

State labor legislation enacted in 1982

Significant pieces of legislation were enacted in a wide variety of subject areas, including equal pay for jobs of comparable worth and the impact of plant closings or relocations, as well as traditional employment standards concerns

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As is common in even numbered years, 1982 was a light year in terms of State labor legislation, with some legislatures not meeting in regular session or chiefly for budget matters.¹ Despite the smaller volume of new legislation, a few significant laws were enacted in each of several subject areas.² In addition to traditional areas of concern such as minimum wage, wage garnishment, and child labor legislation, continued interest was shown in the concept of equal pay for jobs of comparable worth and in the prohibition of sexual harassment in the workplace. Perhaps as a result of the economic recession, a few States passed legislation addressing the impact of plant closings or relocations on employees and the community, and others established special programs to provide employment opportunities for persons in economically depressed areas, designated as enterprise zones.³

Although minimum wage rate increases were less common this year than in the recent past, rates were increased in 10 jurisdictions in 1982, with seven of these increases resulting from automatic increases provided for by previous enactments. A new wage order in the District of Columbia, applicable to employees of the retail trade industry, raised the minimum wage rate to \$3.50 an hour and increased the rate for youth under age 18 to \$3.35 an hour. New legislation increased

hourly rates to \$2.60 in Kentucky and to \$2.80 in South Dakota. South Dakota also raised the tip credit allowance from 25 to 30 percent of the required minimum wage. Twenty-one jurisdictions now have a minimum rate for some or all occupations equal to or exceeding the \$3.35-per-hour Federal standard.

Among other wage related actions of interest, Alaska and Georgia increased the dollar amount of payment bonds to be furnished on public works contracts. Oklahoma extended coverage of its wage payment/wage collection law to public sector employees, expanded the definition of wages, changed the provisions on final payment to a terminated employee, and increased the liquidated damages due employees for delayed payment. Amendments to time limits for final payments to terminated employees were also enacted in Idaho and South Carolina, while in Kentucky bona-fide executive, administrative, supervisory, or professional employees were excluded from semimonthly payment of wages and time of payment requirements.

A new Maryland law drops the premium overtime pay requirement (for hours exceeding 8 in a day) for those State police participating in a trial schedule of a 10- or 12-hour day, 4-day week, but retains the requirement for overtime pay after 40 hours a week. A California law permits certain manufacturing employers who operate around-the-clock to institute a 12-hour day, 3- or 4-day week without premium overtime pay, under specified circumstances, except for time worked in excess of 12 hours a day, 4 days, or 40 hours in any workweek.

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Thirteen States enacted legislation during 1982 concerning the use of wage garnishment or assignment to require payment under a court order for support of an employee's dependents. Most of these laws involved setting or increasing limits on the amount of earnings subject to garnishment or assignment. Alaska increased the amount exempt from garnishment and provided for future biennial changes linked to changes in the Consumer Price Index for Anchorage. The wages of public employees in Maryland were made subject to attachment for private debts.

Employees in Louisiana, Michigan, Minnesota, New Hampshire, New Jersey, South Dakota, Utah, and Virginia were protected from employer disciplinary action because of the garnishment or assignment.

Prevailing wage laws which specify that wage rates paid on publicly funded contracts be not less than those prevailing in the locality continued to be controversial, but faced a smaller number of attempts to repeal them or reduce coverage than in the last few years. Two separate bills to repeal the Idaho law, passed the legislature but were vetoed by the Governor. Coverage of the Kentucky law was reduced by exempting certain construction projects and by increasing the contract threshold amount. Other changes in Kentucky included elimination of the 30-percent rule for determining the prevailing wage and deletion of certain reporting requirements. On the other hand, a new California law requires payment of the prevailing wage to construction workers employed on projects financed in whole or part by bonds issued under the Industrial Development Financing Act.

An important new law in Maryland, to be administered and enforced by the Commissioner of Labor and Industry, provides for State registration of farm labor contractors upon the execution of an agreement between the Commissioner and the U.S. Secretary of Labor to coordinate registration and enforcement activities in order to minimize duplication. New protections for farmworkers include requirements that they be informed of the place, terms, and conditions of employment, crops to be harvested, any transportation, housing, or insurance to be provided, and the existence of any labor dispute at the place of employment. Penalties for violation were enacted.

Child labor law or regulation revisions were not widespread, but extensive changes were made in a few States. New regulations in South Carolina are the same as their Federal counterparts in most respects, including limits on daily, weekly, and nightwork hours for minors under age 16, and on work in hazardous occupations for those under age 18. Changes in the Virginia law include types of employment certificates issued, record-keeping requirements, and the authorization to assess civil money penalties for violation. Nightwork hours for

minors under age 16 were amended to bring them closely in line with the Federal standards. Revisions in the Louisiana law include authorizing the State labor department to issue 60-day blanket work permits to employers under certain circumstances, amending nightwork and maximum weekly hours provisions for minors under age 16, and changes in permitted and prohibited occupations.

Other child labor law amendments involved certain exemptions in Alabama and Kansas for minors employed as actors or performers, and elimination of a permit requirement for performances by nonprofessional gymnasts in New York. New Jersey eased vacation certificate requirements and removed the prohibition on the employment of girls under age 18 as messengers.

Legislation addressing one or more of the various forms of employment discrimination was enacted in 17 jurisdictions in 1982. Among the more significant measures were a law in Louisiana extending coverage of the age discrimination act, previously applicable to the private sector, to public sector employees; a new Equal Opportunity in Education Act in Nebraska; and an amendment to the Wisconsin fair employment practice law prohibiting discrimination on the basis of marital status and sexual orientation, and defining handicap to include either mental or physical impairment. The Wisconsin changes also raised the upper limit in the ban on age discrimination in employment from age 65 to 70, and required employers to notify employees of any grooming requirements. In other actions, California amended its equal pay law to make violators liable for liquidated damages; Ohio repealed labor laws applicable only to women; Louisiana prohibited discrimination because of sickle cell trait; and Minnesota made sexual harassment an unfair discriminatory practice and, in a separate law, provided that the principle of comparability of the value of work be implemented for executive branch employees in the State service. Also, the legislatures in Hawaii and Kentucky passed resolutions requesting that studies be made of the comparable worth issue.

Efforts were undertaken in three States to lessen the impact of plant closings on workers and communities. California adopted a new program of retraining and other services for affected employees, and Illinois initiated a program of assistance to employee associations to enable them to acquire and operate plants that would otherwise be permanently closed or relocated. Rhode Island called for the creation of a legislative commission to study the problems caused by plant closings and to make recommendations to the general assembly. A New Jersey report prepared as the result of 1981 legislation and issued in 1982 examined the use of employee stock option plans as a method of enabling employee groups to purchase plants.

On another front, five States (Florida, Kansas, Kentucky, Maryland, and Rhode Island) sought to provide employment opportunities for persons in economically depressed areas, designated as enterprise zones, within which employers will be encouraged to locate or expand through such incentives as tax credits and loan guarantees. Also, in New Mexico a study is to be made of the feasibility of establishing such enterprise zones.

Eight States enacted legislation affecting the regulation of private employment agencies. The most significant of these were in Washington where the Employment Agency Advisory Committee was abolished, following the 1981 deregulation of maximum applicant-paid placement fees, and Idaho, where agencies were deregulated with repeal of the requirement that agencies be licensed and bonded by county officials. In Georgia, career consultants who perform such activities as counseling, but do not guarantee actual job placement, were specifically made subject to the Fair Business Practices Act.

Among other areas receiving attention in 1982, a comprehensive new Public School Employment Relations Act was passed in Delaware; California State employers and employee organizations were authorized to enter into agreements for the deduction of fair share fees; a "right-to-work" bill passed the legislature in Idaho but was vetoed by the Governor; several States passed legislation involving mine safety; and employees in Wisconsin are to be informed of and given training on toxic substances found in the workplace. Idaho passed a law giving in-State contractors preference in the awarding of public contracts over contractors from States granting them a preference over those from Idaho, and Maine repealed a provision giving in-State contractors a 5-percent preference.

The proposed Equal Rights Amendment to the U.S. Constitution failed to be adopted by the June 30, 1982, deadline, falling three States short of the two-thirds requirement for approval.

The following is a summary, by jurisdiction, of labor legislation during 1982.

Alabama

Child labor. Children under age 16 who are employed as actors or performers were exempted from the time and hour restrictions of the child labor law, and employment or age certificates will no longer be required for minors under age 17 in such occupations. Work by minors under age 16 must be with the written consent of the Alabama Film Commission, the Department of Industrial Relations, and the parent, and may not interfere with schooling or be unsafe or otherwise detrimental to the child's welfare or morals.

Occupational safety and health. The Division of Safety/Inspection of the Department of Industrial Relations is to establish mine rescue stations near mining centers to carry out rescue and recovery operations of mine disasters and to comply with Federal requirements. Qualifications for rescue crew

members were adopted and provisions were made for their training and payment.

Employment and training. A joint resolution encourages the State administration to request or require that contractors use in-State labor, products, and materials whenever possible, on all State construction projects financed by bond issue proceeds.

In other resolutions, the legislature petitioned the U.S. Congress to restore the public employment service to a reasonable funding level consistent with the needs of employers and the labor force, and to reverse budget cuts in the Work Incentive Program.

Alaska

Wages. The Wage and Hour Act was amended to exempt from coverage those persons employed to serve as parents of children who are in residence at non-profit educational or child-care facilities, provided the employment requires residence at the facility and is paid on a cash basis, exclusive of room and board, at an annual rate of not less than \$10,000 for an unmarried person or \$15,000 for a married couple.

Payment bonds must now be furnished on public works contracts exceeding \$100,000 rather than on those exceeding \$50,000 as was previously required.

The amount of wages exempt from garnishment was changed from 75 percent of disposable weekly income or \$114, whichever is greater, to an exemption of weekly net earnings not to exceed \$175. Biennial changes in the exemption amount will be made to conform to changes in the Consumer Price Index for Anchorage.

Worker privacy. Among amendments to the State personnel laws are new provisions which give State employees the right to examine, and to authorize others to examine, their own personnel files, and which specify political activity rights and restrictions.

Employment and training. The Governor was authorized to appoint a Vocational Education and Employment Training Task Force to study vocational education and employment training in the State and to report findings and legislative recommendations by March 31, 1983.

The Commissioner of Health and Social Services was authorized to establish a program to develop and operate various enterprises within the correctional system, employing prisoners, and designed to provide them with realistic work experience. Deductions are to be made from prisoner wages for clothing and other maintenance expenses, and for payments to dependents and crime victims.

Arizona

Labor relations. The Agricultural Employment Relations Board, scheduled to terminate on July 1, 1982, under sunset legislation, was continued until July 1, 1992.

Arkansas

Wages. By prior law, the minimum wage rate was increased to \$2.80 an hour effective January 1, 1982, with a further increase to \$2.95 scheduled for January 1, 1983.

California

Wages. Certain employers who operate a manufacturing facility 24 hours a day, 7 days a week may, under specified circumstances, institute a 12-hour day, 3- or 4-day week without

premium overtime pay except for time worked in excess of 12 hours a day, 4 days, or 40 hours in any workweek. A voluntary written agreement must be confirmed by two-thirds of the affected employees and the employer, and may be rescinded at any time by a similar employee vote.

To expedite decisionmaking by the Industrial Welfare Commission on petitions to amend the Wage Order in the health care industry, special rapid procedures were instituted for this industry alone, without appointment of a wage board as otherwise required.

An employer may charge a residential apartment manager up to two-thirds of the fair market value of the apartment supplied to him or her if there is a voluntary written agreement, and no credit for the apartment is used to meet the employer's minimum wage obligation to the manager.

Among amendments to the Industrial Development Financing Act, construction workers employed in work financed in whole or part by bonds issued under the act are to receive not less than the prevailing wage rate for such work, as determined by the Director of the Department of Industrial Relations.

Hours. A law permitting State employees in agencies planning a personnel reduction of 1 percent or more to voluntarily reduce their worktime, with a corresponding reduction in compensation, to save jobs was made permanent. The law was scheduled to terminate June 30, 1982.

The law governing the hours of work of a trainman was amended to reduce from 16 to 12 both the maximum consecutive on-duty hours until he has had 10 consecutive off-duty hours and the maximum on-duty hours in a 24-hour period without having had 8 consecutive hours off duty.

Child labor. The law permitting 16- and 17-year-old minors enrolled in approved work experience programs to work after 10 p.m. but not later than 12:30 a.m., under specified conditions, was amended to also include 16- and 17-year-olds enrolled in approved cooperative vocational education programs.

Equal employment opportunity. The equal pay law was amended to make employers in violation liable not only for wages and interest as before, but also for an equal amount in liquidated damages. For willful violations, the time for commencing a civil action was lengthened to 3 years and penalties increased, and a reimbursement provision was adopted to prevent double recovery under both Federal and State law.

The Fair Employment and Housing Act now explicitly bans harassing an employee or applicant on a prohibited basis, aside from discriminating on that basis as before.

A concurrent resolution directed the State Department of Aging to establish and implement an affirmative action employment plan for the recruitment, hiring, and training of persons 60 years of age or older in conformance with Federal and State legislation.

Worker privacy. The Department of Justice was directed to and local agencies may furnish banks, savings and loan associations, and credit unions with summary criminal history information on applicants for employment with the written consent of the applicant. An applicant may be denied employment if upon evaluation of the criminal history information, the financial institution determines that his or her employment would pose an unreasonable risk to the institution or its customers. Any information obtained is confidential and not to be disclosed other than for the purpose for which it was acquired.

Labor relations. State employers and recognized employee organizations were authorized to enter into agreements providing for organizational security in the form of fair share fee deductions as a condition of employment. Employees who because of religious beliefs object to joining or financially supporting the employee organization will not be required to do so, but must pay a sum equal to the fair share fee to an approved nonreligious, nonlabor organization.

The existing law permitting State officers and employees to authorize wage deductions for dues payments to bona-fide associations was amended to require that the association first be registered with the State employer.

Private employment agencies. The Bureau of Employment Agencies is required to adopt and place into effect by July 1, 1983, written operating guidelines for complaint handling procedures.

Among changes to the law regulating talent agencies, an Entertainment Commission was established to study the laws and practices of California, New York, and other U.S. entertainment centers relating to licensing agents and representatives of entertainment artists, and to recommend to the legislature a model bill on licensing.

Occupational safety and health. The Division of Occupational Safety and Health was given jurisdiction over the occupational safety and health of all employees of rail rapid transit systems, electric interurban railroads, and street railroads rather than only over specific operations as before.

Plant closings. Under a new displaced worker education and training act, the Employment Development Department, in conjunction with various State agencies, including the Departments of Education and of Industrial Relations, is required to prepare a plan for the implementation of occupational transfer and retraining programs and services for displaced workers. Among those eligible for the programs are workers unemployed because of plant closures or substantial plant layoffs, those eligible for retraining under the Federal Trade Adjustment Assistance Act or the Redwood Employee Protection Program, and those eligible for benefits under the California unemployment insurance retraining program. An annual evaluation of the program is to be submitted to the legislature.

Employment and training. A Commission on Industrial Innovation was created to develop policies designed to preserve jobs, create new jobs, and to guarantee the continued growth of the State's economy.

The Youth Employment and Development Act scheduled to terminate December 31, 1982, was extended to December 31, 1987. Also, the Employment Development Department was authorized to conduct summer youth employment programs in addition to previous efforts to facilitate the transition from school to work, such as youth on-the-job training programs and community service programs.

Statutory changes provide for the integration and streamlining of employment and training services including those for recipients of assistance under the Aid to Families with Dependent Children program.

A concurrent resolution was adopted encouraging private sector employers to rehire the industrially injured, whenever feasible.

Colorado

Occupational safety and health. Persons involved in emergency mine rescue activities were protected from liability for civil

damages as a result of any act or omission resulting from such rescue efforts.

Connecticut

Equal employment opportunity. Benefit plans for public and private sector employees may not reduce group hospital, surgical, or medical insurance coverage to any employee reaching age 65 and who is eligible for medicare benefits except to the extent such coverage is provided by medicare.

New procedures were established for operation of workshop programs for the severely handicapped by the Department of Mental Retardation, including creation of a Community Sheltered Workshop Council to assess workshop programs and make annual reports to the Commissioner on its findings and recommendations, including budgetary and legislative proposals.

Labor relations. The collective bargaining law for State employees was amended to include coverage of part-time employees who work less than 20 hours per week, and to specifically exclude managerial employees.

The services of the State Board of Mediation and Arbitration will now be made available to municipal employers and employee organizations to help resolve disagreements in contract reopening negotiations as well as in contract negotiations as before.

Occupational safety and health. Effective July 1, 1983, private and public sector employers who use or produce toxic substances as part of their operation are to post a notice informing employees that they have the right to information regarding such substances. Employees who request information cannot be required to work with a substance until the information has been provided. New employees are to receive information on the names, locations, properties, symptoms of exposure, appropriate emergency treatment, proper methods of safe use, and procedures for cleanup of leaks and spills of such toxic substances. Starting January 1, 1984, and annually thereafter, employers must furnish the State labor department a list of their toxic substances.

Employment and training. A legislative task force was established to study various issues concerning job training in the State, with a report due to the general assembly by February 1, 1983. Also, the joint standing committee on labor and public employees is to study the feasibility of increasing productivity of State employees through greater employee participation in the making of operational decisions, with a report due to the general assembly by January 31, 1983.

Delaware

Wages. A 1981 amendment increased the threshold amount from \$2,000 to \$5,000 for coverage of public works contracts under the prevailing wage law.

Equal employment opportunity. A Delaware Commission for Women was established by statute within the Department of Community Affairs and Economic Development, its membership to consist of the present members of the Governor's Commission on the Status of Women. Among other duties, the Commission is to make recommendations to the Governor on legislation of particular interest to women and to work towards the elimination of sex discrimination.

Labor relations. The Professional Negotiations and Relations section of the code was repealed and replaced by a more comprehensive Public School Employment Relations Act. Among

the many changes, a section on management rights was added, unfair labor practices were specified and a complaint process created, expanded impasse procedure provisions were enacted, and a Public Employment Relations Board was established to administer the act.

District of Columbia

Wages. Wage Order Number 3, applicable to employees of the retail trade industry, was revised effective September 20, 1982, to increase the minimum hourly wage rate from \$2.50 to \$3.50. The rate for minors under the age of 18 was increased from \$2.30 to \$3.35 an hour.

Employment and training. The Youth Employment Act was amended to authorize a program for pre-employment training and retraining of local residents age 16 and over, with priority given to those who are economically disadvantaged.

Florida

Hours. The Department of Administration is to establish, maintain, and administer a plan for shared employment in the State Career Service System. Each employing agency may establish or convert a percentage of full-time agency positions, up to 10 percent, for the shared employment program.

Occupational safety and health. Among changes in the law regulating transportation, storage, distribution, and use of pesticides, it was specified that certified applicators must be at least 18 years of age and are to be responsible for providing safety instruction and training to those working under their supervision.

Economic development. A new law was passed for the purpose of redeveloping and creating new jobs in blighted areas designated as enterprise zones through use of tax credits and other incentives.

Employment and training. Public works contractors are no longer mandated by statute to employ a specific ratio of apprentices and trainees. The Division of Labor was directed to establish, by rule, minimum standards and policies governing apprentice programs and agreements, such as the ratio of apprentices to journeymen, but may not require the use of apprentices and trainees on State, county, or municipal contracts. The State Apprenticeship Council, scheduled for termination under sunset legislation was continued to October 1, 1988.

Georgia

Wages. Payment bonds, which were previously required on all public works contracts exceeding \$5,000, will now be required only on contracts exceeding \$20,000 or on those of any amount where required at the discretion of the contracting authority.

Equal employment opportunity. The Fair Employment Practices Act, prohibiting discrimination in State employment, scheduled to terminate on July 1, 1982, was continued until July 1, 1985.

Private employment agencies. Career consultants who perform such activities as counseling are specifically subject to the Fair Business Practices Act and must enter into written agreements with clients and specify in writing to clients that the services do not include actual job placement. All advertisements must

state that the firm does not guarantee actual job placement as one of its services.

Other laws. A Correctional Services Division was established within the Department of Labor with authority to enter into agreements with district attorneys and solicitors for the purpose of establishing pretrial intervention programs in the judicial circuits.

Hawaii

Hours. A pilot project in the Department of Education to test the feasibility of job sharing, begun in 1978 and scheduled to end at the close of the 1982–83 academic year, was extended for 1 year, and a similar 2-year job sharing project was authorized within the public library system.

Equal employment opportunity. A Senate resolution reaffirmed adoption of the equal rights amendment to the State's constitution and the State's ratification of the proposed equal rights amendment to the U.S. Constitution.

A House resolution requested the State Office of Affirmative Action to review the problem of sexual harassment in public sector employment in Hawaii, and report its findings and recommendations, including any recommended legislation, to the 1983 legislature.

Another House resolution requests the Industrial Relations Center of the University of Hawaii to undertake a preliminary review of the issue of equal pay for equal work of comparable worth, to identify issues or factors which should be considered in planning a more comprehensive study of the issue.

Labor relations. Public and private sector employees who because of religious beliefs object to joining or financially supporting an employee or labor organization will not be required to do so as a condition of employment, but may be required to pay sums equal to the dues and initiation fees to a nonreligious, nonlabor charity of their choice. The employee organization may charge a reasonable fee for the employee's use of the grievance procedure in his or her behalf.

Private employment agencies. Additional prohibited practices were enacted stipulating that agencies may not knowingly misrepresent terms and conditions of employment to applicants, withhold written disclosure of fees or charges from applicants, provide information relating to an applicant to an employer unless the information is known to be accurate and complete, or charge an applicant any fee until he or she is employed through the agency's efforts. The law is administered by the Department of Regulatory Agencies.

The agency licensing examination must now cover, among other subjects, general principals of business law and State statutes and regulations relating to agencies. Contents of the examination were not previously specified. The regulation of private employment agencies is scheduled to terminate on December 31, 1988, under sunset legislation.

Economic development. The Director of the Department of Planning and Economic Development was directed to conduct a study of the State's economic revitalization opportunities and to submit recommendations on economic incentives and other matters at the next regular legislative session.

Idaho

Wages. Two separate bills which would have repealed the prevailing wage law passed the legislature but were vetoed by the Governor.

Wages may now be paid to a worker within 48 hours rather than at the time of discharge or layoff as formerly required. Also, the Director of the Department of Labor and Industrial Services may grant an employer an additional time extension upon written application showing good reasons. Wages may still be paid on the employee's regular pay day when one has been established by a contract of employment.

Restrictions on garnishment for support payments were conformed to the Federal limitations of 50 percent of weekly disposable earnings if the individual is supporting another spouse or dependent child, or 60 percent if not.

Equal employment opportunity. The law prohibiting age-based employment discrimination against persons over age 60 was repealed. Such discrimination is now banned by the fair employment practices act for workers between 40 and 70 years of age. Involuntary retirement between ages 40 and 70, under any seniority system or employee benefit plan, is unlawful unless permitted under Federal law.

Administration of the equal pay law was transferred from the labor department to the Human Rights Commission.

Labor relations. A "right-to-work" measure passed both houses of the legislature but was vetoed by the Governor.

Private employment agencies. Agencies were deregulated with repeal of the requirement that agencies be licensed and bonded by county officials.

Other laws. A new law gives preference in the awarding of public works contracts to in-State contractors over those from States which favor their resident contractors over Idaho contractors.

Illinois

Plant closings. In order to retain jobs that would be otherwise lost, and to strengthen the economic base of the State, a new employee ownership assistance act provides for partial loans, technical assistance, counseling, and other forms of assistance to employee associations to enable them to acquire and operate as employee-owned enterprises, plants that are about to be permanently closed or relocated. Administration is by the Department of Commerce and Community Affairs, in conjunction with a tripartite Employee-Owned Enterprise Advisory Council.

Other laws. A legislative Labor Law Revisory Commission was created, with the directors of the State Departments of Labor and of Commerce and Community Affairs serving ex-officio. It is to study State laws and decisions pertaining to labor and employment, the advisability of revising such laws and collecting them into one code, and the advisability of coordinating the administrative departments and agencies in this field. Findings and recommendations are to be reported to the general assembly in 1984, 1985, and 1986.

Indiana

Wages. Employers under written contract to make payments to an employee welfare or benefit plan must give written notice of nonpayment to the employee, and to authorized representatives of the employee and the benefit plan, within 7 days of the failure to make the payment. An injured employee may recover double damages plus costs and attorney fees from an employer who fails to give proper notice and make the payments without good cause. Good cause does not include financial inability.

Court-ordered wage garnishment for support payments is limited to 50 percent of disposable weekly earnings if the individual is supporting another spouse or dependent child, or 60 percent if not.

Hours. The law setting 8 hours as a legal day's work for all classes of mechanics, workingmen, and laborers, except those working in agricultural or domestic labor, was repealed. This provision had permitted overtime for extra compensation by agreement between employer and employee.

Economic development. The Indiana Economic Development Authority was replaced by an Employment Development Commission with similar authority to promote employment and business opportunities by encouraging the establishment of industrial development projects for manufacturing enterprises through such means as issuing bonds and guaranteeing loans.

Other laws. Employers may not discipline employees who are members of volunteer fire departments and who are absent from work because of involvement in emergency firefighting activities.

Iowa

Occupational safety and health. Under the State Elevator Code, the labor commissioner was empowered to assess a civil money penalty against an owner who operates an elevator, or other equipment covered by the code, after the commissioner's final order suspending, revoking, or refusing to issue the operating permit.

Kansas

Child labor. Children employed as actors, actresses, or performers in motion pictures, theatrical, radio, or television productions were exempted from coverage under the child labor law. Such work is not to be performed by a child attending school during the hours school is in session.

Equal employment opportunity. The Commission on Civil Rights, scheduled to terminate on July 1, 1982, under sunset legislation, was continued until July 1, 1990.

Economic development. Areas of widespread poverty and unemployment may be designated enterprise zones and become eligible for preference for incentive projects and for the receipt of funds and services and consideration for area redevelopment under a new Kansas Enterprise Zone Act.

Kentucky

Wages. The minimum wage rate was increased from \$2.15 an hour to \$2.60 effective July 15, 1982.

Employees who provide 24-hour residential care on the employer's premises in a parental role to children who are in the care of private nonprofit child caring facilities licensed by the Department of Human Resources were exempted from the overtime pay provisions of the minimum wage law.

The minimum wage sections contained in an amendment to the Sunday liquor law were held unconstitutional in an opinion of the Attorney General. The invalidated sections would have applied minimum wage coverage to certain hotels, motels, restaurants, convention centers, commercial airports, and racetracks which sell liquor on Sunday, irrespective of gross sales, and would have disallowed tip credits toward payment

of the minimum wage, whereas the minimum wage law excludes certain industries with annual gross sales of less than \$95,000 and permits tip credits.

Requirements on semimonthly payment of wages and time of payment were amended to exclude any individual employed in a bona-fide executive, administrative, supervisory, or professional capacity, or as an outside salesperson or collector.

Several amendments were made to the prevailing wage law. Coverage was reduced by exempting school construction as well as all projects of local governmental units not receiving 50 percent or more State funding, and by raising the contract threshold amount from \$500 to \$250,000. Other changes delete the 30-percent rule for determining the prevailing wage, substituting an average wage rate, and eliminate the requirement that employers report weekly payrolls to the State labor department. The amendments coincide with the recommendations in a legislative economic impact report requested by the 1980 General Assembly and completed in October 1981.

Equal employment opportunity. A concurrent resolution was passed directing the Legislative Research Commission to conduct a study of the comparable worth issue among the jobs of State employees.

Occupational safety and health. A certified emergency medical technician is to be employed at every coal mine with 25 or more production employees, with an additional medical technician to be employed for each additional 100 employees. The emergency medical technicians may be employed in other capacities at the mine but are to be available for quick response to emergencies and are to be provided with necessary equipment as prescribed by the Commissioner of the Department of Mines and Minerals.

Miners have the right to be relieved from operating any equipment they feel is unsafe, and no other miner may be assigned that work until the matter is resolved. The use of explosives in mines was further regulated.

Among other changes in mine safety provisions, new requirements were adopted pertaining to the availability of rescue vehicles and equipment, requiring that a certified hoistman be at the site when persons are underground unless automatic, self-service facilities are provided, and prohibiting cutting or welding in the area of the last open break.

Economic development. A new law was enacted, designed to stimulate economic activity and create new jobs through use of tax credits and other incentives in areas of chronic unemployment and poverty designated as enterprise zones.

Other laws. In a law restructuring the Governor's Executive Cabinet, the State Department of Labor remains within the Public Protection and Regulation Cabinet while the Commissions on Human Rights and on Women are now within the Education and Humanities Cabinet. The Division of Employee Benefits and Payroll in the Department of Personnel has specific responsibility for coordinating equal employment opportunity and affirmative action in State agencies. In a related action, the legislature confirmed the executive reorganization of the Department of Labor including the merging of labor standards and labor management functions into a Division of Employment Standards and Mediation.

A new section was added to the civil rights law requiring private and public sector employers of eight or more to grant, upon request, up to 6 weeks personal leave to an employee who is receiving an adopted child under the age of 7.

Louisiana

Wages. The law governing assignment of earnings was amended to prohibit the discharge of any employee because of a wage garnishment. Discharge because of a wage assignment was previously prohibited.

Child labor. Among several changes in the child labor law, the State labor department may now issue 60-day blanket work permits to employers under certain circumstances, such as athletic events, exhibitions, fairs, carnivals, and inventories at large department stores. Minors who have completed certain approved on-the-job training programs were exempted from the law. Minors under age 16 may not work before 7:00 a.m. rather than 6:00 a.m. as before, and maximum weekly hours were reduced from 44 to 40. Minors ages 16 and 17 may now drive motor vehicles of no more than two axles for incidental, occasional, or delivery purposes. Minors under age 16 may now work in bowling alleys, but new restrictions were placed on work near any lounge or other location where alcoholic beverages are sold for consumption on the premises. Other changes involved recordkeeping, street trade hours, and the issuance of certificates.

Equal employment opportunity. Coverage of the State Age Discrimination in Employment Act, previously applicable to the private sector, was extended to employees of the State or any of its' political subdivisions.

A requirement that parish and city school boards not hire school janitors, custodians, or maintenance employees age 55 or over was removed. All such employees age 50 or over at the time of initial hire remain ineligible for membership in the State school employees retirement system.

Employers of more than 20 employees in an industry affecting commerce, employment agencies, and labor organizations may not discriminate against an employee or applicant because such individual has sickle cell trait. A civil action may be brought in case of violation.

Undocumented workers. The dollar amounts of fines were increased for violation of the existing statute which prohibits the knowing employment or referral of illegal aliens in all industries except agriculture.

Other laws. A Senate concurrent resolution directs all agencies of the State government to contract for professional services with firms which will perform the work within the State, where possible, except for professional academic program review in higher education.

Maine

Employment and training. Municipalities were authorized to provide job services or job service facilities under agreements with the State Bureau of Employment Security or the Maine Job Service.

Other laws. The law granting in-State bidders on State contracts a 5-percent preference over those from out-of-State was repealed.

Maryland

Wages. Premium overtime pay after 8 hours a day was dropped for those State police participating in a 2-year trial schedule of a 10- or 12-hour day, 4-day week, if authorized by

the Superintendent. Overtime pay after 40 hours a week was retained.

The wages of public employees were made subject to attachment for private debts.

Agriculture. A new law was passed effective January 1, 1983, providing for the registration of farm labor contractors, with the Commissioner of Labor and Industry authorized to administer and enforce the act. The law requires execution of an agreement between the Commissioner and the U.S. Secretary of Labor prior to its enforcement to coordinate Federal/State registration and enforcement activities in order to minimize duplication. Farm labor contractors are to give the workers written information on the places of employment and crops to be harvested, the terms and conditions of employment, any transportation, housing, or insurance to be provided, and the existence of any labor dispute at the place of employment. Recordkeeping and vehicle safety requirements were specified, and penalties for violation including fines, imprisonment, or both were enacted.

Equal employment opportunity. Persons age 70 and older are now eligible for appointment to permanent State merit system positions for which they are eligible. A 3-year demonstration employment program to determine the feasibility of finding employment for such persons ended July 1, 1982.

State employees who take time off for religious observances are to be permitted to make up the time.

Economic development. The Secretary of Economic and Community Development may designate specific areas of the State as enterprise zones in order to promote private investment and increase employment opportunities through such incentives as tax credits, loans, loan guarantees, and grants.

Employment and training. A program was initiated, to be administered by the Employment Security Administration, to provide financial assistance for comprehensive job training and related services for economically disadvantaged, unemployed, and underemployed individuals through opportunities industrialization centers and other similar community-based organizations.

A joint resolution urged the Governor, appropriate State agencies, and educational institutions to support educational training and career development programs enabling public assistance recipients to become more productive and self-supporting. The results of these efforts are to be reported to the 1983 general assembly.

Other laws. Adverse action may not be taken against State employees for seeking any remedy provided for in the law protecting them against reprisals for disclosing any illegality, gross mismanagement, or danger to public health or safety.

Massachusetts

Wages. Court-ordered wage assignments for support payments may not exceed the Federal limits on the percentage of income which may be withheld for support by wage garnishment.

Michigan

Wages. Bonding requirements of contractors on State highway construction and other public works contracts to ensure pay-

ment of wages and materials were amended to permit contractors who are common carriers or operators of State-subsidized railroads to provide letters of credit from a State or national bank or a State or Federally chartered savings and loan association instead of the bond.

Employers may not discharge or discipline employees because of a court order to withhold wages for support payments, under a new Support and Visitation Enforcement Act.

Equal employment opportunity. The Commission on Handicapper Concerns, scheduled to expire on December 31, 1982, was extended to September 30, 1985. The State labor department is to report to the Governor and the legislature by March 30, 1985, evaluating the commission's activities.

Worker privacy. Prohibitions on employers and employment agencies against requiring employees and job applicants to take a polygraph examination as a condition of employment, previously contained both in the civil rights act and another separate law, were strengthened and replaced by a new polygraph protection act. A conforming revision was made in the polygraph examiner licensing law.

Employment and training. The State labor department, in cooperation with the departments of commerce and education, is to develop a State business and industrial training program. The program is to emphasize employee training specifically tailored to meet the needs of individual employers, and is designed to encourage the expansion of existing businesses and industries within the State, promote retention of existing jobs, and assist in attracting new employers.

Other laws. The whistleblowers' protection act was amended to specify that it is not to be construed to permit disclosures that would interfere with any person's right to the continued protection of confidentiality of communications where provided for by statute or common law.

Responsibility for the inspection, licensing, and regulation of carnival and amusement rides was transferred from the State labor department to the department of licensing and regulation.

Employees who were formerly protected from discharge because of a summons for jury duty will now be protected from any disciplinary action because of such service. Also, employers were prohibited from requiring persons to work beyond their normal and customary hours, including jury time, on days that they serve on jury duty unless such extended hours are voluntarily agreed to or are provided for in a collective bargaining agreement.

Minnesota

Wages. By prior law, the minimum wage rose from \$3.10 an hour to \$3.35 effective January 1, 1982. The exemption in the minimum wage law for individuals employed in a carnival, circus, or fair was amended to now exempt seasonal work rather than part-time work as before.

Court orders for withholding of wages for support or maintenance payments must contain a notice that employees may not be discharged, suspended, or otherwise penalized or disciplined because an employer is required to withhold wages.

Equal employment opportunity. Sexual harassment was made an unfair discriminatory practice under the Human Rights Act.

The principle of comparability of the value of work is to be

implemented for executive branch employees in the State Service. Biennially, starting January 1, 1983, the Commissioner of Employee Relations is to compile and submit to the legislative commission on employee relations a list, by bargaining unit and by plan, showing female- and male-dominated classes for which a compensation inequity exists, together with a proposed budget appropriation to provide comparability adjustments. After review and possible change by the commission, the full legislature is to take final action on the proposed amount for comparability adjustments.

Mississippi

Employment and training. A Board of Vocational and Technical Education was created to, among other duties, set standards for and approve all vocational and technical education programs which receive State and Federal funds.

Missouri

Economic development. An Economic Development Commission was created in order to stimulate private investment and to enhance employment opportunities through loan and bond guarantees. Additionally, an Industrial Development Board was created with authority to confer with agencies of the State and its political subdivisions, and with representatives of business, industry, and labor for the purpose of promoting economic development. The board may lend money to any development agency where there is a public need for a proposed project and where the project will result in added employment, new capital investment, and economic stimulation for the State.

Other laws. The provision that an employee of a corporation who is discharged or voluntarily quits may request a letter of dismissal describing the services rendered and the reason for discharge or quit was amended to apply only to employers of 7 persons or more, to require that written requests be by certified mail, and to require that the employer issue the letter of dismissal to the employee within 45 days following receipt of the request.

Montana

Wages. By prior law, the minimum wage rose from \$2.50 an hour to \$2.75 effective July 1, 1982. The minimum amount that may be paid to seasonal farmworkers on a monthly basis in lieu of the minimum hourly rate was increased from \$575 a month to \$635 at the same time.

Labor relations. A new law specifies the types of work that may be required of State prison inmates in the maintenance, repair, and administration of the prison and prohibits future collective bargaining agreements from banning such use of inmate labor.

Nebraska

Equal employment opportunity. A new Equal Opportunity in Education Act was adopted making it an unfair or discriminatory practice for any public educational institution to discriminate on the basis of sex in any program or activity including employment and the conditions of employment.

County, State, and school system employees, with the annual approval of their employers, may continue to work beyond the normal retirement date without any upper age limit. Previously, certain mandatory retirement dates applied.

New Hampshire

Wages. All court orders for child or spousal support will now provide for automatic wage assignment in cases of delinquent payments, and employers may not retaliate against an employee because of such an assignment.

New Jersey

Wages. Court-ordered alimony, maintenance, or child support payments more than 25 days overdue may be enforced through wage garnishment. Employers may not discharge or discipline employees or discriminate in hiring because of an income execution.

Child labor. Vacation employment certificates will not be required in the first 14 days of employment for any minor 16 years of age or over employed in food service, restaurant, or retail occupations when school is not in session.

The child labor law was amended to remove the prohibition on the employment of girls under age 18 as messengers.

Private employment agencies. The required agency surety bond was increased from \$1,000 to \$2,000 and violations of the employment agency law are no longer misdemeanors subject to a fine, imprisonment, or both but are now punishable by civil penalties of from \$300 to \$1,500 for each offense.

Plant closings. A State Department of Labor report was issued on March 25, 1982, examining the use of employee stock ownership plans as a method of enabling employee groups to purchase plants that would otherwise be closed. The study was undertaken as directed by the Worker Owned Corporation Study Act adopted in 1981.

Other laws. As the result of a law effective July 1, 1981, the Department of Labor and Industry was reorganized and former functions were divided between two renamed departments: the Department of Labor and the Department of Commerce and Economic Development. Job promotion and economic development activities were transferred to the Department of Commerce and Economic Development.

New Mexico

Wages. By prior law, the minimum wage rate for farm employment was increased on July 1, 1982, from \$3.10 an hour to \$3.35, the same rate as for nonfarm employment.

Economic development. The Economic Development Division of the Commerce and Industry Department is to study the feasibility of establishing enterprise zones in economically depressed areas, and submit a report to be used by an interim legislative committee for study and possible recommendations to the next legislature.

New York

Child labor. Nonprofessional performances by gymnasts under age 16 no longer need a child performer permit, otherwise required for other gymnasts. Requirements relating to safety devices and protective equipment must still be observed.

Equal employment opportunity. Employment discrimination because of disability is now prohibited under the law applicable to public contractors. All employers of four or more have been prohibited from engaging in such discrimination under the State human rights law.

The civil service law was amended to authorize the State Civil Service Commission, for titles designated by it, to permit handicapped State employees who are holding or have held a non-competitive class position the same opportunities to take promotion examinations as provided to employees in the competitive class.

Labor relations. It was made an unfair labor practice for a public sector employer deliberately to refuse to continue all the terms of an expired agreement until a new agreement is negotiated.

Occupational safety and health. The State Fire Administrator is to establish a specialized hazardous material emergency response training program for individuals responsible for providing emergency response to highway and rail accidents involving hazardous materials.

Other laws. The title of the head of the State labor department was changed from Industrial Commissioner to Commissioner of Labor.

An employee subpoenaed to appear as a witness in a criminal action and who notifies his or her employer prior to the day of required attendance will not be subject to discharge or penalty because of the absence from work. The employer is not required to pay the employee for time spent away from the job.

North Carolina

Wages. As provided in a prior law, the minimum wage rate was increased to \$3.10 an hour effective January 1, 1982, with a further increase to \$3.35 scheduled for January 1, 1983.

Ohio

Equal employment opportunity. Labor laws applicable only to females, and regulating items such as working conditions, prohibited occupations, maximum hours of work, and time and wage records were repealed.

The name of the Governor's Committee on Employment of the Handicapped was changed to the Council on Disabled Persons and was assigned to the Rehabilitation Services Commission for administrative purposes.

Oklahoma

Wages. Among amendments to the wage payment/wage collection law were provisions which extended coverage to public sector employees and other additional employees; expanded the definition of wages to include items such as holiday and vacation pay, overtime pay, severance or dismissal pay, and bonuses; made uniform the provisions on last paycheck to require payment at the next regular payday to any employee whose employment terminates, and changed from 2 percent per month to 2 percent per day the liquidated damages employees are entitled to if their final wages are not paid on time.

Equal employment opportunity. The Nondiscrimination in State Employment Act, prohibiting discrimination against classified State employees on the basis of political or religious opinions or affiliations, or because of race, creed, gender, color, national origin, or physical handicap was extended to all State employees, and the bona-fide occupational qualification exception from unlawful sex discrimination was eliminated. Except for this sex discrimination provision without qualifica-

tion, and the prohibition on discrimination because of political opinions or affiliations, similar protections are also afforded to State employees by the Oklahoma Civil Rights Act.

Private employment agencies. Search consultants, retained and compensated solely by employers on a retainer or consulting basis, are not subject to fee regulation, the ban on advance fee collection, or the prohibition against requiring payment of certain fees such as those for advertising or incidental expenses.

Occupational safety and health. A comprehensive revision of the boiler and pressure vessel safety law was enacted. Administration remains with the State Department of Labor.

The Commissioner of Labor is now also responsible for administering a new amusement ride safety act which includes rulemaking authority relating to installation, repair, maintenance, use, operation, and inspection.

Puerto Rico

Wages. The provision permitting employees of private enterprises to authorize wage deductions for charitable institutions, scheduled to terminate June 30, 1982, was extended until June 30, 1985. Also, charitable institutions which receive contributions through payroll deductions must submit annual reports to the legislature, for the purpose of evaluating the efficiency of the system.

The law requiring an employer who discharges an employee without good cause to pay 1 month's salary as indemnity plus 1 week's pay for each year of service, was amended to provide that such payments may not be waived, and are not subject to any payroll deductions. Employees may be hired for a probationary period not to exceed 3 months (up to 6 months with special permit) after which time the employee acquires all of the rights of other workers.

An amendment to the wage collection provisions validates the extrajudicial settlements of wage claims reached administratively by officials of the Commonwealth's Bureau of Labor Standards of the Department of Labor and Human Resources subject to established standards and criteria. Previously claims could be validly settled only with the intervention of the Secretary or the attorneys of the Department.

Pregnant employees are entitled to 4 weeks of prenatal and 4 weeks of postnatal leave at half salary. Amendments to this law require that the half-salary payment for total anticipated maternity leave be made in cash at the beginning of the leave period, and provide that, where prenatal leave is extended because childbirth occurs later than anticipated, payment for this extension is to be made on the same basis as for regular payment of wages.

Rhode Island

Wages. By previous enactment, the minimum wage was increased from \$3.10 an hour to \$3.35 effective July 1, 1982.

Equal employment opportunity. An amendment to the Fair Employment Practices Act makes it unlawful for an employer to inquire orally or in writing whether a job applicant has ever been arrested or charged with any crime. Employers may ask if the applicant has ever been convicted of a crime.

A State senate resolution urged the U.S. Congress to enact HR1919, a bill to amend Title VII of the Civil Rights Act of 1964 to make discrimination against handicapped individuals an unlawful employment practice.

Occupational safety and health. Annual registration with the State Department of Labor is now required of those manufacturing facilities which foster unsafe conditions, as determined by the Code Commission for Occupational Safety and Health. Inspection and enforcement is by the Director of Labor.

Economic development. A Distressed Areas Economic Revitalization Act was passed with the purpose of stimulating economic recovery, promoting employment opportunities, and encouraging business development and expansion in distressed areas. Enterprise zones will be identified based on such factors as poverty level and the extent of unemployment, and businesses will be encouraged to locate within these zones through the use of both business tax credits and adjustments in property taxes.

Plant closings. A joint resolution called for creation of a broad-based special legislative commission to study the problems caused by the closing of industrial plants in the State. Findings and recommendations are to be reported to the general assembly by February 1, 1983.

South Carolina

Wages. A specific provision governing the time for payment of wages to employees who resign or quit was repealed. Such employees will now be protected by the provision on unpaid wages of all separated employees. This provision was amended in 1981 to require payment within 48 hours of separation or on the next regular payday if it occurs within 30 days of written notice of separation.

Child labor. Comprehensive new child labor regulations became effective July 1, 1982, as authorized by a 1981 law permitting the Commissioner of Labor to issue such regulations provided that they not be more restrictive or burdensome than applicable Federal laws or regulations. The new regulations are the same as their Federal counterparts in most respects, including limits on daily, weekly, and nightwork hours for minors under age 16, and prohibitions on work in hazardous occupations for those under age 18, except for coal mining occupations.

Other laws. The law was repealed which required State and county officials and employers to submit annual labor force information to the Commissioner of Labor, and which required the Commissioner to present this information to the Governor and General Assembly in an annual report.

Members of the South Carolina National and State Guard are to be restored to their previous position, or a position for which they are qualified, upon written application to their previous employer within 5 days of release from duty.

South Dakota

Wages. Effective July 1, 1982, the minimum wage rate was increased from \$2.30 to \$2.80 an hour, and the tip credit allowance was raised from 25 to 30 percent of the required minimum wage.

Wage garnishment for support payments is limited to 50 percent of disposable earnings. Employers may not discharge or refuse to hire employees because of an order to withhold wages for support payments.

Labor relations. Legislators and legislative employees were added to the list of those not considered to be public employees for the purpose of laws regulating public employee unions.

Utah

Wages. Courts may order the withholding of up to 50 percent of any individual's disposable earnings for any pay period for delinquent child support payments. Employers may not discharge or prejudice employees whose earnings have been subjected to a court-ordered withholding for a support obligation.

Virginia

Wages. Courts may order an assignment of up to 50 percent of disposable earnings as part of an order requiring payment of child support. Employers may not discharge employees because of such a wage assignment.

Child labor. Amendments to the child labor law permit work until 7 p.m. (rather than 6 p.m.) before schooldays for 14- and 15-year-olds, prohibit their work after 9 p.m. rather than 10 p.m. before nonschooldays and between June 1 and Labor Day, and change from 5 a.m. to 7 a.m. the hour at which minors of age 15 and over may begin work. Other changes involved types of employment certificates issued, recordkeeping requirements, and authorizing the labor commissioner to assess civil money penalties for violation.

Worker privacy. It was made unlawful for any person, firm, or corporation to intercept or monitor customer telephone calls unless prior notice is given to employees that such monitoring may occur at any time during the course of their employment.

Private employment agencies. Employment agencies may not collect a fee from a job applicant unless the applicant is hired as a result of an appointment made by the agency and is notified in writing, in advance, of the conditions under which a fee must be paid.

Occupational safety and health. The Chief Mine Inspector was authorized to issue regulations setting forth specific occupations for which a coal miner will be prohibited from working alone underground. Regulations are also to be issued requiring automated temporary roof support systems where they will improve the safety of roof bolters.

Employment and training. The legislative Joint Subcommittee on Vocational-Technical and Career Education was continued for 1 year to accomplish, among other things, identification of the incentives necessary for greater business and industry participation in vocational-technical education.

Responsibility for the State Employment Commission was transferred from the Secretary of Human Resources to the Secretary of Commerce and Resources.

Other laws. The law making it unlawful for any employer to require an employee or applicant to pay the cost of a medical examination or the cost of furnishing medical records as a condition of employment was amended to make employers subject to a civil penalty for each violation.

Employers assuming at least part of the cost of employee group accident, sickness, hospital, or medical insurance coverage or providing for medical care or reimbursement of medical

expenses, must give participating employees written notice within 15 days of the termination of such coverage. Also, the failure to transmit to the insurer employee contributions collected by the employer was made a misdemeanor.

Washington

Wages. The required posting of prevailing wage rates at public works job sites may be satisfied on road construction or other similar projects for which no field office is needed or established by a posting at the contractor's local office.

Worker privacy. The State patrol is to furnish a transcript of the conviction record of any person upon the written request of any employer for the purpose of securing a bond required for employment, conducting evaluations of employees and applicants for employment who may have access to information affecting national security, trade secrets, or other confidential matters, or assisting in the investigation of suspected employee misconduct which may involve a penal offense. Employers are to notify the employee within 30 days of the receipt of a conviction record and are to make it available for his or her examination.

Private employment agencies. The employment agency advisory committee established by statute was abolished, and the Director of the Department of Licensing was granted general authority to appoint committees to advise on licensing examinations and other aspects of regulating the professions within the department's jurisdiction.

A 1981 revision of regulations deleted the schedule of maximum placement fees that agencies may charge applicants, with agencies now to set their own fees, subject to the Director of Licensing's approval of each fee schedule.

Employment and training. Compensation for members of the youth development and conservation corps which was set at a base of \$25 a week with up to an additional \$25 weekly possible on the basis of assigned leadership responsibilities or special skills, was amended to now provide for a wage range of from \$25 a week up to the State minimum wage rate.

Other laws. Procedures were established for investigating allegations that a State employee has engaged in improper governmental action, and interfering with or retaliating against an employee furnishing information on such matters was prohibited.

A 2-year pilot project to establish multipurpose service centers and programs to provide job training, counseling, placement, and other services for displaced homemakers was extended to June 30, 1987, at which time it will expire unless extended by the legislature.

West Virginia

Wages. By prior law, the minimum wage rate was increased from \$2.75 an hour to \$3.05, effective January 1, 1982.

Labor relations. Any officer or employee of the State may authorize a voluntary deduction from wages for the payment of membership dues or fees to an employee association.

Occupational safety and health. The Commissioner of Labor, who administers the law regulating the operation of steam

boilers, was authorized to set the fees to be charged for issuing permits, making inspections, commissioning insurance company boiler inspectors, and for the processing of inspection reports from insurance companies.

Employment and training. The Commission on Manpower, Technology and Training was abolished. It had been established in 1964 to conduct studies on the impact of automation and technological development on the skills required in the work force and job opportunities available.

Wisconsin

Equal employment opportunity. The fair employment practices law was amended to prohibit discrimination on the basis of marital status and sexual orientation, and to define handicap as including mental or physical impairment. The age discrimination provisions now extend from age 40 to age 70 instead of to age 65, and pension plans may not require or permit involuntary retirement before age 70. Employers must notify each employee at the time of hiring of any grooming requirements.

A joint resolution was adopted proposing an equal rights amendment to the State constitution. The proposed amendment is to be referred to the next legislature.

Worker privacy. The right of an employee or employee representative to inspect personnel records will now include the right to copy the records. Employers are subject to fines for failure to comply with this requirement.

Labor relations. A new provision stipulates that State payments to health care institutions are to be reduced if the insti-

tutions are found to have violated Federal or State law by hiring individuals to work against organization of employee unions.

A collective bargaining agreement for teachers may contain provisions modifying, waiving, or replacing provisions of the law pertaining to contracts and tenure, but the parties are not required to bargain over these issues.

Occupational safety and health. Employees of the State and political subdivisions are now protected by a new public sector occupational safety and health act administered by the State labor department. An employee may not be discharged or otherwise discriminated against as a result of instituting any action or proceeding under the law or refusing to perform a task which represents a danger of serious injury or death. Provision is made whereby employers may apply for temporary, experimental, or permanent variances.

An "Employees' Right to Know Law," administered by the labor department, requires private and public sector employers to post information on toxic substances, infectious agents, or pesticides that employees work with or are likely to be exposed to, and to provide education and training programs on these substances. Employees may refuse to work with such substances until the required information is provided. The department is directed to issue rules identifying infectious agents.

The Department of Health and Social Services is authorized to use hospital inpatient records and other sources to correlate exposure to certain occupational environments with resulting health problems and to disseminate findings where an occupational health hazard exists in an effort to educate employers and employees. □

FOOTNOTES

¹ The legislatures did not meet in Arkansas, Nevada, and North Dakota in 1982. Sessions were held in North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Vermont, and Wyoming, but no significant legislation was enacted in the fields covered by this article. Information on Guam and the Virgin Islands had not been received

by press time.

² Based on information received by Nov. 5, 1982.

³ Unemployment 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 *Review*.