordinance](#)” (web page). Accessed March 22, 2022.

Chicago Department of Business Affairs and Consumer Protection (Chicago Dept. BACP). n.d. [YouTube channel](#). Accessed March 22, 2022.

Chicago Office of Labor Standards (Chicago OLS). 2019. [2019 Report](#). March 2020.

Chicago Office of Labor Standards (Chicago OLS). 2020. [2020 Report](#). March 2021.

Chicago Office of Labor Standards (Chicago OLS). 2022. “[Office of Labor Standards](#)” (web page). Accessed February 28, 2022.

Chicago Office of Labor Standards (Chicago OLS). n.d. [2021 Report](#). March 2022.

Chicago, Office of the Mayor (Chicago OM). 2021. “[City of Chicago Continues Fighting to Protect Chicago’s Workers](#)” (press release). July 29, 2021.

City Staff. 2021. “[The Deliveristas’ Long Journey to Justice.](#)” *City*, September 23, 2021.

Clampitt, Britt. n.d. “[City Council Expands Nondiscrimination Protections to New Classes](#)”

(news update). City of Charlotte website, accessed March 21, 2022.

Cohen, Donald, and Allen Mikaelian. 2021. *The Privatization of Everything: How the Plunder of Public Goods Transformed America and How We Can Fight Back*. New York: The New Press.

Colorado General Assembly. 2022. “[SB22-230. Collective Bargaining For Counties](#)” (web page).

Columbus, City of (Columbus). n.d.a. “[Chapter 377 – Wage Theft Prevention and Enforcement](#).” Municode website. Accessed March 30, 2022.

Columbus, City of (Columbus). n.d.b. “[Council Protects Columbus Workers Through Wage Theft Prevention](#)” (press release). September 21, 2020.

Cooper, David, and Teresa Kroeger. 2017. *Employers Steal Billions from Workers’ Paychecks Each Year*. Economic Policy Institute. May 2017.

Cooper, David, and Julia Wolfe. 2020. “[Cuts to the State and Local Public Sector Will Disproportionately Harm Women and Black Workers](#).” *Working Economics Blog* (Economic Policy Institute), July 9, 2020.

Cox, Lauren. 2020. “[Philadelphia Worker Relief Fund: Investing in Workers Who Were Left Behind](#).” City of Philadelphia website, October 26, 2020. Accessed May 23, 2022.

Denver, City and County of (Denver). 2022a. “[Denver Labor](#)” (web page). City of Denver website, accessed February 28, 2022.

Denver, City of (Denver). 2022b. “[Trivia: Test Your Knowledge About Minimum Wage](#)” (press release). February 23, 2022.

Denver, City of (Denver). 2021. [Wage Theft. Offenses, Miscellaneous Provisions](#). Sec. 38–51.9. Municode website. Accessed May 24, 2022.

Denver, City of (Denver). n.d.a. “[El Salario Minimo de Denver en 2022: Conozca lo Basico](#)” (press release). January 12, 2022.

Denver, City of (Denver). n.d.b. “[Restitution Stories](#)” (web page). Accessed March 22, 2022.

Denver, City of (Denver). n.d.c. “[Small Business Resources](#)” (web page). Accessed March 22, 2022.

Denver Office of the Auditor (Denver OA). 2021a. [2021 Annual Report](#). City of Denver website.

Denver Office of the Auditor (Denver OA). 2021b. [2021 Wages Report](#). City of Denver website, January 18, 2022.

Detroit, City of (Detroit). 2021. Industry Standards Boards Ordinance. Received via email to the authors from Brian White, Chief of Staff to Detroit City Council President Mary

Sheffield, on January 20, 2022.

DeVito, Lee. 2021. “[Detroit City Council Passes ‘Recall’ Resolution for Laid-off Hospitality Workers—But Michigan Law is in the Way.](#)” *Detroit Metro Times*, May 4, 2021.

Dietz, Miranda, Peter Hall, and Ken Jacobs. 2013. [Course Correction: Reversing Wage Erosion to Restore Good Jobs at American Airports](#). UC Berkeley Labor Center, October 1, 2013.

Diller, Paul A. 2014. “[Why Do Cities Innovate in Public Health? Implications of Scale and Structure.](#)” *Washington University Law Review* 91 (5): 1219–92.

Dorfman, Brandon. 2021. “[New Law Guarantees Low-Wage Philly Workers Right to Predictable Schedules.](#)” *Metro Philadelphia*, December 12, 2021.

Du, Susan. 2021. “[Minneapolis Home Care Business to Pay \\$47K in Back Wages.](#)” *Star Tribune*, August 23, 2021.

Dube, Arindrajit. 2018. [Using Wage Boards to Raise Pay](#). Economists for Inclusive Prosperity, December 2018.

Dugdale, Antony. 2022. Personal email communication with the authors, June 2, 2022 (on file with the authors).

Duluth, City of (Duluth). 2022a. “[About Earned Sick & Safe Time](#)” (web page). Accessed February 28, 2022.

Duluth, City of (Duluth). 2022b. “[Earned Sick and Safe Time Resources](#)” (web page). Accessed February 28, 2022.

Duluth, City of (Duluth). n.d. “[Earned Sick and Safe Time](#)” (web page). Ordinance No. 10571, Chapter 29E. Accessed May 23, 2022.

Durham Workers’ Rights Commission. (Durham WRC). n.d. “[Durham Workers’ Rights Commission Bylaws.](#)” Accessed March 22, 2022.

Dutzik, Tony, Brian Imus, and Phineas Baxandall. 2009. [Privatization and the Public Interest: The Need for Transparency and Accountability in Chicago’s Public Asset Lease Deals](#). Illinois PIRG Education Fund, Fall 2009.

Early, Steve. 2021. “[Review: How Labor Can Stop ‘The Privatization of Everything’.](#)” *Labor Notes*, December 20, 2021.

Economic Policy Institute (EPI). 2019. “[Workers’ Rights Preemption in the U.S.: A Map of the Campaign to Suppress Workers’ Rights in the States.](#)” (web page). Economic Policy Institute website. August 2019.

Economic Policy Institute (EPI). 2021. [Unions Help Reduce Disparities and Strengthen Our Democracy](#) (fact sheet). April 23, 2021.

Editorial Board, New York Times Opinion (Editorial Board NYT). 2018. “[Can Airport Workers Pull Out of a Financial Nosedive?](#)” *New York Times Opinion*, July 2, 2018.

Edwards, Lydia. n.d. “[A New Equitable Business Model for the Restaurant Industry](#)” (web page). Dare to Reimagine website, last updated January 26, 2021.

Egan, Chantelle, Jaclyn Gross, Patrick Joyce, and Bernard Olshansky. 2021. “[Hap-Hazard Pay: COVID-19 Hazard Pay Ordinances](#).” *JD Supra*, March 30, 2021.

Eidelson, Josh. 2022. “[Yes, You Can Still Be Fired for Being Fat](#).” *Bloomberg*, March 15, 2022.

Emeryville, City of (Emeryville). 2005. “[Chapter 32. Workplace Justice Standards at Large Hotels](#).” Accessed via Code Publishing website on June 2, 2022.

Emeryville, City of (Emeryville). 2022. “[Labor Standards](#)” (web page). Accessed February 28, 2022.

Emeryville, City of (Emeryville). n.d. “[Minimum Wage Ordinance](#)” (web page). Accessed March 22, 2022.

Erllich, Mark and Lisa Xu. 2019. *Economic Consequences of Misclassification in the State of Washington*. Harvard Law School Labor and Worklife Program, December 2019.

Esposito, Stefano. 2021. “[Domestic Workers Applaud New City Ordinance That Gives Them the Right to a Written Contract with an Employer](#).” *Chicago Sun-Times*, September 17, 2021.

Fair Hotel. 2021. “[Recall and Retention Ordinances](#)” (web page). April 2021.

Fair Workweek Initiative. n.d. “[Winning a Fair Workweek](#)” (web page). Accessed March 18, 2022.

Federal Construction and State & Local Construction (FC and SLC). 2018. “[A Total of 24 States Restrict Government-Mandated Project Labor Agreements](#)” (web page). The Truth About PLAs website. January 26, 2018.

Fieldman, Luis. 2021. “[Suher Penalties Could Trigger Wage Bond](#).” *Daily Hampshire Gazette*, June 23, 2021.

Figueroa, Maria, Ligia Gualpa, Andrew Wolf, Glendy Tsitouras, and Hildalyn Colón Hernández. n.d. *Essential but Unprotected: App-Based Food Couriers in New York City*. Los Deliveristas Unidos.

Flagstaff, City of (Flagstaff). 2022. “[Minimum Wage](#)” (web page). Accessed February 28, 2022.

Flanagan, Jane, Terri Gerstein, and Patricia Smith. 2020. *How States and Localities Can Protect Workplace Safety and Health*. Harvard Law School, Labor and Worklife Program, and National Employment Law Project, May 2020.



Foster, Sheila R. n.d. “[As COVID-19 Proliferates Mayors Take Response Lead, Sometimes in Conflicts with Their Governors.](#)” *Georgetown Law*, sec. Project on State and Local Government Policy and Law (SALPAL). Accessed March 22, 2022.

Fox, Andrew, Steven Marchese, and Amanda J. Shimko. 2021. “[A Letter to Handy CEO Oisin Hanranhan Re: Treatment of Workers](#)” (web page). Public Rights Project website. May 21, 2021.

Fox, Joey. 2021a. “[Fulop Raises Minimum Wage to \\$17 for Jersey City Employees.](#)” *New Jersey Globe*, August 5, 2021.

Fox, Joey. 2021b. “[West New York Increases Minimum Wage for Municipal Employees to \\$15.](#)” *New Jersey Globe*, December 16, 2021.

Furtado, Katie. 2021. “[New Year’s Resolutions: Our Five Wishes for States’ ARPA Transparency](#)” (blog post). *Good Jobs First website*, December 23, 2021.

Gerstein, Terri. 2020. [Workers’ Rights Protection and Enforcement by State Attorneys General: State AG Labor Rights Activities from 2018 to 2020](#). Economic Policy Institute, August 2020.

Gerstein, Terri. 2021. [How District Attorneys and State Attorneys General Are Fighting Workplace Abuses: An Introduction to Criminal Prosecutions of Wage Theft and Other Employer Crimes Against Workers](#). Economic Policy Institute, May 2021.

Gerstein, Terri, and Tanya Goldman. 2020. [Protecting Workers Through Publicity...Promoting Workplace Law Compliance Through Strategic Communication](#). Center for Law and Social Policy (CLASP), June 2020.

Gerstein, Terri, and Lorelei Salas. 2021. “[There’s a Way to Get More People Vaccinated—and It Doesn’t Involve the Lottery.](#)” *Nation*, July 1, 2021.

Gleeson, Shannon, Ruth Silver Taube, and Charlotte Noss. 2014. [Santa Clara County Wage Theft Report](#). Santa Clara County Wage Theft Coalition, 2014.

Good Jobs First. n.d. “[Tax Increment Financing](#)” (web page). Accessed May 23, 2022.

Greenbaum, Jeff. 2019. “[NYC Department of Consumer Affairs Changes Name and Expands Mission.](#)” Frankfurt Kurnit Klein + Selz PC website. April 4, 2019.

Gross, Julian, and PolicyLink. 2019. [Local and Targeted Hiring](#). Local Progress: The National Municipal Policy Network. January 2019.

Haddow, Kim, Nestor Davidson, and Laura Huizar. 2020. “[Preemption & the Pandemic: New Trends in State-Local Conflict and the Imperative for Structural Change.](#)” International Municipal Lawyers Association 2020 Virtual Annual Conference, August 2020.

Hain, Patrick, and Courtney Coffin. 2020. “[Five Steps to Build the Financial Resilience of City Employees.](#)” National League of Cities, November 2020.

- Hain, Patrick, Anita Yadavalli, and Spencer Wagner. 2020. *Local Governments Lead the Charge on Providing Emergency Leave to Employees*. National League of Cities. April 1, 2020.
- Hamaji, Kate, Rachel Deutsch, Elizabeth Nicolas, Celine McNicholas, Heidi Shierholz, and Margaret Poydock. 2019. *Unchecked Corporate Power: Forced Arbitration, the Enforcement Crisis, and How Workers Are Fighting Back*. Economic Policy Institute, Center for Popular Democracy, and National Employment Law Project, May 2019.
- Harknett, Kristen, Daniel Schneider, and Véronique Irwin. 2021. “Improving Health and Economic Security by Reducing Work Schedule Uncertainty.” *Proceedings of the National Academy of Sciences* 118 (42): e2107828118. <https://doi.org/10.1073/pnas.2107828118>.
- Harris County. 2021. Harris County Essential Workers Board Bylaws. Received via email to the authors from Laura Perez-Boston at Workers Defense Project, January 12, 2022.
- Harris, Kamala D., and Martin J. Walsh. 2022. *White House Task Force on Worker Organizing and Empowerment*. U.S. Department of Labor website, February 2022.
- Hasan, Syeda. 2017. “Austin’s Faster Permitting Program Will Include Construction Worker Protections.” *KUT 90.5*, February 8, 2017.
- Hoboken, New Jersey (Hoboken). n.d.a. “Municipal Code Chapter 23.” City of Hoboken, New Jersey – Code. eCode360 website, accessed May 24, 2022.
- Hoboken, New Jersey (Hoboken). n.d.b. “Municipal Code Chapter 199.” City of Hoboken, New Jersey – Code. eCode360 website, accessed May 24, 2022.
- Holton, Brooks. 2021. “Thousands of Philadelphia Airport Workers to Receive Pay Bump.” *Philly Voice*, September 19, 2021.
- Hotel Tech Report. 2022. “Wireless Panic Buttons: The Complete Hotel Owners Guide to Regulation.” Hotel Tech Report website, last updated March 31, 2022.
- Houston, City of (Houston). n.d. “Living Wage Air Carrier.” Executive Order 1–64. City of Houston website. Accessed March 30, 2022.
- HR Dive. 2022. “Salary History Bans: A Running List of States and Localities That Have Outlawed Pay History Questions” (web page). Last updated February 3, 2022. Accessed May 23, 2022.
- Huang, Julia. 2021. “Is There a Right Way to Secure the Right to Return?” (blog post). OnLabor website, December 20, 2021.
- Huizar, Laura. 2019a. *Repealing Preemption: Defending Local Democracy Now Includes a Growing Focus on Recovering Lost Local Authority*. Local Solutions Support Center and National Employment Law Project, December 2019.
- Huizar, Laura. 2019b. *Wage Theft Impacts Millions of Floridians & Workers Need Local Programs to Help Them Recover Their Stolen Wages* (fact sheet). National Employment

Law Project, October 15, 2019.

Huizar, Laura. 2021. “[Reflecting on NELP’s Partnership with the Local Solutions Support Center to Fight Preemption and Protect Pro-Worker Advocacy](#)” (blog post). National Employment Law Project, January 25, 2021.

Human Rights Campaign (HRC). n.d. “[Cities and Counties with Non-Discrimination Ordinances That Include Gender Identity](#)” (web page). Accessed March 21, 2022.

Hunter, Kenya. 2021. “[Richmond Public Schools Teachers Are First in the State to Gain Collective Bargaining Rights](#).” *Richmond Times-Dispatch*, December 6, 2021.

Hussein, Fatima, and Sharon Coolidge. 2016. “[Cincinnati First Ohio City to Pass Wage Theft Ordinance](#).” *The Enquirer*, February 3, 2016.

Illinois Economic Policy Institute (ILEPI). n.d.a. “[Prevailing Wage](#)” (web page). Accessed March 24, 2022.

Illinois Economic Policy Institute (ILEPI). n.d.b. “[Responsible Bidding](#)” (web page). Accessed March 24, 2022.

Indiana, Illinois, Iowa Foundation for Fair Contracting (IIFFC). n.d.a. “[Illinois Ordinances Archive](#)” (web page). Accessed March 24, 2022.

Indiana, Illinois, Iowa Foundation for Fair Contracting (IIFFC). n.d.b. “[Indiana Ordinances Archive](#)” (web page). Accessed March 24, 2022.

Indiana, Illinois, Iowa Foundation for Fair Contracting (IIFFC). n.d.c. “[Iowa Ordinances Archive](#)” (web page). Accessed March 24, 2022.

Indiana, Illinois, Iowa Foundation for Fair Contracting (IIFFC). n.d.d. “[Responsible Bidder Ordinance](#)” (web page). Accessed March 24, 2022.

Indiana, Illinois, Iowa Foundation for Fair Contracting (IIFFC). 2017. [Responsible Bidder Toolkit](#). September, 2017.

Island Institute. 2021. “[Community Benefit Agreements and Offshore Wind Energy](#)” (brochure). Islanded Grid Resource Center website. March 2021.

Jackson Lewis P.C. 2016. “[New York City Council Passes Retention Bill for Cafeteria Workers](#)” (web page). October 18, 2016.

Jersey City, New Jersey (Jersey City). n.d. “[Article I – Wage Theft Prevention](#)” (web page). Code of Jersey City, New Jersey. Municode website.

Johnson, Matthew S. 2020. “[Regulation by Shaming: Deterrence Effects of Publicizing Violations of Workplace Safety and Health Laws](#).” *American Economic Review* 110 (6): 1866–1904. <https://doi.org/10.1257/aer.20180501>. Accessed May 23, 2022.

Justice Catalyst, Public Rights Project, San Francisco City Attorney’s Office, and Yale Law

School – San Francisco Affirmative Litigation Project. 2019. *Local Action, National Impact: A Practical Guide to Affirmative Litigation for Local Governments*. April 2019.

Kamper, Dave. 2022. “New U.S. Treasury Final Rule Supports State and Local Spending for an Equitable Economic Recovery.” *Working Economics Blog* (Economic Policy Institute), January 14, 2022.

Kelty, Bennito. 2022. “Tucson Approves City Labor Standards Unit, Despite Advocates’ Concerns.” *Tucson Sentinel.com*, March 29, 2022.

Kenny, Andrew. 2021. “Thousands of Local Government Employees Could Get Union Rights in Colorado.” *CPR News*, December 14, 2021.

Keon, Martha, and Paul Sopher. 2021. “Philadelphia Expands Protections for Security, Janitorial, Maintenance, Food and Beverage, Hotel, and Health Care Employees Whose Jobs are Outsourced.” *JD Supra*, April 26, 2021.

Kiefer, Eric. 2022. “Newark Ordinance Gives Protection To Janitors, Security Officers.” *Patch*, February 17, 2022.

Kim, Soo Rin, and Laura Romero. 2021. “Mask Mandates Reimposed Locally in Defiance of State, CDC Guidelines as Cases Rise.” *ABC News*, July 27, 2021.

Kinder, Molly, and Laura Stateler. 2021. *Local COVID-19 Hazard Pay Mandates Are Doing What Congress and Most Corporations Aren’t for Essential Workers*. *Brookings Institution*, January 2021.

King 5 Staff. 2021. “King County Approves \$4/Hour Hazard Pay for Grocery Workers.” *King 5*, March 9, 2021.

Las Cruces, City of (Las Cruces). 2018. *An Ordinance Amending Chapter 14. Human Rights, Article III. Minimum Wage, Section 14–62. Minimum Wage Payment Requirements of the Las Cruces Municipal Code (LCMC), 1997, As Amended, Related to Implementation Dates*. Council Bill No. 18–008, Ordinance No. 2832. City of Las Cruces website. Accessed May 23, 2022.

Lathrop, Yannet, T. William Lester, and Matthew Wilson. 2021. *Quantifying the Impact of the Fight for \$15: \$150 Billion in Raises for 26 Million Workers, With \$76 Billion Going to Workers of Color*. National Employment Law Project, July 2021.

Lathrop, Yannet. 2021. *Raises From Coast to Coast in 2022: 56 Cities, Counties, and States Will Raise Minimum Wage Rates on January 1—Many Reaching or Exceeding \$15—With Another 26 Jurisdictions to Lift Pay Later in 2022*. National Employment Law Project, December 2021.

Local Progress. 2019. *The Potential Pitfalls of Privatization*. Local Progress, August 2019.

Local Progress. 2021. “American Rescue Plan: LP’s Analysis and Guidance to Using ARP Funds” (slide presentation). Last updated May 25, 2021.

Local Progress. n.d.a. “[Building Toward a Just Recovery](#)” (web page). Accessed March 30, 2022.

Local Progress. n.d.b. “[Support Starbucks Workers Near You](#)” (web page). Accessed June 7, 2022.

Local Solutions Support Center (LSSC). 2020a. “[LSSC Corona Virus Decision Tree: How Do You Know If Your Local Government Has the Legal Authority to Adopt a Policy in Response to the Coronavirus Pandemic?](#)” (brochure). Local Solutions Support Center website.

Local Solutions Support Center (LSSC). 2020b. “[New Advocates’ Memos Summarize Local Authority and Preemption to Inform Policy Efforts](#)” (web page). September 14, 2020. Accessed May 23, 2022.

Los Angeles City Bureau of Contract Administration (LA City BCA). n.d. “[About Us](#)” (web page). Accessed March 30, 2022.

Los Angeles City Department of Public Works (LA City DPW). n.d. “[Citywide Hotel Worker Minimum Wage Ordinance \(CHWMWO\)](#)” (web page). Ordinance No. 183241. Accessed February 28, 2022.

Los Angeles City Office of Wage Standards (LA City OWS). 2022. [Milestone Report](#). January 2022.

Los Angeles City Office of Wage Standards (LA City OWS). n.d.a. “[Office of Wage Standards, Wages LA](#)” (web page). Accessed February 28, 2022.

Los Angeles County Board of Supervisors (LA County BOS). 2020. “[Establishing the Public Health Councils Program to Keep LA County Safe and Protect Workers from Retaliation](#)” (web page). November 10, 2020.

Los Angeles County Department of Consumer and Business Affairs (LA County CBA). 2021a. “[LA County, Partners Announce ‘Your Home is Someone’s Workplace’ Campaign to Help Protect Domestic Workers](#)” (news update). December 22, 2021.

Los Angeles County Department of Consumer and Business Affairs (LA County CBA). 2021b. “[Violations of COVID-19 Worker Protections Result in Fines to Businesses](#)” (news update). November 23, 2021.

Los Angeles County Labor and Employment Division (LA County LED). 2020. “[Analysis: Urgency Ordinance to Fight the Spread of COVID-19 and Prevent Retaliation for Reporting or Discussing Public Health Violations by Adding Chapter 11.01 \(Preventing Retaliation for Reporting Public Health Violations\) to Title 11 \(Health and Safety\) of the Los Angeles County Code.](#)” November 11, 2020.

Los Angeles County Labor and Employment Division (LA County LED). 2021. “[Analysis: Emergency Ordinance Addition of Chapter 8.205 \(Employee Paid Leave for Expanded Vaccine Access\) to Title 8 of Los Angeles County Code.](#)” May 4, 2021.

Los Angeles, County of (LA County). n.d. “[Chapter 11.01 – Preventing Retaliation for](#)

**Reporting Public Health Violations.**” Los Angeles Municipal Code. Municode website, accessed March 30, 2022.

Los Angeles Public Health Council (LA PHC). n.d. **“Public Health Councils”** (web page). Coalition for Public Health Councils in LA website. Accessed May 23, 2022.

Los Angeles World Airports (LAWA). n.d. **“Living Wage and Service Workers Retention Ordinances”** (web page). Accessed March 30, 2022.

Los Deliveristas Unidos. n.d. **“Los Deliveristas Unidos (LDU)”** (website). Accessed March 30, 2022.

Loudoun County. 2021. **“Loudoun Approves Collective Bargaining Ordinance”** (press release). December 8, 2021.

Louisville Department of Human Resources (Louisville HR). n.d. **“Union Contracts”** (web page). Accessed March 30, 2022.

Ludden, Nicole. 2021. **“Voters Pass Tucson’s \$15 Minimum Wage Proposition.”** *Tucson.com*, November 3, 2021, updated March 11, 2022.

Madland, David, and Alex Rowell. 2017. ***How State and Local Governments Can Strengthen Worker Power and Raise Wages***. Center for American Progress Action Fund, May 2017.

Mahalia, Nooshin. 2008. ***Prevailing Wages and Government Contracting Costs***. Economic Policy Institute, July 2008.

Mahamud, Faiza. 2021. **“Minneapolis Jimmy John’s to Pay \$17K for Sick Leave Violations.”** *Star Tribune*, September 14, 2021.

Maher, John. 2022. **“Freelance Isn’t Free Act Passes in New York State.”** *Publisher’s Weekly*. June 3, 2022.

Mangundayao, Ihna, Celine McNicholas, and Margaret Poydock. 2022. **“Project Labor Agreements on Federal Construction Projects Will Benefit Nearly 200,000 Workers.”** *Working Economics Blog* (Economic Policy Institute), February 9, 2022.

Mangundayao, Ihna, Celine McNicholas, Margaret Poydock, and Ali Sait. 2021. **More Than \$3 Billion in Stolen Wages Recovered for Workers Between 2017 and 2020**. Economic Policy Institute, December 2021.

Manzo IV, Frank. 2018. **“Minnesota Wins with Prevailing Wage.”** *Midwest Economic Policy Institute*, 2018.

Marin, Max. 2020. **“Philly’s New \$1.7 Million Fund Helps Cash Economy Workers Left Out of COVID Stimulus.”** *BillyPenn*, July 9, 2020.

Massachusetts, Commonwealth of (Massachusetts). n.d.a. **“Free Wage Theft Legal Clinic”** (web page). Accessed March 30, 2022.

Massachusetts, Commonwealth of (Massachusetts). n.d.b. “[Massachusetts Law About Minimum Wage](#)” (web page). Accessed March 24, 2022.

Mayor’s Fund for Philadelphia (MF Phila.). n.d. “[Philadelphia Worker Relief Fund](#)” (web page). Accessed February 28, 2022.

McElwee, Sean. 2015. “[How Unions Boost Democratic Participation](#).” *The American Prospect*, September 16, 2015.

McNicholas, Celine. 2018. “[In 5–4 Decision, Supreme Court Undercuts Workers’ Freedom to Organize](#)” (statement). Economic Policy Institute, June 27, 2018.

McNicholas, Celine, Margaret Poydock, Julia Wolfe, Ben Zipperer, Gordon Lafer, and Lola Lousaunau. 2019. [Unlawful: U.S. Employers are Charged with Violating Federal Law in 41.5% of All Union Election Campaigns](#). Economic Policy Institute, December 2019.

Memphis AFSCME Local 1733 (AFSCME 1733). 2021. “[Highlights of the City of Memphis 2021 Contract](#)” (web page). September 10, 2021.

Meyerson, Harold. 2019. “[The Fight for 15’s Long, Winding, and Brandeisian Road](#).” *American Prospect*, July 18, 2019.

Miami-Dade County (Miami-Dade Cty.). 2018. “[Ordinance Relating to Emergency Management and Employment Creation Section 8B–11.1 of the Code; Making It Unlawful for an Employer to Retaliate or Threaten to Retaliate Against a Non-Essential Employee Who Complies with County Evacuation or Emergency Orders; Providing Exemptions for Certain Government Employees and Certain Other Essential Employees; Providing Exceptions; Establishing Penalties; Providing for Applicability and Enforcement; Amending Section 8CC](#).” Memorandum prepared for the Miami-Dade board of supervisors. Miami-Dade County website. February 6, 2018.

Miami-Dade County (Miami-Dade Cty.). n.d.a. “[Miami-Dade County’s Living Wage](#)” (web page). Accessed March 30, 2022.

Miami-Dade County (Miami-Dade Cty.). n.d.b. “[Sec. 2–8.9. – Living Wage Ordinance for County Service Contracts and County Employees](#).” Miami-Dade County Code of Ordinances. Municode website. Accessed May 23, 2022.

Miami-Dade County Wage-Theft Program (Miami-Dade WTP). n.d. “[Report Wage Theft](#)” (web page). Accessed February 28, 2022.

Miami Times Staff. 2021. “[North Miami Beach Passes \\$15 Minimum Wage](#).” *Miami Times*, September 28, 2021, updated September 29, 2021.

Michigan City, Indiana (Indiana). n.d. “[Sec. 22-86. – Prevention of Contractor Payroll Fraud Provisions](#).” Michigan City, Indiana, Code of Ordinances. Municode website, accessed March 25, 2022.

Miller, Claire Cain, and Jim Tankersley. 2020. “[Paid Leave Law Tries to Help Millions in Crisis. Many Haven’t Heard of It](#).” *New York Times*, May 8, 2020.



Miller, Faith. 2022. “[What Colorado Lawmakers Passed, Amended, Killed in Legislative Session’s Final Days](#).” Colorado Newsline, May 12, 2022.

Milpitas, City of (Milpitas). n.d. “[Responsible Construction Acknowledgement of Responsibility](#)” (form). Building Safety and Housing Department. Accessed March 25, 2022.

Minneapolis, City of (Minneapolis). 2016a. “Apply for Openings on the Workplace Advisory Committee” (press release), September 8, 2016. Accessed from [2016 Press Releases](#), page 5.

Minneapolis, City of (Minneapolis). 2016b. “[City Passes Landmark Sick and Safe Time Ordinance: First Municipal Policy in State to Allow Most Workers in Minneapolis Paid Sick Time](#)” (press release). May 27, 2016.

Minneapolis, City of (Minneapolis). 2017. “[City Holding Listening Sessions to Discuss Minimum Wage](#)” (press release). January 12, 2017.

Minneapolis, City of (Minneapolis). 2018. “[City Settles First Case for Worker Denied Sick Time](#)” (press release). January 12, 2018.

Minneapolis, City of (Minneapolis). 2020. [Labor Standards Enforcement Annual Report 2020](#). November 2021.

Minneapolis, City of (Minneapolis). n.d.a. “[Labor Standards Enforcement Dashboard](#)” (web page). Accessed March 22, 2022.

Minneapolis, City of (Minneapolis). n.d.b. “[Labor Standards Enforcement Division](#)” (web page). Accessed March 22, 2022.

Minneapolis, City of (Minneapolis). n.d.c. “[18.115. – Contracts Not to be Awarded to Persons or Entities in Default or With Outstanding Wage Obligations](#).” Minneapolis, Minnesota – Code of Ordinances. Municode website, accessed March 25, 2022.

Minneapolis, City of (Minneapolis). n.d.d. “[259.250. – Business License Management Responsibilities](#)” (ordinance text). Minneapolis, Minnesota – Code of Ordinances. Municode website, accessed March 25, 2022.

Minneapolis, City of (Minneapolis). n.d.e. “[Economic Rebuilding: Proposal Details of the Mayor’s Recommended ARP Spending Round 2](#)” (web page). Accessed May 31, 2022.

Mishel, Lawrence. “[Growing Inequalities, Reflecting Growing Employer Power, Have Generated a Productivity-Pay Gap since 1979](#).” *Working Economics Blog* (Economic Policy Institute), September 2, 2021.

Monroe, City of (Monroe). 2018. “[Notice of Meeting/Hearing – Ordinance Approving a Collective Bargaining Agreement for 2018 \(Local No. 407\)](#).” City of Monroe website. November 16, 2018.

Montgomery County, Maryland (Montgomery). n.d. “[Employer’s News and Information](#)”

(web page). Accessed February 28, 2022.

Morrissey, Monique, and Jennifer Sherer. 2022. *Unions Can Reduce the Public-Sector Pay Gap: Collective Bargaining Rights and Local Government Workers*. Economic Policy Institute, March 2022.

Movement Advancement Project (MAP). n.d. “[Local Nondiscrimination Ordinances](#)” (web page). Accessed March 21, 2022.

Moss, Peter, Robert Perry, and Thomas Walsh. 2022. “[District Court Upholds New York City Hotel Severance Law](#).” *JD Supra*. April 27, 2022.

NAACP Legal Defense and Education Fund (NAACP LDEF). n.d. “[The Crown Act: Creating a Respectful and Open World for Natural Hair](#)” (web page). Accessed March 21, 2022.

National Academies of Sciences, Engineering, and Medicine (NASEM). 2017. *Preemption of Worker-Retention and Labor-Peace Agreements at Airports*. Washington, D.C.: The National Academies Press. <https://doi.org/10.17226/24692>.

National Conference of State Legislatures (NCSL). 2019. “[State Response to Janus v AFSCME](#)” (web page). Accessed March 23, 2022.

National Employment Law Project (NELP). 2011. “[Local Living Wage Laws and Coverage](#).” Updated July 2011.

National Employment Law Project (NELP). 2019. “[NELP Report Exposes Gig Companies’ Campaign to Strip Workers of Employee Rights](#)” (press release). March 26, 2019.

National Partnership for Women & Families (NPWF). 2020. *Paid Family/Parental Leave Policies for Municipal Employees (Not Exhaustive)* (fact sheet). March 2020.

Nawaz, Amna, and Frank Carlson. 2021. “[How Arrest Records Become ‘Invisible Handcuffs’ That Keep People Unemployed](#).” *PBS News Hour*, November 17, 2021.

Newman, Nathan. 2022. “[Now Amazon Is Being Challenged in the Boardroom as Well](#).” *The Nation*. April 26, 2022.

New Orleans Mayor’s Office (New Orleans MO). 2021. “[Mayor Cantrell Signs Ordinance Establishing More City Contractor Responsibility](#)” (press release). November 16, 2021.

New York Attorney General Letitia James (NY AG). 2020. “[Attorney General James Leads Fight Against Trump Administration’s Attempts to Undermine Workplace Protections](#)” (press release). October 27, 2020.

New York Attorney General Letitia James, Massachusetts Attorney General Maura Healey, and Pennsylvania Attorney General Josh Shapiro (NY AG et al.). 2020. “[Notice of Proposed Rulemaking](#)” (press release). October 26, 2020.

New York City (NYC). 2017. “[Department of Consumer Affairs’ Office of Labor Policy and Standards, with New York City Commission on Human Rights and the Mayor’s Office of](#)

Immigrant Affairs, Host Public Hearing on the State of Workers' Rights in New York City" (press release). April 25, 2017.

New York City (NYC). 2018. "Department of Consumer Affairs' Office of Labor Policy & Standards Releases Reports on Paid Care Workers in New York City" (press release). March 27, 2018.

New York City (NYC). 2019a. "City Hosts Immigrant Worker Convening in the Bronx" (press release). March 6, 2019.

New York City (NYC). 2019b. "Department of Consumer Affairs Partners with the Nail Salon Workers Association to Educate Salon Workers About Their Rights as Part of Women's History Month" (press release). March 11, 2019.

New York City (NYC). 2019c. "Department of Consumer and Worker Protection Launches Workers' Rights Public Awareness Campaign" (press release). April 1, 2019.

New York City (NYC). 2020a. "Department of Consumer and Worker Protection Urges New Yorkers to Call Its New Yorker Protection Hotline If They Have Question about the City's Reopening" (press release). June 10, 2020.

New York City (NYC). 2020b. "New York City and Others Call on Delivery Companies to Enhance Worker Protection Policies" (press release). March 27, 2020.

New York City (NYC). n.d.a. [New York City Administrative Code § 6–145](#). Accessed via American Legal Publishing website on March 30, 2022.

New York City (NYC). n.d.b. [New York City Administrative Code § 20–936](#). Accessed via American Legal Publishing website on March 25, 2022.

New York City (NYC). n.d.c. [New York City Administrative Code § 20-1301](#). Accessed via American Legal Publishing website on May 23, 2022.

New York City (NYC). n.d.d. "The State of Workers' Rights" (web page). City of New York Consumer and Worker Protection website, accessed March 22, 2022.

New York City Commission on Human Rights (NYC CHR). 2019. "NYC Commission on Human Rights Announces New Protections and Enforcement Actions Against Discrimination Based on Natural Hairstyles in Employment, Education, and Public Accommodations" (press release). February 18, 2019.

New York City Commission on Human Rights (NYC CHR). 2021. "Protections for Domestic Workers Under the New York City Human Rights Law." October 26, 2021.

New York City Council (NY City Council). 2018. [A Local Law to Amend the Administrative Code of the City of New York, in Relation to Establishing Minimum Payments to for-Hire Vehicle Drivers and Authorizing the Establishment of Minimum Rates of Fare](#). Int 0890–2018. Vol. 2018/150.

New York City Council (NY City Council). 2021. [Establishing Minimum Per Trip Payments to](#)

Third-Party Food Delivery Service and Third-Party Courier Service Workers. Int 2294–2021. Vol. 2021/115.

New York City Council (NY City Council). 2022. [Prohibiting Employers from Posting Job Listings Without Minimum and Maximum Salary Information](#). Int 1208–2018. Vol. 2022/032.

New York City Department of Consumer Affairs (NYC DCA). 2017. [“Department of Consumer Affairs Settles Charges with Icon Quik Park for Charging Customers ‘NYC Living Wage Assessment’ Fee”](#) (press release). June 28, 2017.

New York City Department of Consumer Affairs (NYC DCA). 2018a. [“Department of Consumer Affairs Announces Findings of Major Investigations Involving 42 Home Care Agencies That Employ More Than 50,000 Workers”](#) (press release). September 5, 2018.

New York City Department of Consumer Affairs (NYC DCA). 2018b. [“Department of Consumer Affairs Announces Settlement with Kentucky Fried Chicken for Violations of City’s Fair Workweek Scheduling Law”](#) (press release). November 19, 2018.

New York City Department of Consumer Affairs (NYC DCA). 2018c. [“Freelance Isn’t Free Act: Frequently Asked Questions \(FAQs\)”](#). May 14, 2018.

New York City Department of Consumer and Worker Protection (NYC DCWP). 2019a. [“Department of Consumer and Worker Protection Announces Decision Awarding \\$172k to Worker Who Was Retaliated Against for Asserting Paid Safe and Sick Leave Rights”](#) (press release). July 11, 2019.

New York City Department of Consumer and Worker Protection (NYC DCWP). 2019b. [“Department of Consumer and Worker Protection Files Paid Safe and Sick Leave Lawsuit Against American Airlines”](#) (press release). July 25, 2019.

New York City Department of Consumer and Worker Protection (NYC DCWP). 2020a. [“Department of Consumer and Worker Protection Announces Fair Workweek Settlements Totaling Nearly \\$300K For Fast Food Workers”](#) (press release). November 23, 2020.

New York City Department of Consumer and Worker Protection (NYC DCWP). 2020b. [“Department of Consumer and Worker Protection Announces \\$25K Settlement in First Paid Safe Leave Case”](#) (press release). September 30, 2020.

New York City Department of Consumer and Worker Protection (NYC DCWP). 2020c. [“Department of Consumer and Worker Protection Files Case to Protect Bronx Grocery Store Workers Illegally Fired During the Pandemic”](#) (press release). September 3, 2020.

New York City Department of Consumer and Worker Protection (NYC DCWP). 2021a. [“Bronx Grocery Workers Return to Work After Filing Complaints with the Department of Consumer and Worker Protection”](#) (press release). January 12, 2021.

New York City Department of Consumer and Worker Protection (NYC DCWP). 2021b. [“Justice For Two Brooklyn Fast Food Workers in City’s First ‘Just Cause’ Case”](#) (press release). December 14, 2021.

New York City Department of Consumer Affairs (NYC DCWP). 2022. “[Department of Consumer and Worker Protection Settles Two Paid Sick Leave Cases for Domestic Workers](#)” (press release). January 12, 2022.

New York City Department of Consumer and Worker Protection (NYC DCWP). n.d.a. “[Car Wash License Application Checklist](#)” (web page). Accessed March 22, 2022.

New York City Department of Consumer and Worker Protection (NYC DCWP). n.d.c. “[Grocery Worker Retention Act](#)” (web page). Accessed March 22, 2022.

New York City Department of Consumer and Worker Protection (NYC DCWP). n.d.d. “[Worker Rights](#)” (web page). Accessed February 28, 2022.

New York City Department of Consumer and Worker Protection (NYC DCWP). n.d.e. “[Worker Rights – Freelance Workers](#)” (web page). Accessed March 24, 2022.

New York City Department of Health (NYC DOH). n.d. “[COVID-19: Vaccination Workplace Requirement](#)” (web page). Accessed March 22, 2022.

New York City Department of Housing Preservation & Development (NYC DHPD). n.d. “[Prevailing Wage Requirements](#)” (web page). Accessed March 30, 2022.

New York City Office of the Comptroller (NYC Comptroller). n.d. “[Prevailing Wage Schedules](#)” (web page). Accessed March 29, 2022.

New York City Office of the Mayor (NYC OM). 2019a. “[De Blasio Administration Sues Chipotle for Violating City’s Fair Workweek Law](#)” (press release). September 10, 2019.

New York City Office of the Mayor (NYC OM). 2019b. “[On the Two-Year Anniversary of the Fair Workweek Law, de Blasio Administration Announces Settlement with McDonald’s Franchise for Violations of Workers’ Rights](#)” (press release). November 26, 2019.

New York City Office of the Mayor (NYC OM). 2019c. “[Mayor de Blasio and New York State Attorney General James Announce Settlement with Starbucks for Violations of City’s Paid Safe and Sick Leave Law](#)” (press release). December 19, 2019.

New York City Office of the Mayor (NYC OM). 2020a. “[De Blasio Administration Secures Nearly \\$500,000 in Restitution for 4,500 Home Health Aides](#)” (press release). January 9, 2020.

New York City Office of the Mayor (NYC OM). 2020b. “[Mayor de Blasio and Commissioner Salas Announces \\$160,000 Sick Leave Settlement For Airline Service Workers](#)” (press release). July 7, 2020.

New York City Office of the Mayor (NYC OM). 2020c. “[Mayor de Blasio and Commissioner Salas Announce Paid Sick Leave Settlement with Chipotle](#)” (press release). February 26, 2020.

New York City Office of the Mayor (NYC OM). 2021a. “[Department of Consumer and Worker Protection Settles Fair Workweek Cases With Fast Food Franchisees](#)” (press

release). July 29, 2021.

New York City Office of the Mayor (NYC OM). 2021b. “[Department of Consumer and Worker Protection Settles NYC Paid Safe and Sick Leave Case with American Airlines](#)” (press release). November 1, 2021.

New York City Office of the Mayor (NYC OM). 2021c. “[Mayor, Attorney General and Dept. of Consumer and Worker Protection Announce \\$18.8 Million Settlement of Workplace Violations with Home Health Care Companies](#)” (press release). November 16, 2021.

New York City Office of the Mayor (NYC OM). 2021d. “[Mayor de Blasio and Department of Consumer and Worker Protection Announce Settlement to Require Southwest Airlines to Rehire and Pay Employee Who Was Illegally Fired for Using Sick Leave](#)” (press release). October 28, 2021.

New York City Office of the Mayor (NYC OM). 2021e. “[Mayor de Blasio Signs ‘Just Cause’ Worker Protection Bills for Fast Food Employees](#)” (press release). January 5, 2021.

New York City Office of the Mayor (NYC OM). 2021f. “[New York City Sues French Fashion Media Company L’Officiel USA for Failing to Pay NYC Freelancers](#)” (press release). December 1, 2021.

New York City Taxi and Limousine Commission (NYC TLC). 2018. “[Notice of Promulgation: Rules Amending Provisions Regarding Driver Income and Vehicle Lease Transparency](#).” Rules adopted December 4, 2018.

New York, State of, County of New York, Supreme Court (NY Supreme Court). 2021. “[The City of New York v L’Officiel USA INC Complaint](#).”

Newberry, Bryce. 2020. “[Some Austin City Employees Will Get COVID-19 Hazard Pay, But Not First Responders](#).” *KVUE ABC*, July 17, 2020.

Noble, Andrea. 2021. “[These Cities Raised Wages for Municipal Workers to \\$15 an Hour](#).” *Route Fifty*, October 29, 2021.

Northampton, City of (Northampton). n.d. “[License Commission](#)” (web page). Accessed March 24, 2022.

Northampton License Commission (NLC). n.d. “[Fair Wage Compliance Certificate](#).”

Oakland, City of (Oakland). n.d. “[Oakland, California Local Minimum Wage for 2021, 2022](#)” (web page). [Minimum-wage.org](https://www.minimum-wage.org) website, accessed April 4, 2022.

Oakland Office of the City Attorney (Oakland OCA). 2018. “[Oakland City Attorney and Centro Legal de La Raza Secure Settlement with Hotel Owners Who Violated Workers’ Rights](#)” (press release). November 2, 2018.

Oakland Office of the City Attorney (Oakland OCA). 2019. “[Frequently Asked Questions \(FAQ’s\) Regarding Oakland’s Hotel Workers Protection & Employments Standards Ordinance, Effective December 23, 2018 \(Voter-Approved Ballot Initiative Measure Z –](#)

Nov. 2018 Election).” July 16, 2019.

Ochavillo, Vanessa. 2019. “[Restaurants Accused of Wage Theft to be Outed in Santa Clara County.](#)” *Mercury News*, December 26, 2019.

Olivo, Antonio. 2021. “[Fairfax County Approves Collective Bargaining Ordinance.](#)” *Washington Post*, October 20, 2021.

Omaha, Nebraska (Omaha). n.d. “[Chapter 10 – Finance.](#)” Omaha, Nebraska – Code of Ordinances. Municode website, accessed March 25, 2022.

Onuma, Felicia. 2015. “[More State and Local Governments Now Offer Paid Family Leave](#)” (blog post). The Center for Law and Social Policy website, April 1, 2015.

Orso, Anna. 2020. “[Law Protecting Philadelphia Domestic Workers Takes Effect as They’re Losing Jobs in Droves.](#)” *Philadelphia Inquirer*, May 1, 2020.

Otárola, Miguel. 2019. “[Minneapolis City Council Approves New Rules to Protect Sex Workers.](#)” *Star Tribune*, August 23, 2019.

Palm Beach County (Palm Beach). 2015. [Palm Beach County Wage Dispute Docket and Creation of “WD” Division](#). Fifteenth Judicial Circuit Court, administrative order No. 3.907–3/15. March 9, 2015.

Partnership for Working Families and Local Progress (PWF and LP) and Local Progress. 2019. [Community Benefits](#). January 2019.

Partnership for Working Families (PWF). n.d.a. “[Community Benefits 101](#)” (web page). Accessed March 24, 2022.

Partnership for Working Families (PWF). n.d.b. “[Policy & Tools: Challenging Privatization](#)” (web page). Accessed March 24, 2022.

Partnership for Working Families (PWF). n.d.c. “[Policy & Tools: Community Benefits Agreements and Policies in Effect](#)” (web page). Accessed March 24, 2022.

Partnership for Working Families (PWF). n.d.d. “[Policy & Tools: Living Wage](#)” (web page). Accessed March 24, 2022.

Partnership for Working Families (PWF). n.d.e. “[Policy & Tools: Worker Retention Policies](#)” (web page). Accessed March 24, 2022.

Patel, Seema N., and Catherine L. Fisk. 2017. “[California Co-Enforcement Initiatives That Facilitate Worker Organizing.](#)” Paper prepared for the Harvard Law School Symposium “Could Experiments at the State and Local Levels Expand Collective Bargaining and Workers’ Collective Action?” September 19, 2017.

Philadelphia City Council (Philadelphia CC). 2020a. “[Bill No. 200303](#)” (web page). Committee on Public Health and Human Services, September 10, 2020.



Philadelphia City Council (Philadelphia CC). 2020b. “[Bill No. 200328](#)” (web page). Committee on Law and Government, May 21, 2020.

Philadelphia City Council (Philadelphia CC). 2021a. “[Bill No. 210421-A](#)” (web page). Committee on Labor and Civil Service, June 24, 2021.

Philadelphia City Council (Philadelphia CC). 2021b. “[Mayor Kenney Signs Councilmember Johnson’s Philadelphia International Airport Prevailing Wage Bill That Will Help Workers Receive Living Wages and Quality Healthcare](#)” (press release). September 17, 2021.

Philadelphia, City of (Philadelphia). 2020a. *Philadelphia Worker Relief Fund Final Report, Department of Labor*. City of Philadelphia. October 2020.

Philadelphia, City of (Philadelphia). 2021a. “[Philadelphia Department of Labor, COVID-19 Retaliation Protection and Paid Sick Leave](#).” YouTube video, 2:41. Published February 18, 2021.

Philadelphia, City of (Philadelphia). 2021b. “[Report a Domestic Worker Bill of Rights Violation](#)” (web page). Last updated March 12, 2021.

Philadelphia, City of (Philadelphia). n.d.a. “Department of Labor” (web page). Accessed February 28, 2022.

Philadelphia, City of (Philadelphia). n.d.b. Philadelphia Code §9–4308. Accessed via American Legal Publishing website on March 25, 2022.

Philadelphia Department of Labor (Philadelphia DOL). 2021. “[Resources for Wrongful Discharge from Parking Employment](#)” (web page). Last updated March 10, 2021.

Philadelphia Department of Labor (Philadelphia DOL). n.d. “[Worker Protection Resources](#)” (web page). Accessed March 22, 2022.

Philadelphia Office of Labor Standards and Office of Worker Protections (Philadelphia OLS & OWP). n.d. “[Labor Policy and Compliance Reports](#)” (web page).

Philadelphia Office of the Managing Director (Philadelphia OMD). 2020. “[Memorandum: Re: Supplemental Emergency Regulation Regarding COVID-19 and Chapter 9–4100 of the Philadelphia Code: Promoting Healthy Families and Workplaces](#).” Accessed March 3, 2022.

Pinellas County Office of Human Rights (Pinellas OHR). n.d. “[Wage Theft and Recovery](#)” (web page). Accessed February 28, 2022.

Pittsburgh, City of (Pittsburgh). 1999. “[Requiring Contractors and Employers of Employees Hired to Staff Hospitality Operations to be Signatory to Collective Bargaining Agreements where the City of Pittsburgh has a Financial or Proprietary Interest](#).” City of Pittsburgh—Code of Ordinances. Municode website, accessed May 24, 2022.

Pittsburgh, City of (Pittsburgh). 2010. “[City of Pittsburgh Service Worker Prevailing Wage Ordinance. § 161.38](#).” City of Pittsburgh – Code of Ordinances. Municode website. February

18, 2010.

Port of Oakland (Port of Oakland). 2021. “[Notice of Employee Rights Concerning Wage and Labor Standards for Port Contractors](#).” Revised June 3, 2021; accessed March 30, 2022.

Port of Oakland (Port of Oakland). 2001. “[Port Ordinance No. 3666](#).” Adopted October 16, 2001; accessed March 30, 2022.

Port of Portland. 2020. “[Port of Portland Approves Minimum Wage Increase for Airline Service Providers and Port Direct Contracts at PDX](#)” (press release). December 9, 2020.

Porterfield, Delishia. 2021. “[Building People Power Through a Community Benefits Agreement](#)” (web page). Local Progress website, last modified January 19, 2021.

Quincy, City of (Quincy). n.d. “[9.4 Special Permits](#)” (web page). Part II: General Legislation. City of Quincy, Massachusetts – Code. eCode360 website, accessed March 25, 2022.

Ramirez, Fernando. 2022. “[Another Texas City Steps Up on Wage Theft — But State Efforts Remain Underfunded](#).” *Texas Signal*, February 4, 2022.

Rankin, Nancy, and Irene Lew. 2018. [Expanding Workers’ Rights — What It Means for New York City’s Low-Income Workers](#). Community Service Society, January 2018.

Reese, Madelyn. 2021. “[Santa Clara County Pilots Program to Combat Wage Theft](#).” *San Jose Spotlight*, May 24, 2021.

Reich, Michael, and James A. Parrott. 2020. [A Minimum Compensation Standard for Seattle TNC Drivers](#). Center on Wage and Employment Dynamics and New School Center for New York City Affairs, July 2020.

Research Institute on Social and Economic Policy, Center for Labor Research and Studies, and Florida International University (RISEP-FIU). 2014. [Wage Theft in Hillsborough County, Florida](#). December 2014

Restaurant Opportunities Centers United (ROC-United). n.d. “[We Are UNITED](#)” (web page). Accessed March 24, 2022.

Results for America. n.d. “[Flagstaff: Fighting Intergenerational Poverty by Putting the Minimum Wage on the Ballot](#)” (web page). Accessed February 28, 2022.

Reyes, Juliana Feliciano. 2020. “[Philly Is Now Publicly Shaming ‘Bad Actor’ Businesses That Break the City’s Labor Laws](#).” *Philadelphia Inquirer*, January 9, 2020.

Reyes, Juliana Feliciano. 2021a. “[Philadelphia Makes Target Pay Workers \\$22,000 for Violating City’s Fair Workweek Law](#).” *Philadelphia Inquirer*, September 2, 2021.

Reyes, Juliana Feliciano. 2021b. “[Retail and Fast-Food Workers: These Are Your Rights Under Philadelphia’s Fair Workweek Law](#).” *Philadelphia Inquirer*, October 25, 2021.

Rhinehart, Lynn, Celine McNicholas, Margaret Poydock, and Ihna Mangundayao. 2021.

*Misclassification, the ABC Test, and Employee Status: The California Experience and Its Relevance to Current Policy Debates*. Economic Policy Institute, June 2021.

Rosado Marzán, César F. 2020. “Wage Theft as Crime: An Institutional View.” *Journal of Law & Society*, U Iowa Legal Studies Research Paper No. 2021-02, Available at SSRN: <https://ssrn.com/abstract=3558726> or <http://dx.doi.org/10.2139/ssrn.3558726>

Rosenberg, Eli. 2021. “New Report Says Failures at OSHA Under Trump Could Have Put More Workers at Risk During Pandemic.” *Washington Post*, March 2, 2021.

Rosenthal, Helen. 2021. “Government Keeps Failing Social Service Providers, Now We’re Passing the Buck to Labor.” *Gotham Gazette*, August 12, 2021.

Sachs, Benjamin I. 2011. “Despite Preemption: Making Labor Law in Cities and States.” *Harvard Law Review* 124, no. 5 (March) 1153–1224.

Safer at Work Los Angeles. (SAW LA) n.d. “Safer At Work Los Angeles County” (web page). Accessed March 22, 2022.

Said, Carolyn. 2020. “Instacart Settles with San Francisco Over Health Care Benefits for Gig Workers.” *San Francisco Chronicle*, August 24, 2020.

Sainato, Michael. 2018. “US Airport Workers Struggle to Make Ends Meet as Industry Profits Soar.” *Guardian*, December 7, 2018.

Salt Lake City Department of Human Resources (SLC HR). n.d. “Labor Agreements” (web page). Accessed March 30, 2022.

San Diego. n.d. “Article 2: Administrative Code.” San Diego Municipal Code, Chapter 2: Government. City of San Diego website, accessed March 25, 2022.

Sanes, Milla, and John Schmitt. 2014. *Regulation of Public Sector Collective Bargaining in the States*. Center for Economic Policy Research, March 2014.

San Francisco, City and County of (San Francisco). 2011. *Minimum Wage, Outreach*. San Francisco Administrative Code § 12R25. Accessed via American Legal Publishing website on May 23, 2022.

San Francisco, City and County of (San Francisco). 2013. *Right to Request Flexible or Predictable Working Arrangement*. San Francisco Administrative Code § 12Z4. Accessed via American Legal Publishing website on May 23, 2022.

San Francisco, City and County of (San Francisco). 2017. *Lactation Accommodation*. San Francisco Police Code § 3300I.4. Accessed via American Legal Publishing website on May 23, 2022.

San Francisco, City and County of (San Francisco). 2020. “Healthy Airport Ordinance.” City of San Francisco website, accessed March 30, 2022.

San Francisco, City and County of (San Francisco). n.d.a. “San Francisco Administrative

Code Chapter 12R. Accessed via American Legal Publishing website on March 25, 2022.

San Francisco Office of Labor Standards Enforcement (SF OLSE). 2020. “[Guidance Regarding the Use of San Francisco Paid Sick Leave During the Current Local Health Emergency](#).” City of San Francisco website. March 24, 2020.

San Francisco Office of Labor Standards Enforcement (SF OLSE). 2022. “[2022 Health Care Security Ordinance Poster](#).” City of San Francisco website, accessed March 22, 2022.

San Francisco Office of Labor Standards Enforcement (SF OLSE). n.d.a. [Annual Reports](#). City of San Francisco website, accessed May 23, 2022.

San Francisco Office of Labor Standards Enforcement (SF OLSE). n.d.b. “[COVID-Related Employment Protections Ordinance](#)” (web page). Accessed March 24, 2022.

San Francisco Office of Labor Standards Enforcement (SF OLSE). n.d.c. [FY 2019–2020 Annual Report](#). City of San Francisco website, accessed May 23, 2022.

San Francisco Office of Labor Standards Enforcement (SF OLSE). n.d.d. “[Minimum Compensation Ordinance](#)” (web page). Accessed March 30, 2022.

San Francisco Office of Labor Standards Enforcement (SF OLSE). n.d.e. “[Office of Labor Standards Enforcement](#)” (web page). Accessed February 28, 2022.

San Francisco Office of Labor Standards Enforcement (SF OLSE). n.d.f. “[San Francisco Labor Laws – City Contractors](#)” (web page). Accessed February 28, 2022.

San Francisco Office of the City Attorney (SF OCA). 2014. “[Cheated Janitors to Receive \\$1.34 Million in Restitution in Healthcare Benefits Settlement](#)” (press release). July 7, 2014.

San Francisco Office of the City Attorney (SF OCA). 2019. “[Herrera Takes on Tour Bus Company That Cheated Workers out of Health Care](#)” (press release). October 10, 2019.

San Francisco Office of the City Attorney (SF OCA). 2021. “[San Francisco Secures Over \\$5 Million Settlement for DoorDash Workers](#)” (press release). November 22, 2021.

San Francisco Office of the District Attorney (SF ODA). 2021. “[District Attorney Boudin and Los Angeles District Attorney George Gascón Announce Worker Protection Action Against Handy for Misclassifying Its Workers](#)” (press release). March 17, 2021.

San Jose, City of (San Jose). 2020. Agreements for Minimum Wage Enforcement Services between the City of San Jose and the Cities of Burlingame (start date, November 1, 2020), and the Cities of Cupertino, Milpitas, Redwood City, San Carlos, San Mateo, Santa Clara, South San Francisco, and Sunnyvale (all with start dates of July 1, 2020). Available via [GILES](#), the Office of the San Jose City Clerk’s Records Database through key word search “[minimum wage enforcement services](#).”

San Jose, City of (San Jose). n.d. “[Labor Compliance](#)” (web page). Accessed May 24, 2022.

Santa Clara, County of (Santa Clara). n.d.a. “[Office of Labor Standards Enforcement](#)” (web

page). Accessed February 28, 2022.

Santa Clara, County of (Santa Clara). n.d.b. Office of Labor Standards Enforcement “[Food Permit Enforcement Program](#)” (web page). Accessed May 22, 2022.

Santa Clara, County of (Santa Clara). n.d.c. “[Policy Resolution No. BOS-2016–196](#).” County of Santa Clara website, accessed March 25, 2022.

Santa Clara Board of Supervisors (SC BOS) 2020. “[Santa Clara County Board of Supervisors Policy Manual, Soliciting and Contracting, Wage Theft](#).” Vol. Section 5.5.5.4. County of Santa Clara Board of Supervisors Policy Manual, revised September 24, 2020.

Santa Clara Office of Labor Standards Enforcement (SC OLSE). 2020. [Annual Report](#).

Santa Clara Office of Labor Standards Enforcement (SC OLSE). n.d.a. “[County Resources](#)” (web page). Accessed March 24, 2022.

Santa Clara Office of Labor Standards Enforcement (SC OLSE). n.d.b. “[County Resources: The Fair Workplace Collaborative Supports Workers](#)” (web page). Accessed March 24, 2022.

Santa Clara Office of Labor Standards Enforcement (SC OLSE). n.d.c. “[COVID-19 Hazard Pay](#)” (web page). Accessed March 29, 2022.

Santa Clara Office of Labor Standards Enforcement (SC OLSE). n.d.d. “[Food Permit Enforcement Program](#)” (web page). Accessed February 28, 2022.

Santa Clara Office of Labor Standards Enforcement (SC OLSE). n.d.e. “[Our Partners](#)” (web page). Accessed March 24, 2022.

Santa Clara Office of Labor Standards Enforcement (SC OLSE). n.d.f. “[County of Santa Clara Office of Labor Standards Enforcement Homepage](#)” (web page). Accessed March 22, 2022.

Santa Clara Office of the County Executive (SC OCE). n.d. “[Current Living Wage Rates](#)” (web page). Accessed February 28, 2022.

Santa Monica, City of (Santa Monica). 2019. “[Hotel Worker Protection Ordinance Passed by Santa Monica City Council](#)” (news update). August 28, 2019.

Santa Monica, City of (Santa Monica). n.d. “[Minimum Wage](#)” (web page). Accessed April 4, 2022.

Sarchet, Bruce. 2021. “[West Hollywood, California Adopts Comprehensive Hotel Worker Ordinance with Right to Recall](#).” Littler Mendelson P.C. website, August 5, 2021.

Sawo, Marokey, and Julia Wolfe. 2022. “[Building Back Better Means Raising Wages for Public-Sector Workers](#).” *Working Economics Blog* (Economic Policy Institute), March 16, 2022.

Scheiber, Noam. 2021. “[Chipotle Is Sued by New York City Over Scheduling Practices.](#)” *New York Times*, April 28, 2021.

Schweitzer, Justin. 2021. *[Ending the Tipped Minimum Wage Will Reduce Poverty and Inequality: One Fair Wage States Are Better for Workers in Tipped Industries.](#)* Center for American Progress, March 2021.

SeaTac, City of (SeaTac). n.d. “[Ordinance Setting Minimum Employment Standards for Hospitality and Transportation Industry Employers.](#)” City of SeaTac website, accessed March 30, 2022.

Seattle City Council (Seattle CC). 2018. “[Domestic Workers Standards Board Ordinance.](#)” Municode website, accessed May 23, 2022.

Seattle City Council (Seattle CC). 2021. [A Resolution Concerning the Health, Well-Being, and Safety of Domestic Workers; Expressing Council’s Intent to Establish a Right to Portable Paid Time Off \(PTO\) for Domestic Workers in Seattle; and Requesting the Office of Labor Standards to Work with Community Stakeholders to Draft Legislation Creating a Portable PTO Policy for Domestic Workers.](#) Vol. 32028.

Seattle, City of (Seattle). 2020. “[Gig Worker Paid Sick and Safe Time Ordinance](#)” (web page). Vol. 126091. Accessed May 23, 2022.

Seattle, City of (Seattle). n.d.a. “[3.15.007 – Office of Labor Standards Fund.](#)” Seattle, Washington – Municipal Code. Municode website, accessed March 30, 2022.

Seattle, City of (Seattle). n.d.b. “[14.19.100 – Failure to Comply with Final Order.](#)” Seattle, Washington – Municipal Code. Municode website, accessed March 25, 2022.

Seattle Office of Labor Standards (Seattle OLS). 2012. “[Paid Sick and Safe Time Ordinance](#)” (web page). Effective September 1, 2012.

Seattle Office of Labor Standards (Seattle OLS). 2013. “[Fair Chance Employment Ordinance. SMC 14.17](#)” (web page). Effective November 1, 2013.

Seattle Office of Labor Standards (Seattle OLS). 2015a. “[Minimum Wage Ordinance. SMC 14.19](#)” (web page). Effective April 1, 2015.

Seattle Office of Labor Standards (Seattle OLS). 2015b. “[Wage Theft Ordinance. SMC 14.20](#)” (web page). Effective April 1, 2015.

Seattle Office of Labor Standards (Seattle OLS). 2017. “[Secure Scheduling Ordinance. SMC 14.22](#)” (web page). Effective July 1, 2017.

Seattle Office of Labor Standards (Seattle OLS). 2018a. “[Domestic Workers Ordinance. SMC 14.23](#)” (web page) Vol. 125627. Effective July 1, 2019.

Seattle Office of Labor Standards (Seattle OLS). 2018b. “[During the Second Quarter of 2018, the Seattle Office of Labor Standards Resolved 40 Investigations Resulting in Payments of Over \\$285,000 in Remedies](#)” (press release). August 3, 2018.

Seattle Office of Labor Standards (Seattle OLS). 2018c. “[Seattle Office of Labor Standards Organizes Training for Residential Painting Contractors After Finding Violations](#)” (press release). October 17, 2018.

Seattle Office of Labor Standards (Seattle OLS). 2018d. “[The Seattle Office of Labor Standards Recovers More Than \\$40,000 in Subminimum Wage Violations on Behalf of Workers with Disabilities](#)” (news update). Seattle City Council website. April 24, 2018.

Seattle Office of Labor Standards (Seattle OLS). 2019a. “[Office of Labor Standards Reaches Its Largest Settlement Under Secure Scheduling Law: Jack in the Box Franchises to Pay Over \\$172,000 to 569 Seattle Workers](#)” (press release). September 16, 2019.

Seattle Office of Labor Standards (Seattle OLS). 2019b. “[OLS Recovers More than \\$120,000 in Minimum Wage Violations for Seattle Home Care Providers](#)” (press release). January 25, 2019.

Seattle Office of Labor Standards (Seattle OLS). 2019c. “[Seattle Office of Labor Standards Reaches Largest Settlement in Its History: Arizona-Based Staffing Company to Pay More Than \\$686,000](#)” (press release). August 15, 2019.

Seattle Office of Labor Standards (Seattle OLS). 2019d. “[Seattle Office of Labor Standards Reaches \\$182,000 Settlement with Two Hyatt Hotels](#)” (press release). October 15, 2019.

Seattle Office of Labor Standards (Seattle OLS). 2020a. “[As of October 1, 2020, The Office of Labor Standards Has Assessed More Than \\$10 Million in Remedies for Seattle Workers](#)” (news update). October 28, 2020.

Seattle Office of Labor Standards (Seattle OLS). 2020b. “[Commuter Benefits Ordinance. SMC 14.30](#)” (web page). Vol. 125684. Effective January 1, 2020.

Seattle Office of Labor Standards (Seattle OLS). 2020c. “[Gig Worker Premium Pay Ordinance. 3.02.125 and 6.208.020](#)” (web page). Effective June 26, 2020.

Seattle Office of Labor Standards (Seattle OLS). 2020d. “[Hotel Employees Safety Protections Ordinance. SMC 14.26](#)” (web page). Effective July 1, 2020.

Seattle Office of Labor Standards (Seattle OLS). 2020e. “[Improving Access to Medical Care for Hotel Employees Ordinance. SMC 14.28](#)” (web page). Vol. 125930. Effective July 1, 2020.

Seattle Office of Labor Standards (Seattle OLS). 2020f. “[Protecting Hotel Employees from Injury Ordinance. SMC 14.27](#)” (web page). Effective July 1, 2020.

Seattle Office of Labor Standards (Seattle OLS). 2020g. “[Seattle Office of Labor Standards Seattle Human Rights Rules \(SHRR\) Chapter 70 Practices for Administering the Paid Sick and Safe Time Ordinance Under SMC 14.16](#).” Emergency Rule, SHRR 70–080. City of Seattle website. June 3, 2012, revised June 29, 2018.

Seattle Office of Labor Standards (Seattle OLS). 2020h. “[The Hotel Employees Job Retention Ordinance. SMC 14.29](#)” (web page). Effective July 1, 2020.



Seattle Office of Labor Standards (Seattle OLS). 2020i. “[Transportation Network Company Minimum Compensation Ordinance. SMC 14.33](#)” (web page). Effective January 1, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021a. “[Grocery Employee Hazard Pay Ordinance. SMC 3.02.125 and 6.208.020](#)” (web page). Effective February 3, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021b. “[Independent Contractor Protections Ordinance. SMC 14.34](#)” (web page). Effective September 1, 2022.

Seattle Office of Labor Standards (Seattle OLS). 2021c. “[Multinational Food Company Settles Investigation with Seattle Office of Labor Standards Resulting in Nearly \\$670 Thousand Dollars to More Than 620 Workers](#)” (press release). June 10, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021d. “[Office of Labor Standards \(OLS\) Reaches Settlement of Over \\$3.4 Million Dollars with Uber for Alleged Violations of Seattle’s Gig Worker Paid Sick and Safe Time Ordinance Impacting Over 15 Thousand Workers](#)” (press release). June 24, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021e. “[Office of Labor Standards Reaches a Nearly One Million Dollar Settlement with Postmates for Alleged Violations of Seattle’s Gig Worker Paid Sick and Safe Time Ordinance Impacting Over 1600 Workers](#)” (press release). August 4, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021f. “[Seattle Office of Labor Standards Celebrates May Day 2021 with App-Based Workers Appreciation Month](#)” (press release). May 3, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021g. “[Seattle Office of Labor Standards Investigation Finds Baja Concrete USA Corp and Newway Forming Inc. Jointly Responsible for Alleged Egregious Labor Standards Violations at Three Seattle Construction Worksites](#)” (press release). September 7, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021h. “[Seattle Office of Labor Standards Marks Six Year Anniversary Resolving 825 Investigations Resulting in Nearly \\$14 Million Dollars in Remedies to More Than 18 Thousand Seattle Workers](#)” (press release). April 2, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021i. “[Office of Labor Standards Reaches Settlement with Seattle Cleaning Company for Numerous Alleged Violations of Paid Sick and Safe Time, Wage Theft and Minimum Wage Ordinances](#)” (press release). September 15, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021j. “[Office of Labor Standards Reaches Settlement with Total Wine More for Alleged Violations of the Grocery Employee Hazard Pay Ordinance](#)” (press release). October 4, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021k. “[Seattle Office of Labor Standards Announces 2022–2023 Community Outreach and Education Fund Awardees to Provide Outreach and Education to Seattle Workers](#)” (press release). December 14, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2021l. “[Transportation Network Company Driver Deactivation Rights Ordinance. SMC 14.32](#)” (web page). Vol. 125976. Effective July 1, 2021.

Seattle Office of Labor Standards (Seattle OLS). 2022a. “[More than \\$2 Million Dollars Returned to Seattle Workers in Settlement with Carpe Diem Pizza, Inc. Db a Domino’s Pizza](#)” (press release). January 31, 2022.

Seattle Office of Labor Standards (Seattle OLS). 2022b. “[Traffic Control Company Settles for More Than \\$250 Thousand Dollars with the Seattle Office of Labor Standards for Alleged Violations of Three Ordinances](#)” (press release). February 2, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.a. “[Business Outreach and Education Fund \(BOEF\) Current Recipients](#)” (web page). Accessed March 25, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.b. “[Data Interactive Dashboards](#)” (web page). Accessed March 22, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.c. “[Domestic Workers Standards Board – What We Do](#)” (web page). Accessed March 18, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.d. “[Office of Labor Standards](#)” (web page). Accessed February 28, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.e. “[Resolved Investigations](#)” (web page). Accessed March 24, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.f. “[Resolved Investigations, April–June 2020](#)” (web page). Accessed March 24, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.g. “[Resolved Investigations, October–December 2020](#)” (web page). Accessed March 24, 2022.

Seattle Office of Labor Standards (Seattle OLS). n.d.h. “[TNC Driver Resolution Center \(TNC\) Funding](#)” (web page). Accessed March 18, 2022.

SEIU. 2019. “[Denver Airport Workers Win \\$15 an Hour](#)” (press release). *Globe Newswire*, March 11, 2019.

SEIU Healthcare Michigan (SEIU Healthcare). 2021. “[Detroit Essential Workers Rally, Testify to Demand Stronger Voice in Wages, Safety, Workplace Standards](#)” (news update). SEIU Healthcare Michigan website, November 10, 2021.

Somerville, City of (Somerville). n.d. “[Sec. 9.31. – Wage Theft.](#)” Somerville, Massachusetts – Municipal Code. Municode website, accessed March 30, 2022.

Spielman, Fran. 2022. “[Airport Contract Workers to Get Raise — And Another Next Year.](#)” *Chicago Sun-Times*, January 24, 2022.

St. Louis, City of (St. Louis). 2020. “[City of St. Louis to Provide Free Personal Protective](#)

**Equipment (PPE) to Small Businesses**" (news update). City of St. Louis website. May 12, 2020. Accessed May 23, 2022.

St. Paul, City of (St. Paul). 2020. *Human Rights and Equal Economic Opportunity 2020 Annual Report*.

St. Paul, City of (St. Paul). n.d.a. "**Labor Standards Advisory Committee**" (web page). Accessed February 28, 2022.

St. Paul, City of (St. Paul). n.d.b. "**Labor Standards Enforcement and Education**" (web page). Accessed February 28, 2022.

St. Paul, City of (St. Paul). n.d.c. "**Sec. 233.12. – Implementation.**" St. Paul, Minnesota – Municipal Code. Municode website, accessed March 30, 2022.

Stansbury, Anna. 2021. *Employer Concentration Suppresses Wages for Several Million U.S. Workers*. Washington Center for Equitable Growth, January 2021.

STL Air Portal. n.d. "**Living Wage**" (web page). Accessed March 30, 2022.

Stokes, Patrick, and Bruce Sarchet. 2018. "**Oakland, California Passes Ballot Measure Targeting Hotel Employers and Creating New Enforcement Mechanisms for Employment-Related Ordinances.**" Littler Mendelson P.C. website, November 20, 2018.

Sugar, Rachel. 2021. "**What You Need to Know About NYC's New Delivery-App Laws.**" *New York*, September 23, 2021.

Tacoma, City of (Tacoma). n.d. "**Minimum Employment Standards**" (web page). Accessed February 28, 2022.

TAPinto Staff. 2022. "**Newark City Council Passes Worker Retention Ordinance.**" *TapintoNewark*, February 16, 2022.

Taylor, Sarah Grace. 2022a. "**Seattle City Council Passes 'Pay Up' Bill, Raising Wages for Certain Gig Workers.**" *Seattle Times*, May 31, 2022.

Taylor, Sarah Grace. 2022b. "**Seattle City Council Spars Over, Passes Starbucks Union Resolution.**" *Seattle Times*, February 8, 2022 (updated February 9, 2022).

Telemundo 48, "**Programa Para Combatir El Robo De Salarios**" (Program to Fight Wage Theft). Telemundo 48 Área de la Bahía, September 23, 2019.

Toledo, City of (Toledo). n.d.a. "**Toledo Municipal Code Chapter 701.**" Accessed via American Legal Publishing website on March 25, 2022.

Toledo, City of (Toledo). n.d.b. "**Toledo Municipal Code § 187.12**" Accessed via American Legal Publishing website on March 25, 2022.

Totenberg, Nina. 2022. "**Supreme Court Blocks Biden's Vaccine-or-Test Mandate for Large Private Companies.**" *NPR*, January 13, 2022.

Trovall, Elizabeth. 2021. “[Harris County Commissioners Court Votes to Create Essential Workers’ Board](#).” *Houston Chronicle*, December 1, 2021.

Tulsa Department of Human Resources (Tulsa HR). n.d. “[Union Agreements](#)” (web page). Accessed March 30, 2022.

Tung, Irene, Paul K. Sonn, and Jared Odessky. 2021. *Just Cause Job Protections: Building Racial Equity and Shifting the Power Balance Between Workers and Employers*. National Employment Law Project, April 2021.

UC Berkeley Labor Center. 2022. “[Inventory of US City and County Minimum Wage Ordinances](#)” (web page). Accessed February 28, 2022.

UCLA Labor Center. 2014. *Exploring Targeted Hire: An Assessment of Best Practices in the Construction Industry*. March 2014.

UNITE HERE Local 1. 2022. “[Chicago’s ‘Hands Off Pants On’ Ordinance](#)” (web page). Accessed March 18, 2022.

University of Illinois Chicago, School of Public Health (UIC SPH). 2021. “[Black, Hispanic Americans Are Overrepresented in Essential Jobs](#).” Amicus Brief. February 2, 2021.

USC Dornsife, Equity Research Institute (USC ERI). 2020. “[Story of Place: Community Power and Healthy Communities](#).” USC Dornsife, Equity Research Institute, September 2020.

Census Bureau. 2022a. “[U.S. Census Bureau QuickFacts: Berkeley City, California](#)” (web page). Accessed March 18, 2022.

U.S. Census Bureau. 2022b. “[U.S. Census Bureau QuickFacts: Chicago City, Illinois](#)” (web page). Accessed March 18, 2022.

U.S. Census Bureau. 2022c. “[U.S. Census Bureau QuickFacts: Denver City, Colorado](#)” (web page). Accessed March 18, 2022.

U.S. Census Bureau. 2022d. “[U.S. Census Bureau QuickFacts: Duluth City, Minnesota](#)” (web page). Accessed March 18, 2022.

U.S. Census Bureau. 2022e. “[U.S. Census Bureau QuickFacts: Emeryville City, California](#)” (web page). Accessed March 22, 2022.

U.S. Census Bureau. 2022f. “[U.S. Census Bureau QuickFacts: Los Angeles City, California](#)” (web page). Accessed March 18, 2022.

U.S. Census Bureau. 2022g. “[U.S. Census Bureau QuickFacts: Minneapolis City, Minnesota](#).” (web page). Accessed March 18, 2022.

U.S. Census Bureau. 2022h. “[U.S. Census Bureau QuickFacts: New York City, New York](#)” (web page). Accessed March 18, 2022.

- U.S. Census Bureau. 2022i. “[U.S. Census Bureau QuickFacts: Philadelphia City, Pennsylvania](#)” (web page). Accessed March 18, 2022.
- U.S. Census Bureau. 2022j. “[U.S. Census Bureau QuickFacts: San Francisco County, California; San Francisco City, California](#)” (web page). Accessed March 18, 2022.
- U.S. Census Bureau. 2022k. “[U.S. Census Bureau Quick Facts: San Jose City, California](#)” (web page). Accessed June 2, 2022.
- U.S. Census Bureau. 2022l. “[U.S. Census Bureau QuickFacts: Santa Clara County, California](#)” (web page). Accessed March 18, 2022.
- U.S. Department of Homeland Security (USDHS). 2021. “[Policy Statement 065–06](#)” (memorandum). U.S. Department of Homeland Security website. October 12, 2021.
- U.S. Department of Labor (USDOL). 2022. “[Dollar Threshold Amount for Contract Coverage](#)” (web page). January 1, 2022. Accessed May 23, 2022.
- U.S. Department of Labor (USDOL). 2022b. “[Minimum Wages for Tipped Employees](#) (web page).” Accessed May 22, 2022.
- U.S. Department of Labor, Occupational Safety and Health Administration (USDOL OSHA). n.d. “[State Plans](#)” (web page). Accessed March 24, 2022.
- U.S. Department of the Treasury (Treasury). 2021. “[Allocation of American Rescue Plan Act Funds for Counties](#)” (web page). May 10, 2021.
- U.S. Department of the Treasury (Treasury). n.d. “[Allocation of American Rescue Plan Act Funds for Metropolitan Cities](#)” (web page). Accessed March 24, 2022.
- Valentine, Brittany. 2022. “[City Council Supports Philly Starbucks Workers’ Union Efforts.](#)” *AI Día*. March 4, 2022.
- Vanderbilt University (Vanderbilt). 2012. “[Two Cities Offer Model to Fight Weight Discrimination: Vanderbilt Study.](#)” *Research News*, June 21, 2012.
- Vermont, State of (Vermont). 1973. “[Vermont Municipal Labor Relations Act](#)” (web page). Vol. Chapter 22.
- Vo, Thy. 2022. “[The Colorado Capitol’s Next Big Labor Fight: Whether to Let Local Public Workers Unionize.](#)” *Colorado Sun*, January 20, 2022.
- Von Wilpert, Marni. 2017. *City Governments are Raising Standards for Working People—And State Legislators are Lowering Them Back Down*. Economic Policy Institute, August 2017.
- Wagner, Stokes. 2020. “[Seattle Expands Hotel Employee Protections Effective July 2020.](#)” *JD Supra*, January 29, 2020.
- Wall, Malkie, Karla Walter, and David Madland. 2020. *Prevailing Wages: Frequently Asked*

*Questions*. Center for American Progress, December 2020.

Walsh, Brian. 2021. Personal email communication with Terri Gerstein, September 3, 2021 (on file with the authors).

Walter, Karla, and David Madland. 2015. *Contracting That Works: How State and Local Governments Can Uphold High Standards for Workers, Business, and Taxpayers*. Center for American Progress Action Fund, November 2015.

Walter, Karla, Alex Rowell, and Malkie Wall. 2020. *A How-To Guide for Strengthening State and Local Prevailing Wage Laws*. Center for American Progress, December 2020.

Washington Center for Equitable Growth (WCEG). 2020. *Factsheet: New Study Shows That Emergency Paid Sick Leave Reduced COVID-19 Infections in the United States*. Washington Center for Equitable Growth, October 26, 2020.

Washington State Legislature (Washington). 2022. *Concerning Rights and Obligations of Transportation Network Company Drivers and Transportation Network Companies* (bill information page) accessed June 2022.

Weil, David. 2014. *The Fissured Workplace*. Cambridge, Mass.: Harvard University Press.

Weil, David. n.d. “*The Problem*” (website). *The Fissured Workplace*. Accessed June 2, 2022.

West Hollywood City Council (West Hollywood CC). 2021. “*An Ordinance of the City Council of the City of West Hollywood, California Adding Chapter 5.128 to the West Hollywood Municipal Code Regarding Hotel Worker Protection. Ordinance No. 21–1159.*” Vol. 5. 128. City of West Hollywood website. Various effective dates: September 1, 2021; January 1, 2022; and July 1, 2022. Accessed May 23, 2022.

West Hollywood, City of (West Hollywood). n.d. “*Minimum Wage*” (website). Accessed June 2, 2022.

Winner, Shelley. 2019. “*Hiring the Formerly Incarcerated Is Best for Your Team.*” TEDx Talk on YouTube video, 15:43. Published September 5, 2019.

Wolfe, Julia, Jori Kandra, Lora Engdahl, and Heidi Shierholz. 2020. *Domestic Workers Chartbook: A Comprehensive Look at the Demographics, Wages, Benefits, and Poverty Rates of the Professionals Who Care for Our Family Members and Clean Our Homes*. Economic Policy Institute, May 2020.

Wolfe, Julia, Sebastian Martinez Hickey, Dave Kamper, and David Cooper. 2021. *Preempting Progress in the Heartland: State Lawmakers in the Midwest Prevent Shared Prosperity and Racial, Gender, and Immigrant Justice by Interfering in Local Policymaking*. Economic Policy Institute, October 2021.

Workers Defense Project (WDP). n.d. “*Workers Defense Project*” (website). Accessed March 24, 2022.

Yang, Jenny R., Molly Weston Williamson, Shelly Steward, K. Steven Brown, Hilary Greenberg, and Jessica Shakesprere. 2020. *Reimagining Workplace Protections: A Policy Agenda to Meet Independent Contractors' and Temporary Workers' Needs*. Urban Institute, December 2020.

Zaluska, Izabela. 2021. "Coralville Mayor-Elect Meghann Foster Envisions the City's Future." *The Gazette*, December 27, 2021.

Zerez, Megan. 2022. "Ithaca Will Require Employers To Disclose Pay Range in Job Postings." *WSKG*, May 8, 2022.