

State labor legislation enacted in 1984

Significant new labor standards legislation was enacted in a wide variety of subject areas including minimum wage, child labor, employee right to information on toxic substances, mandatory retirement, and pay equity

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As is often the case in even numbered years, when some legislatures do not meet in regular session and others meet in only special or abbreviated sessions, 1984 was not a heavy year in terms of the number of new State labor laws.¹ Despite this smaller volume, legislation was enacted in a wide variety of subject areas and included several significant new laws.² Considerable interest was shown concerning the rights of employees to receive information and training on toxic substances found in the workplace, on garnishment and assignment of wages for dependent support payments, on resident employee and contractor preference on public construction, and on pay equity for jobs of comparable worth. Major laws were also enacted in the fields of child labor, mandatory retirement and age discrimination, whistleblower protection, private employment agencies, and minimum wage.

Minimum wage rates were increased in seven jurisdictions in 1984, with increases in Arkansas, Colorado, and Illinois and for some workers in the District of Columbia resulting from automatic increases provided for by previous enactments. Revised mandatory decrees in Puerto Rico raised minimum rates to varying levels for workers in several industries, and a wage order revision in the District of Columbia raised the minimum wage rate for private household

workers from \$3.50 to \$3.90 per hour. New legislation increased minimum hourly rates to \$3.25 in Georgia and provided for three annual 10-cent increases in Maine, the first increase to \$3.45 effective January 1, 1985. The \$3.35 per hour Federal standard is now exceeded in Alaska, the District of Columbia, Connecticut, and Maine, and 19 other jurisdictions match or will soon match the Federal rate for some or all occupations.

In other minimum wage actions, Minnesota provided for a phased elimination of its tip credit allowance, and in Illinois, the allowance declined to 40 percent of the minimum wage. New exemptions for limited groups of employees from minimum wage or overtime requirements were enacted in Connecticut, Minnesota, and Wisconsin.

The labor departments in Arizona, Delaware, and Maine were given increased authority to collect unpaid wages on behalf of employees, and the Commissioner of Labor in Iowa is to investigate and prosecute complaints of retaliation against employees who file complaints, assign claims, or bring other actions under the wage payment and collection law. The Kentucky wage payment law was amended to prohibit wage deductions for cash shortages, breakages, customer credit defaults or bad checks, and fines, while courts in Alabama may now order restitution to victims in criminal cases by directing employer withholding of an offender's wages.

Again in 1984, as in the last several years, a large number of bills were introduced to repeal or modify State prevailing

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wage laws. Among the measures that failed to be adopted was a bill in Idaho to exclude school construction from coverage, which was vetoed by the Governor. Among those laws enacted, Colorado defined the procedure for determining the prevailing rate of wages and increased the dollar contract threshold amount from \$5,000 to \$150,000, and Oklahoma made several changes including establishment of a \$10,000 threshold amount for coverage and a 2-year debarment for violations, provision for contractor submission of certified payrolls, and for worker verification of payroll records. Arizona voters approved a proposition forbidding State agencies and political subdivisions from requiring that wages paid to workers on public construction projects be at least as high as the prevailing wages in the area for similar work. In Illinois, the State Supreme Court upheld the constitutionality of that State's law, including its exclusive use of rates paid on public construction projects in determining prevailing rates.

Laws pertaining to the use of wage garnishment or assignment to require support of an employee's dependents were enacted in 15 States. Many of these laws set or revised limits on the amount of earnings subject to garnishment or assignment. Protection from discharge because of such an action was included in the Alabama, Colorado, Florida, Illinois, and Vermont measures. The Rhode Island law was amended to provide for reciprocity with States having similar laws, and wages of North Carolina State employees may now be assigned to meet child support obligations without the normal restrictions on claims against the State.

The concept of equal pay for jobs of comparable value in State government continued to be an area of controversy and interest. In Iowa, a pay grade system for State employees based on comparable worth was established, and funds were appropriated for salary adjustments and implementation. In Minnesota, where the pay equity principle was previously incorporated into the State pay system, a new law requires every political subdivision to establish equitable compensation relationships among its employees by August 1, 1987. Legislatures in nine other States commissioned studies of pay equity in the public service, with most requiring reports on recommendations and legislative proposals.

Child labor law revisions were enacted in 10 States. Among the more significant measures were a law in Kentucky, where changes included elimination of employment certificate requirements for minors under age 18, a law in Pennsylvania permitting the use of transferable work permits by minors age 16 and older, and a New York law making employers who violate the child labor law subject to a civil penalty in addition to any other penalties imposed. Other laws extended permissible nightwork hours for certain minors in Connecticut and New Jersey and revised restrictions on sales of alcoholic beverages by minors in Ohio and South Carolina. Iowa enacted a law regulating the employment of children under age 16 as models.

Compulsory retirement based solely on age was addressed by legislation in a number of States. Hawaii and New York banned mandatory retirement on the basis of age in both the public and private sectors, and Georgia and North Carolina eliminated mandatory retirement under public employees' retirement systems. Age discrimination in employment for those 40 to 70 is now prohibited in Wyoming, and the upper age limit on such protection was lifted in Massachusetts and Wisconsin. Other provisions applicable to police and fire personnel only were enacted in Pennsylvania and Rhode Island.

Employment discrimination in other forms was addressed by legislation in 22 jurisdictions. Among the more significant laws were four that added new protections for workers. Delaware added discrimination on the basis of marital status to the list of unlawful employment practices in both the public and private sectors. Employment discrimination against the handicapped was prohibited in Florida and Massachusetts, as was such discrimination because of blindness in South Dakota. Rights of pregnant employees was the subject of legislation in New York, South Carolina, and the Virgin Islands. The Mississippi legislature, in a new law, expressed its intent that State employees not be discriminated against on the basis of race, color, religion, sex, national origin, age, or handicap. In California, employers of 25 persons or more are to provide reasonable accommodation to those workers enrolled in alcoholic rehabilitation programs, including time off for participation, if no undue hardships result.

In an area of increasing legislative concern which has developed over the last few years, seven additional States enacted laws affording workers the right to be informed of and given training on toxic substances found in the workplace. Some of these laws extended the right to information to the communities in which companies using toxic substances are located. Federal regulations on "Chemical Hazard Communication" were published November 25, 1983. These regulations, which are referenced in the new Delaware and Iowa laws, cover chemical manufacturers and importers and raise the issue of possible Federal preemption.

Other worker safety measures included a comprehensive new Occupational Safety and Health Act in New Jersey applicable to public employees, a law in Maryland authorizing the Commissioner of Labor and Industry to bring suit to enforce payment of overdue civil penalties imposed by the State Occupational Safety and Health Administration, and an amendment to the Oklahoma Occupational Safety and Health law limiting its coverage to public sector employment. Several other jurisdictions enacted laws regulating various aspects of mine and elevator safety.

Four additional States (Illinois, Kentucky, Nebraska, and Virginia) enacted legislation to implement participation under the Federal Job Training Partnership Act, which became effective on October 1, 1983. Several States enacted similar laws in 1983. Also, continuing a recent trend, Florida and

Tennessee passed legislation to provide employment opportunities for persons in economically depressed areas, designated as enterprise zones, within which financial incentives such as tax credits and loan guarantees will be used to attract new businesses and to encourage expansion of existing ones.

Assistance to workers and communities facing mass layoffs or plant closings remained an area of concern. Among actions taken, New Jersey and Pennsylvania initiated programs to assist eligible employee groups to purchase plants about to be closed or which have already closed and to operate them as employee-owned enterprises. Procedures were established in Massachusetts to aid failing businesses, and in case of failure, to assist displaced workers in finding alternative employment or retraining opportunities. Maryland provided for at least 6 months advance notice to State employees adversely affected by the closing of a facility employing 50 workers or more. Wisconsin expanded advance notice requirements to include affected employees, their collective bargaining representatives, and the community where the business is located. Related legislation in California, Iowa, and Kentucky provides for continuation of various health care benefits at employee expense for those who would otherwise be ineligible due to causes such as layoff or reduction in working hours.

Alabama

Wages. All court orders for child support shall include an order for continuing income withholding by employers, with the withholding order to be served on the employer and to take effect if the child support is delinquent in an amount equal to 1 month's payment. Employers may not discharge or refuse to hire a person because of an order to withhold earnings.

Courts may order restitution in criminal cases by employer withholding of employee wages. The affected employee may not be discharged solely because of such an order.

Child labor. A joint resolution called for the creation of a Joint Interim Legislative Children and Youth Study Committee to examine areas of law affecting children, including child labor laws, day care, abuse, safety, and health.

Other laws. Resident contractors will be given preference in bidding on public works projects, and nonresident contractors who receive a preference from their State may be awarded public contracts only on the same basis that their State awards contracts to Alabama bidders under the same circumstances.

Alaska

Wages. The amount of wages exempt from assignment for child support was changed

from the lesser of 50 percent of gross earnings or \$100 a week to 50 percent of the obligor's net disposable earnings, as federally defined.

Arizona

Wages. Voters in the November election approved a proposition, submitted by the legislature, forbidding State agencies and political subdivisions from requiring that wages paid to workers on public construction projects be at least as high as the prevailing wages in the area for the same type of work. A similar bill passed both houses of the legislature but was vetoed.

The State Department of Labor now has the authority to obtain judgments and executions on behalf of those employees due unpaid wages established by the department's final determination. Also, the limit for filing a wage claim for unpaid wages was increased from \$1,000 to \$2,500, and an employer failing to comply with a departmental or court order to pay back wages will now be liable for treble that amount plus interest rather than a penalty of 15 percent of the amount of the unpaid wages as was previously authorized.

Mandatory assignment of wages must be ordered by the court when ordering child support or spousal maintenance if the person required to make such payments was at least 1 month in arrears for payment in the prior 12 months.

Four States (California, Kansas, New York, and Rhode Island) enacted "whistleblower" laws protecting employees from retaliation for reporting, to a public body, violations of law, or for participating in an investigation, hearing, or court action.

Many other developments took place in 1984, affecting a wide range of labor standards subjects. Among these, the Michigan Strikebreaker Law was held unconstitutional by a State circuit court because of preemption by the National Labor Relations Act; a comprehensive new private employment agency law was enacted in the District of Columbia, and a revised law adopted in Tennessee; Maine and Rhode Island prohibited employers from charging applicants a fee for filing employment applications; and several revisions were made in the California garment industry law. Also, several laws were passed enacting, revising, or clarifying provisions granting preference to State contractors or residents on public works projects, while, on the other hand, a Federal appeals court decision found the Illinois Preference Act unconstitutional, and the Oklahoma resident bidder preference law was repealed. The Labor Department in Kentucky was elevated to cabinet level status headed by a Secretary of Labor.

The following is a summary, by jurisdiction, of labor legislation during 1984.

School attendance. The compulsory school attendance law was amended to except children who have completed the tenth grade (grade 8 in fiscal year 1984-85, grade 9 in fiscal year 1985-86) rather than the previous exception for completion of common school courses, and to add an exception for children suspended or expelled from school.

Occupational safety and health. The requirement that employers protect employees against work environment hazards was amended to specify that a common industry condition or practice will not be considered a recognized hazard unless a standard or regulation concerning it has been adopted.

Arkansas

Wages. As provided in a prior law, the minimum wage rate was increased from \$2.95 to \$3.05 an hour effective January 1, 1984, with a further increase to \$3.15 scheduled for January 1, 1985.

California

Wages. Effective January 1, 1986, private sector employers are to show total hours worked on individual itemized earnings statements of hourly employees, in addition to other items previously required.

Hours. The provisions establishing maximum daily and weekly hours of work for female employees only were repealed. The

limitations had previously been invalidated by the courts.

Among amendments to the Vehicle Code, persons under the age of 21 may not be employed or permitted to drive trucks or buses that are engaged in interstate commerce or are transporting hazardous substances. Limitations on driving hours were enacted, including a requirement that drivers must have at least 8 consecutive hours off duty between shifts.

Equal employment opportunity. If the Fair Employment and Housing Commission or the State Personnel Board finds that a person is guilty of unlawful discrimination consisting of acts relating to certain sex crimes, the Commission or Board shall provide, with the complainant's consent, a copy of its decision and order to the local district attorney.

Private employers of 25 employees or more must now provide reasonable accommodation to those workers enrolled in alcoholic rehabilitation programs, including time off for participation, if no undue hardship results.

A resolution urged the State Departments of Education, Rehabilitation and Employment Development to continue to support Project Workability under which employment opportunities for handicapped students were improved through interagency agreements and innovative employment training practices.

The law prohibiting employment discrimination was amended to specify that an individual with a heart condition who applies for a firefighter position, admittance to a firefighter apprenticeship training program, or an active law enforcement position will be presumed unable to perform their duties without endangering his or her health or safety as well as the safety of others. This presumption may be overcome by proving, by a preponderance of the evidence, that the applicant would be able to perform safely.

A joint resolution requests that the President, the Congress, the Department of Education and Commerce, and the Commissioner of Rehabilitation Services define "entry level employment" as it pertains to persons with disabilities seeking assistance for education, rehabilitation, and vocational training from State and Federal sources, and to issue regulations to ensure the uniform application of this definition throughout the country.

Worker privacy. Employers are prohibited from requiring, as a condition of employment, that any employee refrain from disclosing the amount of his or her wages or sign a waiver of the right to disclose that information. Retaliation against employees

who disclose the amount of their wages is also prohibited.

Nonprofit corporations and other organizations specified by the Attorney General may receive conviction records relating to drug crimes or crimes of violence, as well as for sex crimes as before, concerning persons who apply for employment or volunteer for positions involving supervisory or disciplinary power over minors.

Labor relations. Under a new law applicable to the private sector, the prevailing party in a court action to compel arbitration of disputes concerning a collective bargaining agreement or in an appeal of an arbitrator's decision may receive an award of attorney's fees, to be refunded if the dispute is later found not arbitrable.

For the purposes of collective bargaining, intermittent athletic inspectors employed by the State Athletic Commission were added to the list of those exempted from the definition of State employee.

Garment industry. The law requiring garment industry contractors and manufacturers to register with the California Commissioner of Labor was amended to provide for among other things: the testing of both new applicants for registration and, at the Commissioner's discretion, those in violation of wage payment, minimum wage, or other labor laws in the past year; the posting of a \$5,000 surety bond by those penalized under the law in the prior 3 years; and the prohibition against any person registered under the act and contracting with another registrant, from engaging in any business or practice which causes or is likely to cause a violation of the law.

Private employment agencies. The name of the employment agency regulatory office was changed from the Bureau of Employment Agencies to the Bureau of Personnel Services. Agencies placing babysitters or domestics must interview such applicants and attempt to verify their experience or training before referring them.

Employment counseling services must now be licensed as employment agencies and are subject to specified requirements such as posting a \$10,000 surety bond, and entering into written contracts containing specific provisions, including the client's right to cancel the contract without penalty or obligation within 3 days.

The law providing for the licensing and regulation of nurses' registries was repealed, and such registries will now be licensed and regulated as employment offices.

Occupational safety and health. The Division of Occupational Safety and Health is now to investigate any employment ac-

cident involving fatalities or which results in any serious injury or illness or a serious exposure, unless the Division determines an investigation is unnecessary. Previously, only fatalities and injuries to five employees or more required an investigation.

Prior to bringing court action against an employer who discharges or discriminates against an employee for exercising specified rights relating to safety in employment, the Division of Labor Standards Enforcement must provide the parties 10 days to reach a settlement.

The notice containing information regarding safety rules and regulations and employee rights, prepared by the Division of Occupational Safety and Health for posting by employers, must now state that employees have the right to receive information under the Hazardous Substances Information and Training Act.

Employment and training. Administration of the apprenticeship law was transferred from the Director of Industrial Relations to the Chief of the Division of Apprenticeship Standards. Among other responsibilities, the chief is now to audit all selection and disciplinary proceedings of current or prospective apprentices.

Sponsorship of apprenticeship programs which was previously limited to joint employer-employee committees was expanded to include unilateral management, labor, or individual employer committees.

The California Conservation Corps is to develop a nonresidential program of education and job training in cooperation with private industry councils designated under the Federal Job Training Partnership Act for use in areas with high youth unemployment and high concentrations of minority youth.

Other laws. Employers are prohibited from adopting or enforcing any rule against or retaliating against an employee for disclosing information to a government or law enforcement agency where the employee has reasonable cause to believe that the information discloses a violation of State or Federal law or regulation.

The requirement that notices, reports, statements, or records required under the Labor Code be written in English was removed. Also, the State Labor Commissioner is now to provide, in languages other than English, where necessary, written materials including explanations of services available, complaint forms, and form letters for use in processing wage claims.

Colorado

Wages. The minimum wage rate was in-

creased from \$2.50 to \$3 an hour effective July 1, 1984, as provided by a 1983 wage order revision. For unemancipated minors under age 18, the hourly rate was increased to \$2.55.

Among changes made in the prevailing wage law, the prevailing rate of wages was defined as the single rate paid to a majority of workers in the locality or the weighted average rate if no single rate is or was paid to a majority of workers, rates are to be established through a survey conducted by the division of labor, and the dollar contract threshold amount was increased from \$5,000 to \$150,000.

Creditors may now obtain court orders for continuing garnishment of wages for debts. The same limitations on the amount subject to continuing garnishment apply, as for other garnishment, and employers may not discharge an employee because of such an action.

Employment and training. A customized training program, providing short-duration skill training for specific jobs, was established for preemployment training of workers, training of newly hired workers, and retraining of workers for new jobs when they are unemployed because of plant closings or displaced by technological changes.

Connecticut

Wages. Firefighters employed by private nonprofit corporations contracting with municipalities for firefighting services were exempted from the overtime provisions of the minimum wage law.

The comptroller shall now upon written request deduct from the salary or wages of a State employee the designated amount of money to be paid to a nonprofit organization pursuant to the terms of an applicable collective bargaining agreement.

The amount of disposable earnings subject to garnishment for support payments is now the greater of that which exceeds \$100 per week rather than \$70, as previously, or the amount exempt under Federal law, unless a lesser amount is deemed equitable by the court.

Hours. The Commission on the Status of women is to collect materials on jobsharing, including its implementation. These materials are to be sent to the labor and education departments and the Bureau of Personnel and Labor Relations in the Department of Administrative Services for distribution upon request to personnel directors and bargaining unit representatives.

Child labor. An exception to the 10 p.m. terminal hour for minors under age 18 will now permit them to be employed in super-

markets until midnight on nights preceding nonschool days. Minors may not be discharged or discriminated against for refusing to work later than 10 p.m.

Equal employment opportunity. The prohibition in the Human Rights Act against discrimination on the basis of religious creed was defined to include all aspects of religious observances and practice as well as belief, unless an employer demonstrates inability to reasonably accommodate to an individual's religious observances and practices without undue hardship.

In determining a contractor's good faith efforts to comply with equal opportunity requirements included in public works contracts, factors considered will include the contractor's employment and subcontracting policies and practices; affirmative advertising, recruitment and training; technical assistance activities; and other activities as prescribed by the Commission on Human Rights.

Worker privacy. The labor commissioner shall provide to the Connecticut Student Loan Foundation, on request, any available information relating to the current address or place of employment of a person in default on a student loan.

Private employment agencies. The requirement that private employment agencies identify themselves as such in notices or advertisements was enlarged to require also that the identification indicate whether or not there is a charge to the applicant for employment.

Occupational safety and health. Elevators and escalators otherwise requiring annual inspection need now be inspected only every 2 years if subject to a full-maintenance contract. Owners or their agents are now required to promptly report to the Department of Public Safety for possible investigation any accident or incident which results in personal injury, death, or constitutes a danger to life or property.

Other laws. A State Supreme Court decision held unconstitutional a State statute prohibiting employers from requiring employees to work on their Sabbath on the basis that it violated the establishment of religion clause of the First Amendment of the U.S. Constitution. The case was appealed to the U.S. Supreme Court and argued on November 6, 1984.

Delaware

Wages. Among amendments to the wage-payment law, the Department of Labor may now take legal action to collect for all underpaid employees rather than just for in-

dividual complainants as before, and wages due a separated employee may now be paid by the next regular payday rather than at the time of termination, as formerly required.

Equal employment opportunity. The prohibition against discrimination in public and private sector employment was amended to add discrimination on the basis of marital status to the list of unlawful employment practices.

Worker privacy. Public and private sector employees were given the right to review their personnel files at least once per calendar year after a written request to the employer. Removal or correction of disputed information may be agreed to by the employer and employee, and if agreement cannot be reached, the employee may place explanatory information in the file.

Occupational safety and health. A Hazardous Chemical Information Act was adopted to ensure that employees be given information concerning the nature and suspected health hazards of toxic substances to which they are exposed. Employers are to maintain and periodically update a list of toxic substances used in the workplace, to obtain safety data sheets for them, and provide employees with education and training programs. Provision was made for exempting from most provisions those manufacturing employers required to adhere to the Hazard Communication Standard when it takes effect in November 1985, and employees are protected from discharge or other discipline for exercising rights under the act.

Employment and training. A new program of skill training and education was established and is to be administered by an Economic Development Training Board and the Director of the Delaware Development Office.

Other laws. New applicants for loans whose projects are approved for financing by the Delaware Economic Development Authority shall agree to give a hiring preference to qualified State residents.

District of Columbia

Wages. As the result of a 1983 wage order revision, the minimum wage rate for laundry, drycleaning, and shoe repair employees rose from \$3 to \$3.70 an hour effective January 7, 1984. The minimum for learners with less than 60 days experience was set at \$3.50 an hour.

Another revised wage order increased the minimum wage for private household workers from \$3.50 to \$3.90 an hour ef-

fective November 6, 1984. A minimum of \$3.50 an hour was set for casual yard workers, companions for the aged or infirm, and full-time babysitters, and \$3.35 for persons employed pursuant to the Federal Job Training Partnership Act and the D.C. Youth Employment Act of 1979.

Private employment agencies. A new employment agency regulatory law was enacted replacing the existing law in its entirety. The new law requires licensing of employment agencies, counseling services, employer-paid personnel services, job listing firms, and all employees of such firms who interview, counsel, or advise jobseekers. Applicant-paid fee agencies and employment counseling services must post a \$100,000 surety bond if the average fee paid by jobseekers is \$2,000 or more and if they enter into contracts with 100 applicants or more, and a \$50,000 bond if fees average less than \$2,000 or fewer than 100 contracts are entered into. Separate requirements and prohibitions were established for each of the types of licensed services, including the requirement that agency and counseling service contracts with jobseekers contain a 3-day "cooling-off period" during which the contract may be canceled.

Employment and training. A First Source Employment Agreement Act requires the Mayor to compile and maintain a list of unemployed residents which will be used as the first source for filling entry-level jobs on projects that have contracts funded or otherwise administered by the District government. Preference in interviewing is to be given to unemployed residents not collecting unemployment insurance benefits.

Florida

Wages. The coverage exemption in the equal pay law for employers who are subject to the Federal Fair Labor Standards Act was expanded to similarly exempt a labor organization or member or an employee of an employer subject to the Federal law.

Court orders for the payment of alimony or child support will now also contain income deduction orders to take effect if payments become past due. The maximum part of aggregate disposable earnings subject to such a deduction is 65 percent in any workweek, and employers may not discharge or otherwise discipline an employee for whom an income deduction order is served.

Equal employment opportunity. The laws prohibiting discrimination in State, county, or municipal employment, were amended to specifically bar employment discrimination based on handicap.

Occupational safety and health. A new

law was adopted to ensure that nonfarm employees be given information concerning the nature and health effects of toxic substances with which they work. The Secretary of the Department of Labor and Employment Security is to establish and periodically revise a list of toxic substances with assistance from a Toxic Substances Advisory Council. Employers are to obtain material safety data sheets for toxic substances used in the workplace, and provide education and training to employees on the safe handling, emergency treatment, and hazards involved with toxic substances. Employees may refuse to work with substances for which information has not been provided and may not be discharged or otherwise disciplined for requesting information, taking part in any proceeding, or exercising any right under the act. Provision was made for the release of trade secret information in medical emergencies.

Economic development. Revisions in the enterprise zone law included the addition of new or increased tax benefits for businesses hiring eligible new employees.

Employment and training. The Division of Labor, Employment, and Training is to train vocational counselors of the Department of Corrections in job counseling and is to designate one employee per employment office to work with ex-inmate job placement.

Georgia

Wages. The minimum wage rate was increased from \$1.25 to \$3.25 an hour effective July 1, 1984.

Hours. By resolution, the legislature created a Joint Part-Time State Employment Study Committee to determine the best method of meeting the State's need for such employees and for providing them with equitable retirement benefits in relation to those of full-time employees. Findings and recommendations, including legislative proposals, are to be submitted by December 1, 1985.

Equal employment opportunity. Mandatory retirement under the State employee's retirement system was abolished, except for specified public safety employment.

Worker privacy. A resolution was adopted calling for the creation of a Senate Study Committee on Polygraph Operations, to identify problems involving employer use of polygraph tests, and to recommend solutions.

Directors and employees of any State licensed day-care center, group day-care home, or child-caring institution will now

be subject to a records check, through the Georgia Crime Information Center, of all convictions and pending charges involving cruelty to a minor, contributing to the delinquency of a minor, controlled substances, or any sex crimes. Each facility's licensing will be conditional upon a satisfactory records check.

Private employment agencies. The Employment Agency Advisory Council, scheduled to terminate on July 1, 1984, was extended to July 1, 1985.

Occupational safety and health. The Department of Labor was given specific authority to regulate the safety and operation of elevators and similar equipment in a new measure providing for periodic inspection and other enforcement activities, civil penalties for violators, and the formation of an advisory committee.

A comprehensive Boiler and Pressure Vessel Safety Act was enacted replacing provisions that specified lawful equipment, and provided design and labeling requirements. The new law creates a regulatory board within the Department of Labor which provides for the formulation of safety regulations, requires periodic inspections, and defines the duties and qualifications of the chief inspector and deputies.

Hawaii

Wages. Automatic assignment of future wages may be ordered by a court as part of a child-support order, to take effect if support payments become delinquent.

A new law authorized a study commission to review the concept of comparable worth for all public employees in the State. The commission is to present its final report, including recommendations, if necessary, for implementation, 20 days before the 1986 legislative session commences.

Hours. A new act establishes a permanent voluntary jobsharing program in the Department of Education, replacing a pilot project begun in 1978.

A pilot project in the public library system to test the feasibility of jobsharing, began in 1982 and scheduled to end in 1984, was extended for 2 years and expanded to include library assistants and technicians.

Equal employment opportunity. Mandatory retirement on the basis of age was banned in both the public and private sector.

A resolution encouraged employers to develop policies for the hiring, retention, and promotion of older workers.

Labor relations. Police officer bargaining units are now covered by contract impasse

procedures previously established for fire-fighters only. In addition, the arbitration panel provided for by the act is no longer required to choose the most reasonable final contract offer without modification, but is now only required to issue a final and binding decision.

Employment and training. Under a new Statewide Transition to Work System Act, existing program models and career resource centers will now be unified into one statewide transition center system, within the Department of Labor and Industrial Relations, designed to assist high school students in securing and retaining meaningful employment, by providing such services as counseling, career information, career exploration activities, work experience, and employment assistance.

The Department of Labor and Industrial Relations was authorized to make agreements or contracts, subject to the Governor's approval, with various persons and governmental entities within and outside of the State to share occupational and educational information used for career choice and job-search purposes.

Other laws. The amount of contractor's payment and performance bonds required was increased from 50 to 100 percent of the contract price for public works, roads, buildings, or other site improvements.

As a result of the Attorney's General refusal, because of a constitutionality question, to enforce a 1983 law requiring all contractors performing construction for the Federal government to obtain a State license, the legislature requested the Attorney General and the Contractors License Board to explore the possibility of seeking a declaratory judgment in Federal court on the issue.

Idaho

Wages. A bill which would have excluded school construction from coverage of the prevailing wage law passed the legislature but was vetoed by the Governor. This was the fourth consecutive year the Governor has vetoed legislation to repeal all or part of the prevailing wage law.

Equal employment opportunity. A resolution directs the Legislative Council to appoint a committee to study Hispanic affairs issues in such areas as education, employment, and cultural opportunities. Findings, recommendations, and possible legislation are to be submitted to the next legislature.

Other laws. Members of the National Guard who are ordered to duty by the Governor for periods of up to 1 year, are, upon

application, entitled to reemployment in the position held at the time of the order they remain physically qualified and were released under honorable conditions.

Illinois

Wages. By prior law, the minimum wage rate rose from \$2.65 to \$3 an hour on October 1, 1984, with a further increase to \$3.35 scheduled for July 1, 1985. The rate for minors under age 18 increased to \$2.55 on October 1, 1984 and will rise to \$2.85 on July 1, 1985. The tip credit allowance declined to 40 percent of the minimum wage, and employees of restaurants and motion picture theaters will now be entitled to overtime pay after 40 hours rather than 43.

The State Supreme Court upheld the constitutionality of the prevailing wage law which requires the exclusive use of public works wages as a basis for determining prevailing rates in a locality. The unsuccessful challenge contended, among other things, that the exclusion of wages paid on private construction projects from calculation of the prevailing wage rate violates the due process and equal protection clauses of the State and Federal constitutions.

An amendment to the prevailing wage law authorizes the Department of Labor, represented by the Attorney General, to sue to stop the awarding of any public works contract or the continuation of work under any such contract when the prevailing wage prerequisites have not been met.

In ordering the payment of child support, the courts will now issue a separate order for the withholding of wages to take effect if the support payments become delinquent. Employers may not discharge, discipline, or otherwise penalize an employee whose wages are ordered withheld.

Equal employment opportunity. The prohibition against employment discrimination because of religion was amended to specifically include all aspects of religious observance and practice, unless an employer demonstrates that the employee's or prospective employee's religious observance or practice cannot be reasonably accommodated without undue hardship on the employer's business.

Worker privacy. A new law gives public and private sector employees or their representatives the right to review and receive copies of their personnel records, to request the correction or removal of disputed information contained in them, and to submit a written statement if agreement on correction or removal is not reached. Other provisions include protection of employee disciplinary records from release to third parties, and restriction on employers' re-

cording of nonemployment activities of employees. A separate law, enacted later in the session, limited coverage to those employers with five employees or more exclusive of immediate family members.

Occupational safety and health. The Department of Public Health was directed to compile a registry on hazardous substances and their potential health effects including information on occupational diseases, hazardous substances incidents, and profiles of companies generating, using, disposing of, or transporting hazardous substances.

The State Coal Mining Law was amended to now require the State Mine Inspector to advise a representative of the miners of any inspection, with the representative being entitled to accompany the inspector during the inspection without loss of pay. The inspector is also required to hold a post-inspection conference with the employer and miners' representative to discuss the findings and recommendations and to post these results in a conspicuous place.

Employment and training. A Job Training Coordinating Council Act was passed to implement the Federal Job Training Partnership Act. A job training coordinating council was created to promote integration of employment and training programs at the State level, to further cooperation between government and the private sector, and to provide program oversight.

Other laws. A Federal Appeals court decision found unconstitutional the Illinois law requiring employment preference for State residents on public works projects, in that it violated both the commerce clause and the privileges and immunities clause of the U.S. Constitution.

Indiana

Wages. The labor commissioner may now refer civil actions for employee wage claims to the attorney general, and the attorney general or a designee, which can be any attorney admitted to the practice of law in the State, may now sue for the recovery of wages plus liquidated damages, court costs, and attorney fees. Previously, the labor commissioner referred all such civil and criminal cases to the State's prosecuting attorneys for litigation.

Worker privacy. The law governing State employees furnishing of information concerning violations of law or regulations was amended to provide for criminal penalties and administrative disciplinary proceedings for disclosure of or failure to protect information defined as confidential.

Employment and training. The Depart-

ment of Commerce is to establish a basic industry retraining program to provide industries with assistance in the retraining and upgrading of employee's skills required to support new capital investment. A similar program for potential employees of new or expanding industries had been authorized by a 1981 law.

Iowa

Wages. Complaints of retaliation against employees for filing a complaint, assigning a claim, or bringing an action under the wage payment and collection law are to be investigated by the labor commissioner and violations prosecuted in the district court which may order appropriate relief, including reinstatement and backpay.

Courts may order an assignment of wages in cases of delinquent court-ordered support payments. The maximum annual amount of wages that may be garnished was changed from \$250 for each judgment creditor, to a sliding scale based upon earnings.

A pay grade system based on comparable worth was established for State employees, and funds appropriated for salary adjustments and implementation. Adjustments are to be completed by June 30, 1987.

Child labor. The child labor law will not prohibit children under age 16 from working as models, with written parental permission, with or without compensation outside of school hours for up to 3 hours a day and 12 hours a month between 7 a.m. and 10 p.m.

Agriculture. Farm labor contractors engaged in such activities as removing corn tassels or hand pollinating plants, must file at least a \$20,000 bond with the labor commissioner securing the payment of all wages due the contractor's employees. If the bond is not filed as required or the contractor fails to pay all wages due, the person engaged in the production of seed or feed grains will be liable for wages not paid by the farm labor contractor.

Equal employment opportunity. The General Assembly is now prohibited from passing any bill that uses gender as the basis for differential treatment unless no reasonable alternatives exist.

Retirement plans and benefit systems are no longer exempt from the prohibition against sex discrimination under the Civil Rights Act.

Private employment agencies. The surety bond employment agencies must post was increased from \$2,000 to \$20,000 and is now required only of those agencies to which job applicants pay at least part of the fee.

Occupational safety and health. A Hazardous Chemicals Risk Right to Know Act was enacted, under which the Federal Occupational Safety and Health regulations of 1983 were adopted as the basis for regulation, but with a provision that additional requirements may be added by regulation. The law, administered by the Bureau of Labor, requires employers to inform employees of hazardous chemicals in the workplace and their proper handling, and to provide special training. Retaliation against employees for filing a complaint or bringing action against an employer is prohibited, and a public right to know of the presence of hazardous chemicals was established along with an employer requirement to notify the local fire department of those materials. Persons employed in agricultural activities are not covered by the law, except for the section prohibiting retaliation against employees.

Other laws. Resident bidders on State or local public works projects will now be entitled to a preference over out-of-State or foreign bidders, equal to the resident preference given to such bidders by their own State or country.

Employees on temporary layoff or approved voluntary leave from employers who provide health care benefit plans may voluntarily continue coverage at their own expense for up to 6 months. Employers must notify employees of this right and of any termination or substantial modification of coverage. This new law also spells out specific circumstances under which the employer remains liable for benefits.

Kansas

Wages. An Executive Order directed the Secretary of Human Resources to provide the Governor with information as to the ability of the State to devise appropriate means and methodologies to determine the wages required to be paid on public works projects by the prevailing wage law, including costs, specific methodology, and viable alternative methods.

Industrial homework. By resolution, the President, the Congress, and the U.S. Secretary of Labor were urged to take action to rescind the orders and regulations prohibiting industrial homework.

Equal employment opportunity. The Secretary of Administration was directed by Executive Order to evaluate the basis upon which State employees are compensated and recommend ways to provide equal compensation for positions of comparable worth.

Private employment agencies. Among

changes in the private employment agency law, temporary help services and employer paid fee agencies were specifically exempted from coverage, and the Secretary of Human Resources was authorized to adopt rules and regulations.

Other laws. Supervisors may not prohibit State employees in the classified service from discussing their agencies' operations with members of the legislature or reporting any violation of State or Federal law or regulation. Disciplinary action against an employee for such actions is prohibited except for instances involving release of false information, information exempt from disclosure under the open records act, or confidential information under any other provision of law.

Kentucky

Wages. The wage-payment law was amended to prohibit wage deductions for cash shortages where more than one person has access to the money, for breakages, customer credit defaults or bad checks, and fines. An employer violating this amendment will be required to repay withheld amounts plus interest at 10 percent a year.

An administrative order for the withholding of up to 50 percent of an employee's disposable earnings for payment of delinquent child support may be issued by the Secretary, Cabinet for Human Resources.

Child labor. Among amendments to the child labor law, employment certificate requirements for minors under age 18 were eliminated. Age certificates issued by boards of education were authorized for these minors and employers must obtain proof from employees indicating that they are at least age 18. New exemptions from coverage were enacted for minors employed as actors or performers and for those employed by their own parents in occupations other than manufacturing, mining, or those found by the Commissioner of Labor to be particularly hazardous.

School attendance. An unmarried minor, aged 16 or 17 may now be excused from compulsory school attendance with parental consent, after a consultation between school officials, parent, and child. An Attorney General opinion had previously stated that married minors were not covered under the law.

Occupational safety and health. Underground coal mines employing 2 to 25 employees must now employ at least one person who has completed 8 hours of first-aid training. The requirement that mines em-

ploying 25 workers or more hire certified emergency medical technicians was amended to allow mines without such technicians 90 days to employ them, and to operate during this period.

Other mine safety provisions stated that certified emergency medical technicians employed at coal mines are to receive 8 hours of annual retraining during which time they are entitled to receive their regular wages. Each mine operator is required to provide lifeline cords in return airways designated as emergency escape routes.

Employment and training. A Job Training Coordinating Council was created within the Cabinet for Human Resources, and authorized to do everything necessary to comply with the Federal Job Training Partnership Act. An employment and training council established to comply with the Federal comprehensive employment and training act was eliminated.

A Bluegrass State Skills Corp. was created to provide State citizens with skills training and education programs designed to meet the need for qualified workers in fields in which shortages exist.

Other laws. By Executive Order and statute, the Department of Labor was elevated to cabinet-level status. The labor cabinet consists of the offices of the secretary, general counsel, administrative services and labor-management relations, and the departments of workplace standards and workers' claims.

Members of union group life insurance plans may continue participating during periods of temporary, involuntary unemployment by contributing their premiums. Also, policies may now be issued in which the member is solely responsible for the entire premium payment.

Louisiana

Wages. Wage assignments may now be ordered by a court for all past due support payments rather than only for child-support payments, and the amount of wages exempt from such withholding was made the same for child or spouse support.

Equal employment opportunity. Responsibility for performing certain social services for State residents age 60 and over, including employment and training, counseling, and information and referral services, were transferred from the Office of Human Development in the Department of Health and Human Resources to the Office of Elderly Affairs in the Governor's Office.

Governmental bodies are required to give a preference in their purchasing practices to goods manufactured and services per-

formed by severely handicapped individuals in State operated and State supported sheltered workshops.

Other laws. State agencies and political subdivisions which let public works contracts may require that no less than 80 percent of those employed on the work be State residents. Upon request, the Labor Department is to assist in identifying craftsmen, laborers, and other workers necessary for compliance.

The law governing preference to resident contractors in awarding contracts for public work, was amended to specify that where competitive bidding is not required contracts must be awarded to resident contractors, if they are available. If competitive bidding is required, Louisiana resident contractors will be awarded the contract if their bid is not more than 5 percent higher than the lowest nonresident bid. A prior provision, granting resident contractors the same preference over contractors from other States, which provide their residents a percentage preference over Louisiana contractors, remains in effect.

Maine

Wages. The minimum wage rate was increased from \$3.35 to \$3.45 an hour, effective January 1, 1985. Further increases to \$3.55 on January 1, 1986, and to \$3.65 on January 1, 1987, are scheduled. Also, a corresponding change was made in the section of the law providing for State matching of any Federal increases up to a maximum of \$4 an hour.

Among changes in the wage-payment law, the labor department was specifically authorized to collect judgments for unpaid wages on behalf of terminated employees and also to collect fines assessed for violations of the act. Penalties for violating the equal pay and unfair agreements provisions were increased. A separate amendment stipulates that any balance due an hourly employee that was not paid on the normally scheduled payday must be paid by the employee's next regular payday.

Equal employment opportunity. A select committee was created to study available training and education programs for handicapped young adults, and to develop a 5-year plan which identifies elements of a coordinated system of support services for transition from school to community living, necessary legislative and regulatory changes to promote optimal independence for those individuals, and recommendations for necessary financing of new and expanded programs.

Labor relations. A Judicial Employees

Labor Relations Act was enacted granting collective bargaining rights to most employees of the Judicial Department. The act, to be administered by the Maine Labor Relations Board, establishes permissible subjects for bargaining, unfair labor practices, and dispute resolution procedures. Strikes are prohibited.

Occupational safety and health. Among changes in the Chemical Substance Identification Law, the definitions of materials which constitute health or physical hazards were expanded, employers and others must disclose trade-secret information on the specific identity of hazardous chemicals to health professionals when such information is needed, and the law now provides for legislative review of standards and regulations adopted under the act.

Other laws. Employers are now prohibited from charging a prospective employee a fee for filing an application for employment.

Under sunset legislation, the legislature must review the evaluations and analyses of the justification report for the Department of Labor's programs by June 30, 1988, and the Human Rights Commission, Labor Relations Board, Personnel Board, and the Governor's Office of State Employee Relations are scheduled for termination at that time unless continued or modified by law.

Among changes in the State military service law, reemployment rights were given to employees called to active State service, with restoration of seniority, status, pay, and vacation rights as if there had been no interruption. Application for reemployment must be within 30 days of release or discharge from active State service.

Maryland

Hours. The law permitting law enforcement employees of the Maryland State Police to work a 10-hour workday and 4-day workweek, if authorized, in lieu of an 8-hour workday and 5-day workweek, was amended to also permit 12-hour work periods and to expand coverage to include civilian employees on a 40-hour workweek.

Agriculture. The application fee for a farm labor contractor certificate of registration was reduced from \$150 annually to \$25.

Equal employment opportunity. A joint resolution urged the Congress to again pass and submit to the States for ratification, the Equal Rights Amendment to the U.S. Constitution.

Labor relations. Maryland's Mass Transit Administration is now authorized to in-

clude limited automatic cost-of-living wage adjustments in its collective bargaining agreements.

Occupational safety and health. The Commissioner of Labor and Industry may now bring suit in the District Court to enforce payment of overdue civil penalties imposed by the State Occupational Safety and Health Administration.

The occupational safety and health law now provides for the maintenance and dissemination by employers of information on the toxic and hazardous substances to which workers are exposed, requires the education and training of employees regarding those hazards and their safe handling, requires employers to provide information to government fire protection agencies, and establishes procedures for the release of trade secret information. An employee requesting information about a hazardous chemical may refuse to work with that chemical until the information is provided.

An explosives advisory council was created to advise, assist, and recommend, to the Department of Public Safety and Correctional Services, rules and regulations for the storage, use, manufacture, and transportation of designated explosives in the State.

A new law forbids the purchase and sale of asbestos protective clothing and also restricts its use. In addition, effective July 1, 1985, an employer may not possess or keep such clothing or require or request employees to use it.

Plant closings. State employees adversely affected by the closing of a facility employing 50 workers or more must be given at least 6 months advance notice of such closing, and are entitled to job counseling and training referral and assistance in securing other State employment.

Employment and training. The Department of Education and Training was directed to establish a financial assistance program for certain individuals receiving classroom training with funds provided under the Federal Joint Training Partnership Act. This program will consist of a living expense allowance for certain unemployed individuals who are economically disadvantaged, dislocated workers, or otherwise qualified.

The law establishing the Maryland Conservation Corps, which is to provide employment in the development and maintenance of natural resources, was amended to specifically provide for the recruitment of persons age 16 to 24 and to enumerate the types of projects on which

the Corps is to work and the objectives of the work experience.

Other laws. The Division of Labor and Industry, Apprenticeship and Training Council, Occupational Safety and Health Advisory Board, and the Amusement Ride Safety Advisory Board, all scheduled for termination on July 1, 1993, were extended to July 1, 1994.

Payment bonds will now be required before awarding any public construction contract over \$50,000, rather than \$25,000 as before. Jurisdictions other than the State or its agencies may require bonds of up to one-half the contract amount for any construction contract between \$25,000 and \$50,000.

Massachusetts

Wages. A special legislative committee is to investigate and study comparable worth in the State service, identifying the extent of sex segregation and those classified positions not compensated on a comparable worth basis. Findings were to be reported to the House of Representatives by December 26, 1984, including drafts of any recommended legislation.

Equal employment opportunity. The protection from employment discrimination on the basis of age, previously applicable to persons age 45 to 65, was extended to all persons over the age of 40 with certain limited exceptions.

Discrimination in employment against the handicapped is now prohibited under the Fair Employment Practice law, administered by the Commission Against Discrimination. The law provides for administrative remedies, including investigation of complaints, hearings, issuance of cease and desist orders, and judicial review. Employers must make reasonable accommodation for the individual's handicap.

Labor relations. The labor relations law covering private sector employers, health care facilities, and nonprofit institutions was amended to include coverage of vendors who contract with or receive funds from the Commonwealth or its political subdivisions to provide social, protective, legal, medical, custodial, rehabilitative, respite, nutritional, employment, educational, training, and similar services.

A legislative resolution called for the creation of a special commission to study collective bargaining and dispute resolution for municipal police officers and firefighters in light of local taxing limitations and other matters. Findings and recommendations, including any legislative proposals, were to be submitted to the legislature by December 1, 1984.

Private employment agencies. Businesses which are engaged solely in providing employers, by electronic means, biographical information, background, and experience of applicants for temporary employment, help, or engagement were specifically exempted from the employment agency law.

Occupational safety and health. A right-to-know law, enacted in late 1983, covers public and private sector employers and residents of communities with covered employers. It requires that employees be informed of and given training on toxic substances found in the workplace, and establishes procedures for community residents to petition for investigation if it is believed that the use of a toxic or hazardous substance in the employer's workplace is a danger to the public health. Hazardous substances are to be identified and records maintained on the employers' premises. Employees who request information cannot be required to work with a substance until the information has been provided and are not to be disciplined for such action. Various portions of the law are to be administered by the public health, labor and industry, and environmental quality engineering departments.

Plant closings. An industrial service program was established to assist private businesses, upon request, in alleviating conditions which threaten to cause a large loss of employment, plant closure, or business failure, and where such loss of employment, closure, or failure is unavoidable, to assist in efforts to secure alternative employment and retraining opportunities for displaced workers. Help will also be available to affected communities in finding new uses for idled plants or facilities and in fostering long-term economic vitality, industrial growth and job creation.

Employment and training. The Bay State Skills Corp. in the Manpower Affairs Executive Office now has jurisdiction over the State's displaced homemaker program. New provisions include the establishment of a statewide advisory counsel, and a requirement that at least five of the previously mandated multipurpose service centers are to be established statewide.

Other laws. The authority of the labor commissioner to suspend various labor laws, when an emergency exists or there are conditions of hardship in an industry, was extended to July 1, 1985.

Michigan

Labor relations. A January 1984 State circuit court decision held that the State's

strikebreaker law, prohibiting employers from hiring professional strikebreakers, was unconstitutional because of preemption by the National Labor Relations Act. The court stated that the hiring of persons to replace striking or locked out workers is a recognized employer right under the Federal act and a State limitation on that right unacceptably impairs the employer/employee balance struck by Congress.

Employment and training. Duties and functions of the Michigan Youth Corp were transferred from the Department of Management and Budget to the Department of Labor, and the requirement that eligible general assistance recipients participate in programs was eliminated. A private sector advisory task force was established to examine the feasibility of employing youth in the private sector during their participation in the program, and to make suggestions in such areas as career counseling, job-search assistance, and job placement.

Minnesota

Wages. An amendment to the minimum wage law provides for a phased elimination of the 20-percent maximum tip credit allowance by a 5-percent annual reduction beginning in 1985 with total elimination achieved by 1988.

Individuals employed to provide overnight domestic companionship services to the aged and infirm will now be exempt from minimum wage and overtime pay requirements for up to 8 hours of sleeptime between 10 p.m. and 9 a.m., providing they receive the minimum wage or more for at least 4 hours of such time.

The time period for bringing action for the recovery of wages or overtime or related penalties was increased from 2 to 3 years in those instances where the employer fails to submit payroll records by the date requested by the Department of Labor and Industry or the nonpayment is willful.

Individuals employed as commissioned salespersons, are now specifically covered by a section requiring prompt payment of wages. Terminated employees or those who resign giving 5 days notice will be paid all commissions within 3 working days of leaving, employees not giving required notice will be paid within 6 working days, and employees entrusted with money or property are to be paid within 10 working days.

The law allowing employers to make employee authorized payroll deductions was amended to now permit deductions for Federal or State registered political action committees.

A new law requires every political subdivision to establish equitable compensa-

tion relationships among its employees by August 1, 1987. The political subdivisions, by use of a job evaluation system to determine comparable work value, are to establish equitable compensation relationships between female-dominated classes of employees, male-dominated classes, and classes not dominated by either sex. (A similar measure implementing a pay equity system for State employees was enacted in 1982.) Also, the legislature requested the regents of the University of Minnesota to conduct a job evaluation study of its nonacademic employees, including hospital employees, based on comparable worth principles. A report, to be submitted to the legislative commission on employee relations by April 1, 1985, is to identify inequitably compensated female-dominated classes, estimate the cost of salary adjustments, and list steps taken to achieve pay equity.

Child labor. The penalty section of the child labor law was amended to specify that employers who refuse to make certificates or lists available as required will be assessed a \$500 fine, and that other fines for employment, hours, and hazardous occupations violations are imposed for each employee.

Equal employment opportunity. Age restrictions in apprenticeship programs, in trades involving heavy physical labor, or work on high structures, will no longer be exempt from the unfair discriminatory practices section of the State Human Rights Act.

The Commissioner of Economic Security is to recommend to the legislature by March 1, 1985, new formulas for allocating grants to sheltered workshops, with such formulas to take into consideration the effectiveness of the workshop. Factors to be considered in evaluating workshops include wages and benefits paid to employees and hours worked, rate of placement in competitive employment, opportunities for employees to participate in decisions affecting their employment, workshop responsiveness to employee grievances, and workshop efficiency.

Private employment agencies. A new law requires the licensing and regulation of entertainment agencies by the Department of Labor and Industry, and sets conditions for licensure and operation such as submission of fee schedules, acceptable contract forms, payment of a \$10,000 bond and provision for resolution of disputes with the artist.

Occupational safety and health. The authority to appoint the occupational safety and health advisory council and designate its chairman was transferred from the Gov-

ernor to the Commissioner of Labor and Industry.

Other laws. The law requiring public agencies to give preference to products manufactured in the State when purchasing goods was repealed. Also, the definition of public contract for purposes of granting resident bidder preference was clarified, and a provision was added penalizing State agencies failing to accord such preference.

The law prohibiting cities or counties in the seven county Twin Cities area from establishing residency requirements as a condition of employment was amended to expand the prohibition to all cities and counties in the State. Those jurisdictions outside of the Twin Cities area may impose a reasonable area or response time residency requirement if there is a demonstrated, job related necessity.

The law permitting public employees who qualify as members of a U.S. team for athletic competition on the world, Pan American, or Olympic level up to 90 days paid leave of absence a year was amended to limit such leave to Olympic competition or training in an Olympic year.

Mississippi

Equal employment opportunity. In the Administrative Reorganization Act of 1984, the legislature expressed its intent that no person seeking employment in State service or employed in State service be discriminated against on the basis of race, color, religion, sex, national origin, age, or handicap.

Missouri

Equal employment opportunity. Examinations for employment under the State merit system must be conducted in locations which are fully accessible to the handicapped, and hearing impaired candidates may request the furnishing of a certified interpreter.

Eligibility requirements for the use of services or facilities of county- or city-operated sheltered workshops or residence facilities for the handicapped, were more fully defined and clarified.

Occupational safety and health. A new Boiler and Pressure Vessel Act, to be administered by the Department of Public Safety, provides for the creation of an appointed regulatory board, the setting of standards for permissible equipment covered by the law, periodic inspection of boilers and pressure vessels, and the testing and licensing of inspectors. The law will not apply in cities or chartered counties which regulate such equipment by ordinance.

Other laws. Missouri voters approved

changing the name of the Department of Consumer Affairs to the Department of Economic Development.

Montana

Equal employment opportunity. In a special legislative session, preference in hiring for State and local government jobs was limited to an advantage over applicants with substantially equal qualifications for combat-era veterans, disabled veterans, handicapped persons, and certain eligible spouses. The new law replaces one which had been interpreted by the State Supreme Court as giving absolute preference for government jobs to veterans and handicapped persons.

Nebraska

Wages. Sheltered workshops are required to comply with the Federal Fair Labor Standards Act, and must pay clients wages consistent with their health, efficiency, and general well-being as provided by the State minimum wage law, and must meet other specified requirements in order to be eligible for direct negotiation with public agencies in lieu of the normal bidding requirements for providing goods and services.

Employment and training. A new Job Training Act requires the Commissioner of Labor to take steps necessary to enable the State to participate in programs under the Federal Job Training Partnership Act (JTPA), and to coordinate State job training activities. The Nebraska Job Training Council was established as the coordinating council under the JTPA.

New Jersey

Child labor. The nightwork hours provision for minors between age 16 and 18 permitting work in restaurants after midnight before nonschooldays was amended to permit restaurant and seasonal amusement employment that is a continuation of work begun on a day not preceding a schoolday, with parental permission, except that employment after 3 a.m. or before 6 a.m. on a day before a schoolday is prohibited.

Worker privacy. The law restricting employers' use of lie detectors was amended to cover prospective employees. Permitted testing was further limited to employees directly involved in the manufacture, distribution, dispensing of, or having access to legally distributed controlled dangerous substances. Other provisions included permissible areas of questioning, the subjects' right to representation by an attorney, and

the right to receive a copy of the report of the test results. No information obtained by testing may be released to any other employer or person, and subjects must be informed of their right to submit the results of an independently administered test before the employer makes a personnel decision.

Occupational safety and health. A comprehensive new Occupational Safety and Health Act applicable to public employees was enacted. Among the provisions are those creating an advisory board, providing for the development of safety and health standards, inspection of workplaces, giving employees information on their exposure to conditions in violation of prescribed safety and health standards, and prohibitions on employer retaliation. The law is to be administered by the Department of Labor.

Plant closings. Under a new Employee Stock Ownership Plan Act, the Commissioner of Commerce and Economic Development is to provide information on such plans, including procedures for establishing them and assistance available from government sources and private sector consultants. When a plant closes or will close in an already economically distressed municipality, the Commissioner may grant funds to assist in preparing a cost-benefit analysis of the potential profitability of employee ownership. After review of the results, appropriate assistance such as loan guarantees or low interest loans will be provided to employee purchasers if benefits exceed costs and funds are available.

Employment and training. Qualified workers who are currently unemployed or have received a layoff notice due to a factory or plant closing may enroll in job training courses without tuition payment, with certain restrictions, in any public State or county college.

Voters, in the November 1984 general election, passed a legislature approved \$90 million bond issue for the construction of advanced technology centers at the State's public and private colleges and universities to build and improve technical and engineering facilities and provide high technology job training and retraining programs.

New Mexico

Equal employment opportunity. The State highway department was requested to study the hiring practices of contractors on highway construction projects as such practices affect the hiring of blacks, to determine ways to assure that hiring practices do not discriminate, and to report any findings or rec-

ommendations to the first session of the 1985 legislature.

Occupational safety and health. Amendments to the State's Occupational Safety and Health Act specify the procedures to be followed in promulgating emergency regulations in response to those issued under the Federal Occupational Safety and Health Act, and provide that information obtained in on-site consultation inspections is to remain confidential.

Other laws. The law giving resident contractors preference in the awarding of State construction projects was amended to change and expand the definition of resident contractor; to specify a 5-percent preference amount over nonresident contractors; and to establish procedures for certification.

New York

Wages. The minimum salary requirement for exemption from frequency of payment requirements in the wage-payment law for executive, administrative, and professional employees was raised from \$300 to \$400 per week.

Child labor. Employers who violate the child labor law will now be subject to a civil penalty, assessed by the labor commissioner, of up to \$500 for each violation, in addition to any other penalties previously imposed. The size of the employer's business, the good faith of the employer, the gravity of the violation, the history of previous violations, and the failure to comply with record keeping or other requirements will all be taken into consideration in setting the amount of the penalty.

Equal employment opportunity. Mandatory retirement on the basis of age was prohibited for both public and private sector employers with certain exceptions, and the prohibition against age discrimination now applies without upper-age limit instead of ceasing at age 65. These provisions become effective January 1, 1985, for public employers and January 1, 1986, for private sector employers.

Discrimination on the basis of age was prohibited in apprenticeship, on-the-job, and other training programs.

The Human Rights Law now prohibits an employer from requiring a pregnant employee to take a leave of absence unless the pregnancy prevents the employee from performing her job in a reasonable manner.

Labor relations. Provisions of the nonprofit corporation law establishing record-keeping requirements and the right to inspect records were amended to specify that the law does not require public employee or-

ganizations to disclose the home address of any current or past member.

Private employment agencies. Employer fee paid agencies placing applicants in administrative employment positions paying less than \$20,000 per year are now exempt from most provisions of the employment agency law. However, such agencies must register with the administrator and may not engage in several specified prohibited practices.

Occupational safety and health. The Commissioner of Labor was authorized to issue rules to prevent personal injuries to employees and patrons using amusement devices and temporary structures at carnivals, fairs, and amusement parks. Within New York City, the Department of Buildings was empowered to make and enforce such rules.

Other laws. Amendments to the civil service and labor laws provide protections to employees against retaliatory personnel actions by employers for disclosing information to a government body about employer violations of laws or regulations, which violation endangers the public safety. Employees must first inform the employer, however, and allow reasonable time for corrective action before disclosure.

North Carolina

Wages. Wages of State employees may be assigned to meet child support obligations without the normal restrictions on claims against the State.

A pay equity study for the State's classified employees was authorized. A Pay Equity Advisory Committee, composed of legislators, is to monitor progress and make a final report by June 1, 1986. A consultant may be hired to study the State personnel system and report findings to the Committee on policies which inhibit pay equity and development of an equitable job evaluation and pay system.

Equal employment opportunity. Mandatory retirement under the State and local government employees' retirement systems was eliminated. Local boards of education and the Board of Governors of the University of North Carolina may by resolution provide for the retirement of certain personnel at the age of 70 unless continued in service on a year-to-year basis in accordance with regulations adopted by the boards.

Ohio

Child labor. The law setting permissible ages for the sale or handling of alcoholic beverages was amended to permit 18-year-

olds to sell beer in sealed containers, and 19-year-olds to handle open liquor containers in their employment as waiters or waitresses in hotels, restaurants, social and fraternal clubs, or night clubs.

Agriculture. Among several amendments, made in late 1983, to the laws regulating agricultural labor, a migrant agricultural ombudsman was to be appointed by the Bureau of Employment Services to serve as both liaison and information source for the migrant community, changes were made in labor camp licensing and inspection requirements, safe drinking water health standards were incorporated into the licensing requirements, and the Department of Education was given new responsibilities for educational programs for children of migrant agricultural laborers.

Equal employment opportunity. A Department of Aging was created to replace a Commission on Aging. Among its duties, the Department is responsible for planning, coordinating, and monitoring services for older adults, including the operation of multipurpose centers which provide such services as programs to locate full- or part-time employment opportunities.

Occupational safety and health. Changes were made in the criteria used by the mine examining board to certify persons for several mining occupations, and new comprehensive safety procedures were adopted for longwall mining. Employees are to receive instruction in such areas as escapeway and travel routes, ventilation, roof support, communications, and location of first aid equipment.

Employment and training. The Director of Development is to administer a new Thomas Alva Edison matching grant program to foster research in advanced technology areas likely to improve the economy and lead to the creation of jobs.

Oklahoma

Wages. Among amendments to the prevailing wage law, a \$10,000 threshold amount for coverage was established, contractors and subcontractors are to now submit certified payrolls at the conclusion of the project instead of only upon request, provision was made for worker verification of payroll records, a 2-year debarment for violations was established, and violations were made misdemeanors.

In an action that will be helpful in the enforcement of the State's wage payment and prevailing wage laws, the section of another law governing contractor licensing was amended to clarify the definition of contractor.

Equal employment opportunity. State agencies, boards, and commissions are to annually submit affirmative action plans to the Office of Personnel Management which will, in turn, submit a progress report to the Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate. Agencies are not required to give preferential treatment to members of any covered group based on an imbalance in comparison with area employment statistics, but it is not a discriminatory practice to adopt and implement a plan to reduce or eliminate such an imbalance.

Occupational safety and health. The State Occupational Health and Safety law is now applicable only to public sector employment. Statutory references to the Occupational Health and Safety Standards Commission and Board of Health and Safety Compliance and Appeals were deleted, and authority to establish standards and to adjudicate violations was redelegated to the Commissioner of Labor.

Other laws. The law requiring the granting of preference to State-resident bidders in the award of public works contracts was repealed.

Pennsylvania

Child labor. Sections of the child labor law requiring employment certificates were amended to permit, as an alternative, the use of transferable work permits by minors who are at least age 16. These permits are transferable from one employer to another during the period for which the individual is considered a minor.

Equal employment opportunity. Reduction-in-force procedures for various firefighters, police officers, and deputy sheriffs in the State, which previously provided for first mandating the retirement of those eligible employees age 65 or over, were amended to raise this age to 70.

Labor relations. Amendments to the Public School Code give professional employees the right to challenge termination using either administrative remedies or procedures established in collective bargaining agreements, but not both.

Occupational safety and health. A comprehensive Worker and Community Right to Know Act, to be fully effective 2 years after the promulgation of regulations, requires public and private sector employers to provide employees and the general public with information on hazardous chemicals found in the workplace, to maintain lists of these chemicals, to properly label them,

and to provide workers with training on the nature of the chemicals and safe handling and emergency procedures. Procedures were also included for the release of trade secret information in medical emergencies, for onsite testing, and for any person in the State to request an environmental hazard survey for a particular workplace. Employees who request information cannot be required to work with a substance until the information has been provided and are not to be disciplined for such action. Administration of the law is vested in the Department of Labor and Industry.

Economic development. The Milrite Council, a quasi-public, independent economic development agency, was extended through June 30, 1990, and was authorized to create labor-management committees to enhance economic development through labor-management cooperation.

Plant closings. A new Employee-Ownership Assistance Program under the Department of Commerce gives local administrative agencies the authority to provide technical and financial assistance to eligible employee groups to promote restructuring existing businesses, including those facing layoffs or closing, into employee-owned enterprises.

Employment and training. The Pennsylvania Conservation Corps was created in the Department of Environmental Resources to provide a maximum of 6 months of training and work experience on public lands or facilities at no less than the State minimum wage to eligible economically disadvantaged persons age 18 to 21.

Puerto Rico

Wages. Minimum wage rates were increased in 1984 and late 1983 for several industries under revised mandatory decrees issued by the Commonwealth Minimum Wage Board. Minimum rates for the transportation industry increased from a range of \$1.40–\$3.35 an hour to \$2.80–\$3.35 on December 25, 1983, and rates were also increased in late 1983 for the bread, cracker, bakery products, and alimentary pastes industry and for the dairy industry. The minimum wage rate for the transportation vehicle manufacturing and assembly industry increased from \$3.10 to \$3.35 an hour on January 28, 1984, and the minimum wage rate range for the metal, machinery, electrical products, instruments, and related products industry increased from \$2–\$2.30 an hour to \$2.75–\$3.35 an hour on May 23, 1984.

Rhode Island

Wages. Payroll deductions for any pur-

pose must be transferred by the employer to the appropriate person or organization within 21 days following the last day of the month in which the deduction is made unless the recipient permits otherwise in writing.

The law providing for judgments ordering child support and assignment of wages for such support payments, was amended to provide for reciprocity with States having similar laws.

A special legislative commission was authorized to study pay equity in State employment and determine if there is evidence of undercompensation of female-dominated classes in relation to male-dominated ones where the composite value of skill, effort, responsibility, interpersonal skills, accountability, and working conditions are comparable. The findings, which are non-binding, will be reported by March 29, 1986.

Equal employment opportunity. The age for mandatory retirement of police and fire personnel was increased from 65 to 70, and the mandatory retirement of correctional personnel at age 55 with 20 years service was eliminated.

The legislative commission created in 1983 to study the feasibility of establishing a revolving low-interest loan fund to purchase high technology adaptive equipment enabling the employment of disabled persons, and to recommend legislation, was extended for 1 year through April 1985.

Occupational safety and health. Among amendments to the Hazardous Substances Right-to-Know Act employers now have 24 hours to comply with a request for chemical information from the labor department, and employers must provide such information within 3 days of an employee's request. Also, certain laboratories were excluded from coverage while new safeguards were enacted for laboratory employees, and provisions were added specifying information and training that must be furnished to employees of subcontractors.

A Hazardous Substances Community Right-to-Know chapter was enacted authorizing any State resident to request copies of employers' material safety data sheets and lists of designated substances from the Department of Labor, with a maximum \$10 fee for each information request. Employer noncompliance may result in fines of up to \$100 per day. Information exempted under the trade secret exemption is not included.

Minimum standards were established for personal protective clothing, equipment, training, and respiratory protection for firefighters when exposed to the hazards of fire fighting.

A joint resolution requested that a special legislative commission be created to study

the effects of video display terminals on workers and to make recommendations on its findings.

Other laws. A whistleblowers protection act now protects State and municipal employees from discharge or other retaliation for reporting to a public body violations of law or rule, or for participating in an investigation, hearing, or court action.

Employers may not charge applicants a fee for filing an employment application.

South Carolina

Child labor. In response to increase to age 20 for the legal purchase or possession of beer or wine, it was specified that persons age 18 and over lawfully employed to serve or remove beer, wine, or alcoholic beverages will not be deemed in unlawful possession of the beverages during the course and scope of their duties.

Equal employment opportunity. Members of the State Retirement System may now take up to 1 year of maternity leave provided they pay the full actuarial cost.

Worker privacy. The law enforcement division was authorized to provide criminal conviction histories on request to local school districts for prospective teachers and to the Department of Social Services for personnel of child day-care facilities.

South Dakota

Hours. The prohibition on a day's labor exceeding 10 hours was amended to permit a longer workday if agreed to by both the employee and employer.

Equal employment opportunity. Employment discrimination on the basis of a person's blindness or partial blindness is now prohibited under the State Human Rights Act which is applicable to both private and public sector employers.

Other laws. Among changes in the law governing employee agreements not to compete with the employer, the time period for noncompetition was reduced from 10 to 2 years after termination of the agreement.

Tennessee

Worker privacy. A resolution called for the creation of a special legislative study committee to examine the use of polygraph testing, including the use of such tests in employment screening and employee evaluation and the rights and interests of both employees and employers.

Labor relations. Among changes made in the law permitting payroll deductions for

membership dues for certain State employee associations, new procedural requirements for payroll deductions were established, and provision was made for retired State employees to authorize deductions for membership dues from retirement allowances. The provision for forfeiture of the deduction right for participation in a work stoppage was amended to also provide that a participant may additionally be subject to immediate termination of employment.

Private employment agencies. A new personnel recruiting services law was enacted, replacing the private employment agency act. The new law, administered by a personnel recruiting services board composed primarily of licensed agency managers, provides for licensing of agencies, managers, and agency placement personnel, and establishes certain requirements on and prohibited practices for agencies.

Occupational safety and health. By resolution, the legislature authorized the creation of a special joint committee to study right-to-know laws relative to hazardous substances in the community and workplace. Findings and any legislative proposals are to be submitted to the General Assembly no later than February 1, 1985.

The composition of the Elevator Safety Board was changed and changes were made in the statute to conform with a 1983 executive order transferring the elevator safety function from the Department of Labor to the Department of Commerce and Insurance.

Economic development. An Enterprise Zone Act was enacted for the purpose of creating jobs and promoting physical improvements in economically depressed areas of the State by providing assistance to businesses and industries including loans, grants, and tax concessions. Enterprise zones will be identified based on such factors as rate of unemployment, poverty rate, and decrease in population.

Texas

Employment and training. By resolution, the legislature requested the State Job Training Coordinating Council to study the unemployment problem in the State and make recommendations concerning transitional public employment and training programs. A report is due to the Governor and legislature by December 31, 1984.

Utah

Other laws. A resolution directed the Legislative Management Committee to assign to appropriate committees several items

of study including wage garnishment, payment to subcontractors, inclusion of tips in minimum wages, coverage of men by laws affecting women and minors, and comparable worth as it pertains to State employees. Recommendations for legislative action are to be made to the next legislature, or earlier if warranted.

Vermont

Wages. Courts may now order an assignment of wages to enforce an order for child or spouse support under certain conditions, including delinquency. An employee may not be discharged because of such an assignment.

Industrial homework. A resolution requested the U.S. Congress to direct the Department of Labor to continue to protect workers from safety and wage abuses and, in doing so, to ensure that as a result of its regulation, homework not be banned altogether.

Labor relations. The Municipal Labor Relations Act was amended to permit, in those municipalities that have voted to adopt binding arbitration, the municipal employer and the bargaining agent to agree to proceed directly from mediation to binding arbitration without submitting the dispute to fact-finding.

Employment and training. A public works jobs program, designed to provide up to 18 weeks of temporary employment to certain unemployed residents of the State, due to expire June 30, 1984, was continued for 1 year. Those areas in which such work will be performed were further defined.

Virginia

Wages. As a followup to the women's pay study in 1983 by the Virginia Commission on the Status of Women, the legislature, by resolution, requested the Secretaries of Administration and Finance to study the comparable worth concept and the cost and changes it would cause in the State government's job evaluation and classification system. Reports are due to the Governor and General Assembly by October 30, 1984.

Industrial homework. By resolution, the President, the Congress, and the U.S. Secretary of Labor were urged to rescind or amend the orders and regulations prohibiting industrial homework under the Fair Labor Standards Act.

Occupational safety and health. The Toxic Substances Information Act was amended by adopting new sections further defining

trade secrets, providing for emergency disclosure, and adding to the penalties for unauthorized disclosure. Also, information filed as confidential under the act was excluded from the law requiring that official records be open to public inspection.

A new Department of Mines, Minerals and Energy was created and responsibility for administering the State mine safety law transferred from the Department of Labor and Industry to the new department. Also, a Mine Safety Panel was established to review applications for reduced coal mine inspections. Coal mine operators found qualified, based on safety records and other factors, may have the number of annual inspections reduced by two. Currently, inspections are required at least every 90 days.

In other mine safety actions, an absolute ban on the use of internal combustion engines underground in any coal mine was eliminated and replaced with a provision permitting the use of diesel powered equipment with written approval, provided certain safety standards are met, and requirements were established for the maintenance of escape routes and provision of fire extinguishers and respirators in long-wall mining operations.

Plant closings. A resolution extended the life of the Commission Studying the Recruitment of Industry and Industrial Plant Closings, created in 1983 to determine the reasons for the State's difficulty in recruiting industry and to study alternatives for aiding the unemployed. The Commission is to submit its recommendations to the 1985 Session of the General Assembly.

Employment and training. Legislation was enacted to implement the Federal Job Training Partnership Act within the State. Responsibility was assigned to the newly created Governor's Employment and Training Division and the advisory State Job Training Coordinating Council.

Other laws. The contract amount for which a payment bond is required on public construction projects was increased from \$25,000 to \$100,000. Public bodies are not precluded from requiring such a bond for contracts of a lesser amount.

Virgin Islands

Equal employment opportunity. The prohibition against employment discrimination because of sex was defined to specifically apply to discrimination on the basis of pregnancy, childbirth, or related medical conditions, and to require that women affected by such conditions be treated the same for all employment-related purposes as other persons having different conditions affect-

ing their ability to work. Employment related purposes include receipt of benefits under disability benefit, sick leave, and medical benefit programs. The term employer was defined to specifically provide that these provisions apply to both public and private sector employers.

Washington

Wages. An employer of educational employees must now, upon the request of at least five employees, arrange for the purchase of an approved tax deferred annuity and make payroll deductions for the premiums.

Promoters of theatrical enterprises, prior to the commencement of the production, must now give the Department of Labor and Industries a payment bond or cash sufficient to pay the wages of all employees for the period for which a single payment of wages is made, not exceeding 1 week.

Persons to whom court ordered child support payments are more than 15 days overdue, may seek a mandatory wage assignment without prior notice to the individual in default. Such wage assignment may not exceed 50 percent of disposable earnings.

Occupational safety and health. A new Worker and Community Right to Know Act establishes a program for the disclosure of information about hazardous substances in the workplace. Employees who request information cannot be required to work with a substance until the information has been provided and are not to be disciplined for such action. An advisory council was created to study the impact of the law on employers, especially those in agriculture and small business, and the costs of the law to the labor department, local governments, school districts, colleges, and hospitals, with a report due to the legislature by January 1, 1985. The council is also to advise the Department of Labor and Industries on implementation, and the Department is to produce and distribute materials informing citizens of their right to information under the law.

West Virginia

Wages. By resolution, a Task Force on Public Employee Pay Equity was created to develop a single, sex-neutral point factor evaluation system to be applied to all public sector jobs in the State, to rank jobs accordingly, to identify variations in pay and

access to promotions, and to report on ways to eliminate any discrimination found to exist. Findings are to be reported to the Joint Committee on Government and Finance before the start of the 1985 Regular Session of the Legislature.

Occupational safety and health. Prior to issuance of any surface mining permit, the Director of the Department of Natural Resources must now receive verification, from the Commissioner of Labor, of an applicant's compliance with the State's bonding requirements for wages and benefits, and a copy of the permit is to be forwarded to the Commissioner who is to assure continued compliance. It was specifically stipulated that the wage bond is to be furnished before the work is started.

Wisconsin

Wages. Real estate agents and real estate salespersons paid solely by commission were specifically excluded from coverage under the minimum wage law.

The Task Force on Comparable Worth was created by Executive Order to review the State civil service classification and compensation systems and develop the methodology for their evaluation under comparable worth principles. Final recommendations, including an estimate of the cost of implementation, are due by December 31, 1985.

Equal employment opportunity. The prohibition against employment discrimination on the basis of age now applies to all persons age 40 or over instead of only those between 40 and 70. Also, the mandatory retirement of executive or high level policy-making employees between age 65 and 70 is no longer lawful.

Labor relations. The State employment labor relations act was amended to now permit maintenance of membership as well as the previously authorized fair-share agreements, if approved by at least two-thirds of the eligible members in a collective bargaining unit. A maintenance of membership agreement requires those employees whose dues are being deducted at the time an agreement takes effect to continue to have dues deducted for the duration of the agreement.

A joint resolution requests the legislative council to study the mediation-arbitration law for collective bargaining dispute set-

tlement involving municipal employees other than law enforcement and fire fighting personnel. Among the items to be reviewed are the operation of the mediation-arbitration process and the impact of the law on work stoppages. Results of the study and any recommendations are to be reported to the 1985 legislature.

An amendment to the State Employment Relations law authorizes public employees to disclose information on violations of State or Federal law or mismanagement or abuse of authority after the first following internal procedures, and protects those who do so from employer retaliation.

Occupational safety and health. Among amendments to the Employees' Right to Know Law, new requirements were added mandating retention of data sheets and other toxic substance information for 30 years from the last use of the substance in the workplace; further regulating the use of pesticides; requiring notice to minor employees' parents of the minor's rights under the law; and creating a procedure for filing employee complaints with the Department of Industry, Labor, and Human Relations.

Employees of community-based residential facilities are now required to receive training within 90 days of employment in basic first aid, fire prevention and control, evacuation techniques, and other safety measures.

Plant closings. The law requiring employers of 100 workers of more to give 60 days' written notice to the Department of Industry, Labor, and Human Relations before an impending shutdown of operations was extended. Notice must now be given also to affected employees, their collective bargaining representative, and the political subdivision where the business is located. Such notices are required only when 10 employees or more are affected.

Other laws. Those administrative decisions of the Department of Industry, Labor and Human Relations, which are subject to review by the Labor and Industry Review Commission, must be appealed to the Commission before being subject to judicial review.

Wyoming

Equal employment opportunity. Employment discrimination on the basis of age 40 to 70 is now prohibited under the Fair Employment Practices Act. □

FOOTNOTES

¹The legislatures did not meet in Arkansas, New Hampshire, or North Dakota. Special sessions were held in Nevada and Oregon, but no significant legislation was enacted in the fields covered by this article. Information on Guam had not been received in time to include in this article,

which is based on information received by November 9, 1984.

²Unemployment insurance and workers' compensation are not within the scope of this article. Separate articles on each of these subjects are included in this issue of the *Monthly Labor Review*.