

## Labor Laws in the United States

Since the 1926 Railway Labor Act, the federal government has adopted dozens of major laws, statutes, Executive Orders and other regulations to strengthen labor laws, nearly half of them in the past 25 years. These regulations have helped protect America's workers and businesses alike, making our system the most modern in the world. Because of these protections, many U.S. workers no longer feel compelled to join unions.

- **2009: Lilly Ledbetter Fair Pay Act.** Changes the 180- or 300-day statute of limitations for filing pay-related discrimination lawsuits from the date the pay was agreed upon to the date of the latest discriminatory paycheck.
- **2009: Executive Order – Economy in Government Contracting.** Prevents federal contractors from being reimbursed for money spent to persuade employees to exercise or not to exercise their rights to organize and bargain collectively.
- **2009: Executive Order – Nondisplacement of Qualified Workers Under Service Contracts.** Requires that contractors taking over a previous government contract first offer jobs to nonsupervisory employees who worked for the previous contractor.
- **2009: Executive Order – Notification of Employee Rights Under Federal Labor Laws.** Requires federal government contractors to post a notice informing employees of their right to join a union and right not to join a union.
- **2007: Fair Minimum Wage Act.** Gradually raises the federal minimum wage from \$5.15 per hour to \$7.25 per hour.
- **1996: FLSA Amendment.** Increases the minimum wage to \$5.15 an hour.
- **1993: Family and Medical Leave Act.** Allows employees to take unpaid leave due to a serious health condition that makes them unable to perform his or her job, to care for a sick family member, or to care for a new child.
- **1990: Americans with Disabilities Act.** Prohibits discrimination in employment based on disability. (Coverage of the Act's protections was broadened by amendments in 2008.)
- **1989: FLSA Amendment.** Increases the minimum wage to \$4.25 in stages.
- **1989: Worker Adjustment and Retraining Notification Act (WARN).** Requires employers with 100 or more employees to provide 60-day advance notification of plant closings and mass layoffs of employees.
- **1986: Consolidated Omnibus Budget Reconciliation Act (COBRA).** Mandates that employers provide employees the ability to continue health insurance coverage after leaving employment.
- **1985: FLSA Amendment.** Permits state and local government employers to compensate their employee's overtime hours with paid time away from work (compensatory time or "comp time") in lieu of overtime pay.

- **1983: Migrant and Seasonal Agricultural Worker Protection Act.** Provides migrant and seasonal farm workers with protections concerning pay, working conditions, and work-related conditions, to require farm labor contractors to register with the U.S. Department of Labor, and assures necessary protections for farm workers, agricultural associations, and agricultural employers.
- **1978: Federal Labor Relations Act.** Establishes collective bargaining rights for most employees of the federal government in the United States.
- **1978: Pregnancy Discrimination Act.** Prohibits employment discrimination on the basis of pregnancy and requires disability and health insurance plans to include coverage of pregnancy.
- **1977: FLSA Amendment.** Increases the minimum wage in yearly increments through 1981 to \$3.35 an hour.
- **1974: FLSA Amendment.** Expands coverage to include other State and local government employees that were not previously covered; domestic workers also became covered and the minimum wage was increased to \$2.30 in stages.
- **1974: Employee Retirement Income Security Act.** Establishes minimum standards for pension plans in private industry and provides for extensive rules on the federal income tax effects of transactions associated with employee benefit plans.
- **1970: Occupational Safety and Health Act (OSHA).**
  - Governs occupational health and safety in the private sector and federal government in the United States.
  - Ensures that employers provide employees with an environment free from recognized hazards, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.
- **1967: Age Discrimination in Employment Act.**
  - Prohibits employment discrimination against persons 40 years of age or older.
  - Sets standards for pensions and benefits provided by employers and requires that information about the needs of older workers be provided to the general public.
- **1966: FLSA Amendment.** Expands coverage to some farm workers and increased minimum wage to \$1.60 in stages.
- **1965: Service Contract Act.** Establishes minimum standards for pay and fringe benefits under contracts for services performed for the federal government.
- **1964: Title VII of the Civil Rights Act.** Prohibits discrimination by employers on the basis of race, color, religion, sex or national origin, or on the basis of their association with another individual of a particular race, color, religion, sex or national origin.
- **1963: Equal Pay Act.** Amends the Fair Labor Standards Act (1938), to abolish wage differentials based on sex.
- **1961: Affirmative Action.** Mandates, by Executive Order, that projects financed with federal funds “take affirmative action” to ensure that hiring and employment practices are free of racial bias.
  - Strengthened by Executive Order in 1965.

- **1959: Landrum-Griffin Act.** Regulates labor unions' internal affairs and their officials' relationships with employers. It also:
  - Bars members of the Communist Party and convicted felons from holding union office.
  - Requires unions to submit annual financial reports to the Department of Labor.
  - Declares that every union officer must act as a fiduciary in handling the assets and conducting the affairs of the union.
  - Limits the power of unions to put subordinate bodies in trusteeship, a temporary suspension of democratic processes within a union.
  - Provides certain minimum standards before a union may expel or take other disciplinary action against a member of the union.
- **1947: Taft-Hartley Act.** Modifies NLRB election procedures; prohibits jurisdictional strikes and secondary boycotts by unions; authorizes states to pass "right to work laws"; grants that federal courts have jurisdiction to enforce collective bargaining agreements.
- **1938: Fair Labor Standards Act (FLSA).** Establishes a national minimum wage, guarantees "time and a half" for overtime in certain jobs, and prohibits "oppressive child labor."
- **1936: Amendment to Railway Labor Act.** Extends original 1926 act to include the airline industry.
- **1935: National Labor Relations Act ("Wagner Act").** Landmark labor relations law enacted during the New Deal, which:
  - Grants private-sector workers the right to choose whether they wish to be represented by a union.
  - Establishes the National Labor Relations Board (NLRB) to oversee union elections.
  - Makes it illegal for employers to discriminate against workers due to their union membership or organizing activity, or for refusing to engage in collective bargaining with the union representing its employees.
- **1931: Davis-Bacon Act.** Requires payment of prevailing wages on federally-assisted construction projects.
- **1926: Railway Labor Act.** Governs labor relations in the railway industry, seeking to resolve labor disputes via bargaining, mediation and arbitration, rather than strikes.