

Holding the Line

Rights to unionize and collectively bargain

State solutions to the U.S. worker rights crisis

Report • By [Jennifer Sherer](#) • February 17, 2026

Why this matters

Federal worker protections are under attack. Here is what states should do to protect and expand union and collective bargaining rights.

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What does current federal law say about workers' rights to unionize and collectively bargain?

Since 1935, the National Labor Relations Act (NLRA) has provided most private-sector workers the statutory right to join together with coworkers for the purposes of mutual aid and protection, including by forming or joining unions to bargain collectively with employers over wages, hours, and terms and conditions of work.

Under the **NLRA**, workers can form a legally recognized union in two ways:

1. They can petition their employer to voluntarily recognize their union after a majority signs union cards or petitions, or
2. They can file a petition for a union election administered by the National Labor Relations Board (NLRB) and have their union certified by the NLRB after a majority vote in favor. In practice, the NLRB election process can be lengthy, and workers often face intense employer interference.

The NLRA requires employers to bargain with workers who have won a union election and prohibits employers from retaliating against workers for organizing activity. But NLRA enforcement structures are weak; employers who violate the NLRA face no monetary penalties; and workers whose rights are violated receive no compensatory damages. As a result, **millions of workers** seeking to unionize face **daunting obstacles** because the NLRA fails to reliably deter employer retaliation or to require that employers bargain in good faith to reach a **contract settlement**. Decades of federal policy and court decisions have further weakened the NLRA; most notably, the 1947 Taft-Hartley Act legalized new forms of employer anti-union activity and allowed states to constrain collective bargaining rights through anti-union, so-called **right-to-work (RTW) laws**.

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Moreover, many workers have never been covered by federal labor law. Jim Crow-era **occupational carveouts** in the NLRA continue to exclude public-sector workers, farmworkers, and domestic workers (including millions of home care and child care workers) from coverage, as well as supervisors and independent contractors. Other federal labor laws cover some other groups of workers: Rail and airline workers' collective bargaining rights are governed by the **Railway Labor Act**; U.S. Postal Service employees gained collective bargaining rights in the 1970 **Postal Reorganization Act**; and collective bargaining rights of most other federal employees are governed by the **Federal Service Labor-Management Relations Act** (enacted as Title VII of the 1978 Civil Service Reform Act).

What are the threats to workers' federal rights to unionize and collectively bargain?

Current threats to workers' union rights include:

- **Undermining the NLRB's ability to enforce labor law:** After taking office in January 2025, one of President Trump's first actions was **removing Board member Gwynne Wilcox**, attacking the NLRB's status as an independent agency. This move left the NLRB without a quorum and therefore unable to adjudicate cases until quorum was eventually **restored in December 2025**. This rendered the **NLRB nonoperational** for the better part of a year—allowing employers to violate labor law with no immediate legal consequences—and created an enormous backlog of unadjudicated cases for an already **underfunded and understaffed NLRB** to consider. Even more consequentially, the attack compromised the NLRB's long-term ability to function independently: Firing Wilcox for “disfavoring employers” made clear that under the current administration, NLRB members must favor employers to keep their jobs—essentially **eliminating the independence of the agency**.
- **Court challenges to the NLRB's constitutionality:** **Corporate lawsuits** challenging the NLRB's constitutionality and status as an independent agency may eventually be headed to the Supreme Court—which could effectively repeal the NLRA and end federal protections for private-sector workers' rights to unionize and bargain.
- **Eliminating federal mediation of difficult contract disputes:** The Trump administration has attempted to use executive action to **eliminate the Federal Mediation and Conciliation Service (FMCS)**, a federal agency that, since 1947, had provided mediation to resolve labor-management disputes and training to promote productive collective bargaining relationships. This action has so far been blocked by **court challenges**.
- **Rendering the NLRB hostile to workers and further weakening enforcement:** One of President Trump's first actions after taking office in 2025 was the **firing of NLRB General Counsel Jennifer Abruzzo**. The new NLRB General Counsel has already

begun to **rescind key practices** implemented by Abruzzo to strengthen enforcement. Likewise, **newly appointed NLRB Board members** may reverse recent decisions that represented steps toward shoring up workers' rights to organize and bargain, such as the **Board's 2024 ruling** declaring anti-union captive audience meetings illegal.

- **Loss of bargaining rights for workers with precarious NLRA coverage:** Tens of thousands of **student workers at private colleges and universities** have organized unions in recent years via successful NLRB elections, but the NLRB's position on whether student workers at private institutions are covered by the NLRA has fluctuated under different administrations. It is widely anticipated that new Trump NLRB appointees could **reverse this key precedent**, stripping student workers of NLRA protections.
- **Stripping public employees' collective bargaining rights:** The Trump administration has prioritized direct **attacks on union rights** of federal employees, first by terminating collective bargaining agreements covering Transportation Security Administration employees, then **terminating union contracts** across several other federal agencies to implement a **Trump executive order** aimed at eliminating collective bargaining rights for most federal employees. These actions continue to face **legal challenges** (and could be reversed by **legislation passed by the House** and under consideration in the Senate), though the administration has often pressed ahead with terminating or ignoring union contracts **despite court orders**. The attempt to eliminate federal employee collective bargaining advances elements of a broader proposal in **Project 2025** (p. 82) that claims public employee unions are “not compatible with constitutional government” and calls on Congress to consider banning them.
- **Narrowing existing legal pathways to unionization:** **Project 2025** (p. 603) proposes to eliminate the default NLRA process that allows workers seeking to form a union to approach their employer to request voluntary recognition once a majority have signed union cards as verified by a neutral third party via a “card check” process. Several states have also advanced parallel attacks on workers' NLRA-protected right to organize using this process. So far, **Tennessee, Georgia, and Alabama** have enacted anti-union legislation threatening to deny state economic development funds to any employer who voluntarily recognizes a union, even though voluntary recognition when a majority of workers have signed union cards remains fully lawful under the NLRA.

How can states maintain and strengthen worker rights to unionize and bargain?

States have **clearly established authority** to legislate in areas of labor law not covered by the NLRA (for example, regarding the collective bargaining rights of groups of workers who are excluded from NLRA coverage), but they have **historically been preempted** from lawmaking in areas that the NLRA “arguably protects or prohibits” or that address questions Congress intended to leave to “free forces” of the market. Moreover, in 1947 Congress explicitly granted states authority to restrict (but not expand) private-sector workers’ collective bargaining rights by enacting so-called right-to-work laws barring employers and unions from including union security clauses in collective bargaining agreements. Unless otherwise noted, the state policies and practices discussed in this brief are measures that have been previously enacted in multiple states and are not preempted by federal labor law.

Step I: Lock in and shore up existing federal protections

As noted above, the NLRA was enacted in 1935 to protect workers’ basic rights to organize for better working conditions, form unions, and collectively bargain—but current federal and corporate attacks are accelerating a decades-long trend of weakening these protections. This means even workers whose rights are legally protected on paper operate in practice on a highly uneven playing field when trying to organize a union or negotiate a fair contract. States can take several important actions to shore up workers’ existing labor rights, remove state-level constraints and obstacles to unionizing, and ensure that workers can more fully exercise their existing federal rights to organize and collectively bargain.

To lock in current federal union and collective bargaining protections, states should:

1. Repeal so-called right-to-work laws and other anti-union state measures constraining workers’ organizing and collective bargaining rights:

At a bare minimum, states should avoid diminishing workers’ federal labor rights and refrain from imposing additional obstacles to organizing and collective bargaining.

- 26 states have in place **anti-union RTW legislation** that constrains collective bargaining rights by barring employers and unions from negotiating union security agreements.¹ RTW laws are designed to suppress union membership by making it

more difficult for workers to form and sustain unions, and data show they result in lower wages and benefits for all workers. States with RTW laws should follow [Michigan's recent lead](#) and repeal them.

- [Colorado](#) should repeal its unique, long-standing anti-union state law that imposes RTW-like conditions on unionizing workers unless they undergo a state-mandated “second election” (and win by a supermajority) in order to win full bargaining rights.
- States (including [Alabama](#), [Georgia](#), and [Tennessee](#)) should repeal recently enacted anti-union laws intended to penalize employers and workers who exercise NLRA-protected rights to use majority card check and voluntary recognition to form a union, and other states now considering such legislation should reject it.

2. Protect workers’ freedom of conscience and ban mandatory “captive audience” meetings:

Workers’ right to organize without employer interference is spelled out clearly in federal labor law, but employers have long used mandatory [captive audience meetings and other tactics](#) to [violate these rights in practice](#) to block workers from organizing new unions. In 2024, the [NLRB ruled](#) that anti-union captive audience meetings constitute illegal employer interference with workers’ right to organize. Prior to this ruling, [at least a dozen states](#) had already enacted legislation to protect workers broadly from the overarching threat of employer coercion, banning mandatory captive audience meetings on political or religious matters including (but not limited to) employer opinions on unionization. Because the NLRB can only address captive audience meetings focused on anti-union speech, and because the new ruling is at risk of reversal by the current labor board, it remains important for states to enact and enforce legislation that broadly protects workers’ freedom of choice and conscience on a wide range of political and religious matters.

3. Extend unemployment insurance to striking or locked out workers:

States can help make sure workers can fully exercise their collective bargaining rights—including the right to strike if necessary—by ensuring that workers whose paychecks stop due to a strike are [eligible to apply for unemployment insurance \(UI\) benefits](#) under the same rules as other unemployed workers. In too many states, workers are disqualified from applying for UI when on strike (or even when locked out by an employer during a labor dispute), opening the door for employers to undermine negotiations and attempt to “starve workers out” rather than negotiating to reach an agreement. More states should join [New Jersey](#), [New York](#), [Oregon](#), and [Washington](#) in ensuring that both striking and locked out workers are eligible to apply for UI. This is an extremely [low-cost policy](#) that can help level the playing field in labor negotiations, stabilize local economies during labor disputes, and potentially lead to fewer strikes and lockouts by encouraging parties to seek fair contract settlements.

4. Guarantee organizing and collective bargaining rights in state constitutions:

A handful of states have long had **constitutional language** in place affirming collective bargaining rights, and other states have been motivated to amend their constitutions to safeguard basic labor rights in the face of growing threats. In 2022, a supermajority of voters approved a constitutional **Workers' Rights Amendment in Illinois** declaring that “no law shall be passed that interferes with, negates, or diminishes the right of employees to organize and bargain collectively.” A similar constitutional amendment will appear on the ballot in **Vermont in 2026**. These amendments affirm the collective bargaining rights of all employees, regardless of occupation or sector, *and* explicitly prohibit RTW-style legislation that limits bargaining rights. Such constitutional language can help spur legal or legislative action necessary to actualize collective bargaining rights for farmworkers or others excluded from NLRA coverage—as **New York** and **New Jersey have done**—and may help states protect the labor rights of **student workers** and others whose status under federal labor law has been or may in the future become precarious.

5. Enact “trigger laws” to ensure future continuity of rights for workers at risk of losing federal labor law coverage:

Given current threats to the NLRA, some states are enacting policies designed to ensure they are positioned to protect private-sector workers’ rights to unionize and bargain in the event that aspects of federal labor law are repealed, struck down, or go unenforced. Taking such actions in as many states as possible is an important stopgap measure that comes with opportunities to improve and strengthen labor laws in some states. However, it is also the case that many states instead have in place (or could pass) highly restrictive anti-union state labor laws that would take effect if no longer preempted by the NLRA and strip many workers of their collective bargaining rights.

- More states should follow the lead of Rhode Island’s **2025 legislation** ensuring collective bargaining rights for student workers at private universities in the event their federal labor rights are revoked by future NLRB decisions. The new law expands state labor law’s definition of “employee” to include “teaching assistants, research assistants, fellows, residential assistants and proctors” “when not already protected” by the NLRB.
- In 2025, both **New York** and **California** enacted **trigger laws** authorizing their state labor boards to assert jurisdiction over private-sector labor relations in the event the NLRB ceases to do so. **Massachusetts** is also considering similar legislation. **NOTE:** *These new laws are facing **legal challenges** from the NLRB based on claims that federal labor law preempts states from taking such action.*

Getting started: Key questions for auditing state labor laws

- Are there state laws in place that provide a legal pathway to collective bargaining (with strong enforcement) for all workers—including workers in occupations excluded from federal (NLRA) coverage or whose coverage is precarious (public-sector workers, domestic workers, farmworkers, independent contractors, student workers, etc.)?
- Is the right to unionize and collectively bargain protected in the state constitution?
- Does state law protect workers' freedom to refuse participation in employer-mandated “captive audience” meetings on political or religious matters (including anti-union meetings) unrelated to their job duties?
- Does state law ensure workers are eligible to apply for unemployment insurance if their paychecks stop due to a strike or lockout during an impasse in contract negotiations?
- Does state law include “right-to-work” or other language that limits collective bargaining rights (by barring unions and employers from negotiating over union security), discourages workers from exercising their rights to pursue voluntary recognition of a new union, or creates other obstacles to unionizing?
- If aspects of federal labor law were to be repealed or nullified, what existing sections of state code might take effect either affirming or limiting rights of private-sector workers to unionize and collectively bargain?

Step II: Extend organizing and collective bargaining rights to workers who are excluded from federal labor laws

Federal labor law excludes public-sector, agricultural, and domestic workers from coverage, as well as supervisors and independent contractors. This leaves states latitude to set their own policies on union and collective bargaining rights for workers in these occupations (with the exception of private-sector supervisors, where state action has been preempted by federal courts).

1. Ensure full collective bargaining rights for all state and local government workers:

State policies on collective bargaining for different categories of state and local government workers **vary widely both across and within states**. Currently, many states maintain public employee collective bargaining laws with provisions roughly equivalent to (and, in a few instances, stronger than) those covering private-sector workers under the NLRA. Some other states completely prohibit some or all public employees and employers from entering into collective bargaining agreements or heavily restrict the topics public

employees and employers can negotiate and include in a contract. At present, roughly **half of states lack robust, comprehensive collective bargaining laws** covering all state and local government workers. State collective bargaining laws can vary across several dimensions, including:

- which groups of workers or occupations are covered
- which matters related to compensation and working conditions must be or can be discussed by parties in bargaining (including topics like whether workers can opt to pay their union dues via payroll deduction)
- whether bargaining is purely voluntary or whether employers are obligated to bargain under certain conditions, such as majority support for the union
- what steps a group of workers must take to demonstrate majority support for unionization in order to gain or maintain recognition and/or legal certification for purposes of collective bargaining
- what mediation or arbitration procedures are prescribed if the two parties reach an impasse in bargaining
- whether workers have the right to strike, and
- what recourse is available to workers or unions if employers violate the law.

States should assess the current strength of public-sector collective bargaining statutes across these dimensions and prioritize addressing coverage gaps or weaknesses, looking to states with robust comprehensive frameworks (and enforcement mechanisms) in place—such as **Connecticut, Minnesota, Oregon**, and others—for models. Examples of states moving to strengthen aspects of existing public-sector collective bargaining laws in recent years include the following:

- Many states with strong public-sector collective bargaining frameworks already in place continue to address coverage gaps and ensure equal collective bargaining rights to occupations formerly excluded or functionally blocked from coverage. Recent examples include legislation extending bargaining rights to **university graduate researchers** and **state legislative employees** in California, **student employees** at public universities in Washington, and various groups of **Minnesota public university employees**.
- **New Mexico** overhauled its **public-sector bargaining statute** in 2020, including **restructuring the state’s labor board system** to strengthen previously weak or inconsistent enforcement.
- In 2020, Virginia **lifted a long-standing ban** on public-sector collective bargaining and began to permit local governments to bargain with employee unions. In 2026, Virginia is considering **much stronger legislation** to create a comprehensive statewide collective bargaining framework covering all state and local government workers.
- In Maryland—where collective bargaining coverage varies by jurisdiction and occupation under a patchwork of highly fragmented laws—lawmakers are repeatedly called on to step in to extend bargaining rights to groups of otherwise excluded

workers (most recently including **community college employees** and **library staff**). This year, Maryland lawmakers should take overdue steps to enact **proposed legislation** to ensure similar rights for university graduate assistants and postdocs.

- Nevada, where local government employees have had collective bargaining rights for decades, **extended these rights to state employees** in 2019.
- Colorado granted limited collective bargaining rights to **some state employees** in 2020 and to **some county government employees** in 2022. Because (like many states) Colorado collective bargaining laws still exclude many public employees, other units of government have begun to step in as interest in unionization among Colorado public employees continues to grow. Following a successful 2024 local ballot initiative, **Denver City Council** adopted a strong collective bargaining ordinance covering municipal employees. And in 2026, university regents are considering a proposal to extend collective bargaining rights to **faculty and staff** across Colorado's public universities.

2. Create pathways to collective bargaining for in-home child care and home health care workers:

To begin addressing some of the inequities caused by the NLRA's exclusion of domestic occupations—work that is **persistently underpaid** and disproportionately performed by women, immigrants, and workers of color—lawmakers have created pathways to collective bargaining **for home-based child care providers** in at least a dozen states and/or **home health care workers** in at least eight states. These state laws classify child care or home care workers as public employees for collective bargaining purposes when providing care supported by public funds (e.g., Medicaid). Under such state laws, child care and/or home care workers who choose to unionize can negotiate legally binding collective bargaining agreements with a designated state entity. Recent examples of states taking important action to extend or restore collective bargaining rights for domestic workers include:

- California, where home care workers first won **collective bargaining rights in the 1990s**, enacted additional legislation in 2019 to create a **pathway to collective bargaining for home-based child care workers**. California lawmakers have in recent years also considered **proposed legislation** to shift its long-standing county-by-county collective bargaining system for home care workers to a more consistent statewide system.
- 2024 **Michigan legislation** restored home health care worker bargaining rights (which had been previously revoked in 2012), establishing a legal pathway to **unionization for over 30,000 Michigan home care workers** and creating the Michigan Home Help Caregiver Council to bargain with home care workers on behalf of the state.
- Among other reforms, **Vermont's 2024 PRO Act** repealed the previous exclusion of domestic workers from coverage under the state's labor law.
- If enacted, **2026 proposed legislation** to expand public-sector collective bargaining in Virginia will include home care workers, creating a Virginia Home Care Authority to act as the public employer of home health care workers for bargaining purposes.

3. Ensure full collective bargaining rights for agricultural workers:

Agricultural workers in at least **14 states** currently have some legally protected collective bargaining rights, though the strength of these rights and state-level mechanisms to enforce them vary widely. California's 1975 **Agricultural Labor Relations Act (ALRA)** remains the longest-standing and most robust state law covering farmworkers' union rights. Like many state labor laws, the ALRA is largely modeled on the NLRA, but it also illustrates how states can learn from weaknesses in federal labor law when legislating in areas not covered by the NLRA. For example, California's ALRA explicitly allows workers to unionize through majority card check recognition, permits unions to engage in secondary consumer boycotts, and gives its labor board broad authority to enforce the statute as necessary to further state labor policy (rather than requiring it to look to federal precedents established under the NLRA). Examples of other states that have recently pursued action to extend collective bargaining rights to farmworkers include:

- Following a court case affirming the state's constitutional obligation to protect farmworker collective bargaining rights, New York enacted **2019 legislation** amending its existing state labor statute to include farmworkers and granting enforcement authority to its existing **state labor board**. The **New Jersey Supreme Court** likewise in 1989 affirmed that employers are constitutionally required to bargain with farmworker unions, though the state has not yet created a statutory framework for farmworker collective bargaining.
- **Colorado 2021 legislation** removed a long-standing exemption of farmworkers from state labor law and codified farmworkers' rights to organize and collectively bargain.
- Legislation to extend collective bargaining rights to farmworkers in Maine has been introduced **numerous times since 2021**, including a bill that was **vetoed in 2022**.

4. Create pathways to collective bargaining for independent contractors:

A few states have begun to experiment with statutory frameworks to support nonmajority pathways to unionization and unique **forms of sector-wide collective bargaining for rideshare drivers**. While it is too soon to know what outcomes will result, these policies are intended to create a pathway to a union contract for drivers who have been persistently treated by digital platform companies as **"independent contractors" rather than employees** (thereby excluding them from coverage under the NLRA and most other labor and employment laws). While app-based workers continue where possible to make claims under various state and federal laws that they should rightfully be **considered employees**, many have concluded that legal battles to compel tech companies to respect drivers' employee status under the NLRA have no immediate prospect of success. So far, state-administered rideshare collective bargaining frameworks (developed in part through negotiations with rideshare companies like Uber) have been enacted in **Massachusetts** and **California**. **Minnesota** and **Illinois** are considering similar legislation.

Step III: Level the playing field for unionizing workers by streamlining organizing and first contract processes, strengthening state labor law enforcement, and educating workers about their rights

1. Strengthen state labor laws by applying lessons from federal labor law’s shortcomings:

Historically, most state labor laws and enforcement systems have been modeled largely on the NLRA. This has in turn meant that most state labor laws reflect some if not all the NLRA’s weaknesses—but this doesn’t have to be the case. When legislating in areas not preempted by the NLRA, states can strengthen labor laws far beyond familiar NLRA frameworks—including by incorporating into state law aspects of previously proposed (but not yet adopted) federal labor law reform. Examples of such opportunities include:

- **Require employers to recognize unions once a majority of workers demonstrate interest:** Federal labor law provides that once a majority of workers have signed union cards or petitions, they can approach their employer to recognize the union and have a neutral third party “check the cards” to verify majority interest. Indeed, as written, the NLRA assumed “card check” to be the default process for unionizing, with board elections becoming necessary only in instances where an employer had reason to question a union’s majority status. But because the NLRA also allows employers to refuse to recognize a union even where clear majorities exist, today, anti-union consultants nearly always counsel employers to block this pathway to unionization—meaning it is rarely available to workers in practice. State labor laws can however ensure that covered workers can use this process to unionize, as public-sector collective bargaining laws in **at least 14 states** currently do. For example, in 2003, **Illinois** amended its public-sector labor law to require employers to recognize unions based on verified majority showings of interest, as did **New Mexico** in 2020 and **Vermont** in 2024.
- **Give workers and state labor boards stronger tools to enforce labor law:** Limited and often ineffective enforcement mechanisms are a long-recognized shortcoming of federal labor law, and decades worth of proposed federal labor law reforms—including the **Protecting the Right to Organize (PRO) Act** considered by Congress in recent years—provide roadmaps for strengthening enforcement. States could, for example, adopt PRO Act-style proposals to strengthen enforcement by authorizing state labor boards to levy civil monetary penalties on employers who violate workers’ rights; award monetary damages (in addition to back-pay) to workers who are illegally fired for organizing; and seek court injunctions to get illegally fired workers back on the job quickly while retaliation cases are pending. State labor laws could also provide workers with a private right of action so they can sue employers for labor law violations in instances where a labor board fails to intervene within a

reasonable length of time. The “trigger law” [legislation currently under consideration in Massachusetts](#) provides one concrete model for embedding many of these enhanced enforcement measures in state labor laws.

- **Ensure timelines and processes for reaching a first contract:** Studies show that under weak federal labor law, another common tactic employers use with near impunity to block workers from obtaining a union contract is refusing to bargain in good faith, with [no intent to settle a first contract](#). Many state public-sector bargaining laws ensure timely contract settlements by prescribing that if parties don’t reach agreement within an established timeline, their disputes are submitted to mediation and/or binding arbitration. [Illinois](#), for example, amended its existing public-sector bargaining law in 2025 to set first contract settlement timelines for all newly formed unions regardless of size. Where state labor laws lack timelines for first contracts, lawmakers can adopt [proposed PRO Act provisions](#) requiring parties to use mediation and, if necessary, binding arbitration to reach a first contract settlement if they are unable to do so on their own within six months of a new union’s certification.

2. Establish or expand state-level systems to provide mediation and other services that support productive labor-management relations:

Given the Trump administration’s attempts to hobble [the Federal Mediation and Conciliation Service \(FMCS\)](#), states that don’t already provide their own mediation services to assist parties in reaching contract agreements should take steps to do so. For example, [Illinois](#) established a new mediation services program in 2025, authorizing its state labor department to appoint a mediator in situations when FMCS is unable to provide one. States should also consider [pooling resources](#) to create regional mediation and enforcement services.

3. Ensure all workers can easily learn about their rights to unionize and collectively bargain:

Research shows that [worker interest in unionizing continues to grow](#), but most workers have very little access to information about their labor rights or the steps involved in organizing a union and bargaining a contract. States can play tremendously important roles in ensuring more workers know about and are able to fully exercise their union rights. States can:

- facilitate the ability of existing unions (in sectors governed by state labor laws) to reach all workers they represent with information about their rights under the law and relevant collective bargaining agreements, including via new hire orientation sessions and regular electronic and in-person communication at the workplace. Several states have taken steps to embed these or similar requirements in [public-sector bargaining laws](#). For example, since 2018, [Maryland](#) has required public schools to grant unions access to new employee orientation, and [New Jersey](#) has required public employers to provide at least 30 minutes for unions to meet with new hires within their first 30

days on the job.

- provide resources for state labor agencies to provide worker rights education programming and/or to replicate online resource hubs such as the [Worker Organizing Resource and Knowledge Center](#) created by the U.S. Department of Labor to serve as a “one-stop shop for information and resources on unions and collective bargaining.” [Worker rights outreach](#) and [training events](#) like those supported by [Oregon’s Bureau of Labor and Industry](#) (often in partnership with labor and community groups) also provide excellent models for more states to emulate.
- require basic worker rights education in high schools and as part of state-funded workforce development training programs. Individual teachers or school districts can and sometimes do provide students with information about workplace rights, including information about rights to unionize and collectively bargain (as do some apprenticeship training programs, especially those jointly sponsored by unions and employers). But to ensure all current and future workers have equal access to basic knowledge of their rights on the job, more states should set minimum requirements for including this content in high schools and workforce development programs. [California 2023](#) legislation requiring worker rights instruction for all high school students during an annual “Workplace Readiness Week” is one model for other states to consider.
- maintain and expand state funding for programs that provide adult worker rights education and equip workers to take on leadership roles in their workplaces, unions, and communities. Examples for more states to follow include California, where starting in [2022](#), [state budgets](#) have designated funds to expand labor education capacity across the University of California system and launch new programs in underserved areas of the state, and Maine, where [2022 legislation](#) appropriated funds to establish a new labor and community education center at the University of Southern Maine.

Additional recommended resources

- [State and local policymakers can raise standards and build power for workers](#) (Center for American Progress American Worker Project)
- [Eight ways states can build worker power](#) (Center for American Progress American Worker Project)
- [Building worker power in cities and states](#) (Center for Labor and a Just Economy)
- [How states can lead the way for workers: A state playbook](#) (The Century Foundation)
- [How state and local government can support workers’ right to form and join unions](#) (NYU Wagner Labor Initiative)

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1. A union security clause is language included in a collective bargaining

agreement—negotiated and jointly agreed to by labor and management—that sets terms under which employees covered by a union contract in a given workplace will either join the union or (for workers who choose not to join the union) contribute an agency fee to cover their share of costs of contract and workplace representation benefits they receive from the union. In the U.S., the ability to bargain over union security has proven critical in establishing the stability and longevity of unions in the context of highly unequal workplace power. Without a union security agreement, any union’s future remains by definition “insecure” and precarious—both because future financial resources are unpredictable and because of significant risk that an anti-union employer could at any time attempt to discourage union membership in order to hinder the bargaining process; dissolve a newly formed union; or even encourage decertification of a longstanding union. Overt employer interference with workers’ freedom to join or form unions via tactics like pressuring employees to drop union membership or selecting new hires based on their willingness to oppose a union is of course illegal. However, as noted in this report, such labor law violations remain commonplace both because they are difficult to prove and even if proven, generally result in few or no consequences for employers under existing weak labor laws.