

The January Review

The *Review's* annual account of labor legislation begins with the broad-based summary, "State labor legislation enacted in 2008," by John J. Fitzpatrick, Jr., James L. Perine, and Bridget Dutton, from the Department of Labor, Employment Standards Administration. Of the more than 30 categories of labor law tracked by the authors, equal employment opportunity, human trafficking, immigration protections, independent contractors, the minimum wage, prevailing wages, time off, wages paid, and worker privacy were among the most active areas in which State legislatures either enacted or revised legislation during the year. The minimum wage was the "hot-button" issue of 2008, due to 1) some States' laws requiring the State's minimum-wage rate to be greater than the Federal rate, 2) other States' laws requiring an annual increase in the minimum wage, based on increases in the Consumer Price Index, and 3) still other States' regular minimum-wage legislative activity.

The second article narrows the labor legislation theme by focusing on unemployment insurance laws, a topic of high interest, given the start of the current recession in December 2007 (as designated by the National Bureau of Economic Research). In "Changes in unemployment insurance legislation in 2008," Loryn Lancaster, from the Department of Labor, Employment and Training Administration, highlights five key Federal enactments that extend unemployment insurance benefits and provide Federal funding to the States to cover costs. Notably, the Department issued a final rule amending its definition of "paying State" to "any 'single State' in which the claimant had base period wages and employment, and in which

the claimant qualifies for unemployment benefits." Lancaster then summarizes significant revisions to State enactments.

Employment of people with a disability

After many years of extensive research and consultation with various stakeholders, BLS is now publishing data each month on the employment status of people with a disability. The first posting on our Web site (at <http://www.bls.gov/cps/cpsdisability.htm>) contained labor force, employment, and unemployment data for January 2009, and the data will be updated at that location monthly.

The new data are collected through the Current Population Survey (CPS), a monthly survey of households. The survey uses a set of six questions to identify persons with disabilities; the latter is defined as physical, mental, or emotional conditions that cause individuals to have serious difficulty with their daily activities.

In January, the unemployment rate for persons with a disability was 13.2 percent, compared with 8.3 percent for persons with no disability. (These statistics are not adjusted for seasonal variations.) One in 5 persons with a disability was employed, compared with 2 out of 3 persons without a disability. About 75 percent of persons with a disability were outside of the labor force; that is, they were neither working nor looking for work during the survey reference period.

One vital aspect of the CPS is that it collects a wealth of demographic and economic characteristics of the surveyed population. In addition to the data now available on our Web site each month, BLS produces data tables cross-tabulating disability status by variables such as age, sex, race, mari-

tal status, and industry and occupation; these tables are available upon request (by telephone: 202 691-6378 or online <http://data.bls.gov/cgi-bin/forms/cps?/cps/cpsdisability.htm>).

Union membership

In 2008, union members accounted for 12.4 percent of employed wage and salary workers, up from 12.1 percent a year earlier, BLS recently reported. The number of workers belonging to a union rose during the year by more than 400,000, to a little more than 16 million. There were 17.7 million union workers in 1983, the first year for which comparable union data are available.

One long-term trend continued last year: government workers are much more likely—nearly 5 times as much—than private industry workers to belong to a union. This is explained in part by the types of occupations in which many public-sector workers are heavily represented; people working in education, training, and library occupations, for instance, had the highest unionization rate, at almost 39 percent, among occupational groups.

Geographic disparities in union membership continue to be noticeable. In 2008, New York was the State with the highest union membership rate (at about 25 percent), compared with North Carolina, which had the lowest (at 3.5 percent). Many large States, such as California and New Jersey, had large percentages of employees affiliated with unions—each at about 18 percent—whereas Texas, at less than 5 percent, had one of the lowest unionization rates.

The report summarizing union membership for 2008 can be found on the BLS Web site at <http://www.bls.gov/news.release/union2.toc.htm>. □